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**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
FRESNO DIVISION**

EARTH ISLAND INSTITUTE *et al.*,
Plaintiffs,
v.
DEAN GOULD, in his official capacity as
Forest Supervisor for the Sierra National
Forest, *et al.*,
Defendants.

Case No. 1:14-cv-01140-KJM-SKO

**JOINT STIPULATION AND ORDER
ON PLAINTIFFS' MOTION TO
STRIKE THE DECLARATION OF
DEAN GOULD**

1 In accordance with the Joint Stipulation filed by the parties (Doc. No. 61) and the subsequent
2 Order adopting the stipulation entered by this Court on August 1, 2014 (Doc. No. 62) the Federal
3 Defendants and Plaintiffs have met and conferred regarding Plaintiffs' Motion to Strike the Declaration
4 of Dean A. Gould have agreed to the following:

- 5 1) Paragraphs 51-63, 65-69, 71-72 and 74-75, shall be removed from Dean
6 Gould's Declaration;
- 7
8 2) Dean Gould's declaration is not an expert declaration, but rather a harm declaration and
9 shall only be considered as being submitted to support the balancing of harms and public
10 interest prongs of the test for preliminary injunction;
- 11
12 3) Defendants shall re-file the Declaration of Dean Gould, striking the
13 aforementioned paragraphs via the strike-through font effect, such that the
14 current numbering in the declaration is not altered and will also produce a version of the
15 Declaration without any strike-through font effects for the ease of reading;
- 16
17 4) Plaintiffs hereby withdraw their motion to strike and shall respond to Dean Gould's
18 Declaration, where such response is warranted, in the briefing currently permitted
19 by the Court.
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For the Plaintiffs:

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1 IT IS SO ORDERED: (a) that the parties shall comply with the terms of the stipulation outlined
2 above in paragraphs 1 and 3; (b) that the declaration of Dean Gould shall only be considered by the
3 Court as being submitted in relation to Defendants arguments on balancing of harms and public interest
4 and (c) Plaintiffs' Motion to Strike the Declaration of Dean Gould is hereby withdrawn.

5 Dated: August 11, 2014.

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 UNITED STATES DISTRICT JUDGE
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