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7 CALIFORNIA SPORTFISHING PROTECTION ALLIANCE

8
9 **UNITED STATES DISTRICT COURT**

10 **EASTERN DISTRICT OF CALIFORNIA**

11 CALIFORNIA SPORTFISHING PROTECTION
12 ALLIANCE, a California non-profit corporation,

13 Plaintiff,

14 vs.

15 A.L. GILBERT COMPANY, a California
16 corporation,

17 Defendant.

Civil Case No. 1:15-cv-00533-DAD-SKO

Hon. Dale A. Drozd

**STIPULATION AN ORDER TO EXTEND
DEADLINE FOR SUBMISSION OF
DISMISSAL DOCUMENTS**

Civil Local Rule 144(a)

1 Plaintiff California Sportfishing Protection Alliance and Defendant A.L. Gilbert Company
2 (collectively the “Parties”) in the above-entitled action submit this Stipulation and Request to Extend
3 Deadline for Submission of Dismissal Documents; [Proposed] Order, as set forth below:

4 **WHEREAS**, on April 21, 2016, the Parties reached a final settlement of the above-captioned
5 matter (*See* Dkt. No. 52);

6 **WHEREAS**, the Parties’ settlement agreement provided Defendant 60-days from April 21 to
7 complete implementation of specified best management practices (“BMPs”) at its industrial facility at
8 issue in this matter, i.e., June 20, 2016;

9 **WHEREAS**, the Parties’ settlement agreement provides Defendant no more than five business
10 days to notify Plaintiff of completion of the specified BMPs and provide an amended storm water
11 pollution prevention plan (“SWPPP”), i.e., June 27, 2016;

12 **WHEREAS**, the Parties’ settlement agreement provides Plaintiff no more than three business
13 days from receipt of Defendant’s notice of completion of BMPs and amended SWPPP to notice an
14 inspection of Defendant’s industrial facility at issue in this matter to confirm complete implementation
15 of the specified BMPs, i.e., June 30, 2016, and provides that the inspection will be conducted no more
16 than ten business days from the date of Plaintiff’s notice, i.e., July 15, 2016;

17 **WHEREAS**, to the extent Plaintiff confirms that the specified BMPs have been completely
18 implemented, the Parties’ settlement agreement provides Defendant no more than three business days
19 from receipt of Plaintiff’s confirmation to remit the monetary settlement payment due under the
20 agreement, i.e., July 20, 2016;

21 **WHEREAS**, the Parties’ settlement agreement provides Plaintiff no more than two business
22 days from the date the monetary settlement payment clears to file a stipulation and proposed order
23 dismissing the entire matter with prejudice, i.e., approximately July 25, 2016;

24 **WHEREAS**, in the its April 21 minute order the Court directed the parties to file the appropriate
25 dismissal documents, for Honorable Judge Dale A. Drozd’s signature, no later than June 24, 2016 (*See*
26 Dkt. No. 52);

27 **WHEREAS**, on June 21, 2016, the Parties met and conferred to discuss the status of the process
28

1 set out in the Parties' settlement agreement described above given the Court's April 21 minute order;

2 **WHEREAS**, during the Parties' June 21 meet and confer, Defendant indicated that it would
3 provide the notice of completion of the specified BMPs and amended SWPPP on June 27, as provided
4 in the settlement agreement;

5 **WHEREAS**, the Parties' settlement agreement provides Plaintiff until July 15 to conduct the
6 inspection of Defendant's industrial facility, and the Parties have currently agreed that the inspection
7 will be on July 14 at 10:00 a.m.;

8 **WHEREAS**, the Parties will not have completed the process set out in the settlement agreement
9 on which dismissal of this matter with prejudice will be based before the June 24 date set out in the
10 Court's April 21 minute order, but are working diligently to complete that process;

11 **WHEREAS**, a [Proposed] Order is provided concurrently herewith;

12 **NOW, THEREFORE, IT IS HEREBY STIPULATED AND REQUESTED** by and among
13 the Parties that the Court:

14 1. Extend the time for Plaintiff to file the appropriate dismissal documents from June 24,
15 2016, to July 29, 2016, to allow the Parties time to complete the process set out in the settlement
16 agreement executed on April 21, 2016.

17
18 Respectfully submitted,

19 Dated: June 23, 2016

LAWYERS FOR CLEAN WATER, INC.

20 */s/Caroline Koch*

21 _____
22 Caroline Koch
23 Attorney for Plaintiff
24 California Sportfishing Protection Alliance

25 Dated: June 23, 2016

DAMRELL, NELSON, SCHRIMP,
26 PALLIOS, PACHER & SILVA

27 */s/Kathy Monday*

28 _____
Kathy Monday
Attorneys for Defendant

