

1 JAN HASSELMAN (WSB #29107)
[Pending Pro Hac Vice Application]
2 Earthjustice
705 Second Avenue, Suite 203
3 Seattle, WA 98104
Telephone: (206) 343-7340
4 Facsimile: (206) 353-5126
jhasselman@earthjustice.org

THE HONORABLE LAWRENCE J. O'NEILL

5 TRENT W. ORR (State Bar No. 77656)
Earthjustice
6 50 California Street, Suite 500
San Francisco, CA 94111-4608
Telephone: (415) 217-2000
7 Facsimile: (415) 217-2040
torr@earthjustice.org

8 *Attorneys for Defendant-Intervenor Applicants*

9
10 UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

11 SAN LUIS & DELTA-MENDOTA WATER
AUTHORITY and WESTLANDS WATER
12 DISTRICT,

13 Plaintiffs,

14 v.

15 SALLY JEWEL, *et al.*,

16 Defendants.

17 PACIFIC COAST FEDERATION OF
FISHERMEN'S ASSOCIATIONS and
18 INSTITUTE FOR FISHERIES RESOURCES, non-
profit organizations,

19 Defendant-Intervenor Applicants.

Case No. 15-cv-1290-LJO GSA

ORDER GRANTING PCFFA'S
MOTION TO INTERVENE

Courtroom: Courtroom 4, 7th Floor
Judge: Honorable Lawrence J. O'Neill
Hearing Date: TBD
Time: TBD
Action Filed: August 21, 2015

20 THIS MATTER is before the Court on the motion to intervene of the Proposed
21 Defendant-Intervenors, Pacific Coast Federation of Fishermen's Associations and the Institute
22 for Fisheries Resources (collectively "PCFFA"). Plaintiffs' counsel does not object provided
23 PCFFA will not seek to expand the claims in this case and will accept reasonable limits on
24

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26 INTERVENE (No. 15-CV-1290-LJO-GSA) - 1

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1 briefing from intervenors. Defendants' counsel has indicated that Defendants would stipulate to
2 PCFFA's intervention.

3 PCFFA's motion to intervene satisfies the four requirements of Federal Rule of Civil
4 Procedure 24(a) to intervene as of right. Based on the intervention papers PCFFA has filed, the
5 Court finds that PCFFA's motion is timely filed at this very early stage of the proceedings.
6 PCFFA has a significant protectable interest in the Klamath River fisheries which the challenged
7 government action is designed to protect. Disposition of this action without PCFFA may, as a
8 practical matter, impair PCFFA's ability to protect its interest in these fisheries and the
9 government defendants and other intervenors may not adequately represent PCFFA's interests.

10 The Court, therefore, finds that it is appropriate, pursuant to Federal Rule of Civil
11 Procedure 24, to allow PCFFA to intervene in this action as a matter of right. Alternatively,
12 PCFFA's request to intervene permissively pursuant to Rule 24(b) is also appropriate as the
13 request is timely, the applicant's claim or defense shares a common question of law or fact, and
14 intervention would not unduly delay or prejudice the adjudication.

15 IT IS HEREBY ORDERED that PCFFA's motion to intervene as of right, or
16 alternatively with permission, as a defendant in this action is GRANTED, conditioned upon
17 PCFFA making every effort to avoid duplicative briefing.

18
19 IT IS SO ORDERED.

20 Dated: August 24, 2015

/s/ Lawrence J. O'Neill
UNITED STATES DISTRICT JUDGE