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*official and personal capacity as Executive Officer*  
9 *of the California Air Resources Board, Mary D.*  
*Nichols in her official and personal capacity as*  
10 *Chairman of the California Air Resources Board,*  
*and Matt Rodriquez in his official capacity as*  
11 *Secretary of the California Environmental*  
*Protection Agency*

12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE EASTERN DISTRICT OF CALIFORNIA  
14

15 **OWNER-OPERATOR INDEPENDENT**  
16 **DRIVERS ASSOCIATION, INC., DALE L.**  
17 **CURTICE, JR. d/b/a CURTICE**  
18 **TRUCKING, INC., NELSON**  
19 **GREENWADE, SR. d/b/a DREAM TEAM**  
20 **EXPRESS LLC, LANCE HENNING d/b/a**  
**LANCE HENNING TRUCKING, LEO T.**  
**JOLIN, BARRY VUN CANNON d/b/a**  
**NACO LLC, JOHNNY WEST, RICHARD**  
**M. HUNTER, and RUSSELL A. SHORT,**

21 Plaintiffs,

22 v.

23 **RICHARD W. COREY in his official and**  
24 **personal capacity as Executive Officer of the**  
**California Air Resources Board; MARY D.**  
25 **NICHOLS in her official and personal**  
**capacity as Chairman of the California Air**  
26 **Resources Board; MATT RODRIGUEZ in**  
**his official capacity as Secretary of the**  
27 **California Environmental Protection**  
**Agency,**

28 Defendants.

1:13-CV-01998-LJO-SAB

**STIPULATION AND ORDER  
EXTENDING TIME FOR DEFENDANTS  
TO RESPOND TO COMPLAINT**

1 Plaintiffs OWNER-OPERATOR INDEPENDENT DRIVERS ASSOCIATION, INC.,  
2 DALE L. CURTICE, JR. d/b/a CURTICE TRUCKING, INC., NELSON GREENWADE, SR.  
3 d/b/a DREAM TEAM EXPRESS LLC, LANCE HENNING d/b/a LANCE HENNING  
4 TRUCKING, LEO T. JOLIN, BARRY VUN CANNON d/b/a NACO LLC, JOHNNY WEST,  
5 RICHARD M. HUNTER, and RUSSELL A. SHORT, and defendants RICHARD W. COREY in  
6 his official and personal capacity as Executive Officer of the California Air Resources Board,  
7 MARY D. NICHOLS in her official and personal capacity as Chairman of the California Air  
8 Resources Board, and MATT RODRIQUEZ in his official capacity as Secretary of the California  
9 Environmental Protection Agency (collectively Defendants), by and through their counsel, enter  
10 into this stipulation based on the following facts:

11 1. On December 6, 2013, Plaintiffs filed their Complaint for Declaratory and Injunctive  
12 Relief in this action. The Complaint was served on Defendants on December 9, 2013.

13 2. Plaintiffs granted Defendants a twenty-day extension of time to respond to Plaintiffs'  
14 Complaint. The parties filed their Stipulation Extending Time for Defendants to respond to  
15 Complaint on December 30, 2013.

16 3. The parties have been discussing the possibility of entering into a stipulation that  
17 would affect the Defendants' response in this matter.

18 4. Plaintiffs agree that Defendants' time to respond to Plaintiffs Complaint be extended  
19 by seven days, to and including January 27, 2014, to enable the parties to determine whether a  
20 stipulation can be reached, and provide Defendants with sufficient time to answer or otherwise  
21 respond to Plaintiffs' Complaint.

## 22 **STIPULATION**

23 **THEREFORE**, the parties to this action, through their respective attorneys, stipulate:

24 1. Defendants' time to respond to this Complaint is extended by an additional seven  
25 days, to and including January 27, 2014, for a total extension time of twenty-eight days.

1 Dated: January 13, 2014

KAMALA D. HARRIS  
Attorney General of California  
RANDY L. BARROW  
Supervising Deputy Attorney General

2  
3  
4  
5 */s/ Nicholas Stern*  
NICHOLAS STERN  
Deputy Attorney General  
6 *Attorneys for Defendants Richard W. Corey*  
7 *in his official and personal capacity as*  
8 *Executive Officer of the California Air*  
9 *Resources Board, Mary D. Nichols in her*  
10 *official and personal capacity as Chairman*  
11 *of the California Air Resources Board, and*  
12 *Matt Rodriguez in his official capacity as*  
13 *Secretary of the California Environmental*  
14 *Protection Agency*

15 Dated: January 13, 2014  
16 s

LAW OFFICES OF BRIAN C. LEIGHTON

17 */s/ BRIAN C. LEIGHTON*  
BRIAN C. LEIGHTON  
18 *Attorney for Owner-Operator Independent*  
19 *Drivers Association, Inc., Dale L. Curtice,*  
20 *Jr. d/b/a Curtice Trucking, Inc., Nelson*  
21 *Greenwade, Sr. d/b/a Dream Team Express*  
22 *LLC, Lance Henning d/b/a Lance Henning*  
23 *Trucking, Leo T. Jolin, Barry Vun Cannon*  
24 *d/b/a Naco LLC, Johnny West, Richard M.*  
25 *Hunter, and Russell A. Short*  
26  
27  
28

ORDER

Based on the foregoing Stipulation, IT IS ORDERED that:

Defendants time to answer or otherwise respond to Plaintiffs' Complaint for Declaratory and Injunctive Relief is extended to January 27, 2014.

IT IS SO ORDERED.

Dated: January 14, 2014



UNITED STATES MAGISTRATE JUDGE