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6 Attorneys for Plaintiffs
NORTH COAST RIVERS ALLIANCE, CALIFORNIA
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8 COAST FEDERATION OF FISHERMEN'S
ASSOCIATIONS, SAN FRANCISCO CRAB BOAT
9 OWNERS ASSOCIATION, INC., and INSTITUTE
FOR FISHERIES RESOURCES
10

11 IN THE UNITED STATES DISTRICT COURT
12 EASTERN DISTRICT OF CALIFORNIA
13 FRESNO DIVISION

14 NORTH COAST RIVERS ALLIANCE, ET
15 AL.,

16 Plaintiffs,

17 v.

18 UNITED STATES DEPARTMENT OF THE
19 INTERIOR, ET AL.,

20 Defendants,
21

CASE NO. 1:16-cv-00307-JLT-SKO

**STIPULATION REGARDING CASE
DEADLINES; ORDER**

(Doc. 227)

DISTRICT JUDGE JENNIFER L.
THURSTON
MAGISTRATE JUDGE S. OBERTO

22 Pursuant to the Court's September 1, 2022 Order (ECF No. 223), Plaintiffs and Defendants
23 United States, Del Puerto Water District, James Irrigation District, Reclamation District 1606, Hills
24 Valley Irrigation District, and Kern-Tulare Water District, City of Shasta Lake, Mountain Gate
25 Community Services District, Shasta Community Services District, 4-M Water District, Bella Vista
26 Water District, Colusa County Water District, Corning Water District, Cortina Water District, Dunnigan
27 Water District, Glide Water District, Kanawha Water District, Le Grande Water District, Centerville
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1 Community Services District, Davis Water District, Glenn Valley Water District, Myers-Marsh Mutual
2 Water Company, Holthouse Water District, Proberta Water District, Clear Creek Community Services
3 District, County of Colusa, Eagle Field Water District, Fresno Slough Water District, Tranquility
4 Irrigation District, Mercy Springs Water District, Pacheco Water District, and Laguna Water District,
5 City of West Sacramento, Westlands Water District, Westlands Water District Distribution District No.
6 1, Westlands Water District Distribution District No. 2, San Luis Water District, Panoche Water
7 District, Byron Bethany Irrigation District, Placer County Water Agency, Sacramento County Water
8 Agency, City of Redding, East Bay Municipal Utility District, County of Fresno, International Water
9 District, San Juan District, Central San Joaquin Water Conservation District, Stockton East Water
10 District, Banta-Carbona Irrigation District, West Stanislaus Irrigation District, Patterson Irrigation
11 District, Tulare County, and San Benito County Water District have conferred regarding further
12 deadlines in this matter. The Parties stipulate and jointly request that the Court enter the following
13 Order:
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16 1. The Administrative Record, lodged by the United States on October 21, 2022, is
17 complete. The United States will add Bates numbers to the Administrative Record and will provide
18 access to the Administrative Record to the Parties and the Court on or before December 23, 2022.

19 2. Plaintiffs will file their Motion for Summary Judgment on or before February 10, 2023.
20 Federal Defendants will file their Opposition to Plaintiffs' Motion for Summary Judgment and Federal
21 Defendants' own Cross-Motion for Summary Judgment (if any) on or before March 31, 2023;
22 Contractor Defendants will file their Oppositions and Cross-Motions for Summary Judgment (if any) on
23 or before April 21, 2023; Plaintiffs will file their Reply in support of their Motion and Opposition to the
24 Cross-Motions on or before June 9, 2023; Federal Defendants will file their Reply in support of their
25 Cross-Motion on or before June 30, 2023; and Contractor Defendants will file their Replies in support of
26 the Cross-Motions on or before July 14, 2023.
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1 3. The page limit for Plaintiffs' Reply in support of their Motion and Opposition to any
2 Cross-Motions, which will be filed concurrently as one brief, may be equal to the combined number of
3 pages of Federal Defendants' and Contractor Defendants' Oppositions to Plaintiffs' Motion for
4 Summary Judgment and any Cross-Motions for Summary Judgment (briefing pages as used herein does
5 not include caption, table of contents, or table of authorities pages).

6 4. Pursuant to the Court's August 12, 2022 Order Denying Federal Defendants' Motion for
7 Stay, "Plaintiffs have agreed to adopt the briefing filed by the plaintiffs in *CBD* on the matters covered
8 by the motions pending there. (Doc. 215.)" ECF No. 218 at 5-6. The Court denied Federal Defendants'
9 Motion to Stay "on the condition that Plaintiffs abide by their commitment to avoid duplicative briefing
10 on those claims that overlap with the claims in the *CBD* case." *Id.* at 7. Therefore, summary judgment
11 briefing in this case will be limited to the third and fourth claims in Plaintiffs' Third Amended and
12 Supplemental Complaint for Declaratory Relief, which do not overlap with the claims in the *CBD* case.

13 5. The hearing date for the Motion for Summary Judgment and Cross-Motions for
14 Summary Judgment be set for Thursday, August 3, 2023, but will only occur if the Court deems it
15 necessary. Pursuant to the Court's Standing Order, the Parties assume the motions described above will
16 be submitted for decision on the papers without oral argument.

17 6. The undersigned counsel for the Federal Defendants have notified counsel
18 for all Contractor Defendants appearing in this action of this Stipulation and did not receive any
19 objection.

20 APPROVED BY:

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23
24 TODD KIM, Assistant Attorney General
25 United States Department of Justice
26 Environment & Natural Resources Division

27 /s/ Jeffrey N. Candrian (as authorized on 12/9/22)

28 JEFFREY N. CANDRIAN

Attorney for the U.S. Department of the Interior,
U.S. Bureau of Reclamation
LAW OFFICES OF STEPHAN C. VOLKER
STIPULATION REGARDING CASE DEADLINES; ORDER

1 /s/ Stephan C. Volker

2 STEPHAN C. VOLKER

Attorney for Plaintiffs North Coast Rivers Alliance, et al.

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4 DOWNEY BRAND LLP

5 /s/ Rebecca Smith (as authorized on 12/9/22)

6 REBECCA SMITH

Attorney for City of Shasta Lake, Mountain Gate Community Services District, Shasta Community Services District, 4-M Water District, Bella Vista Water District, Colusa County Water District, Corning Water District, Cortina Water District, Dunningan Water District, Glide Water District, Kanawha Water District, Le Grande Water District, Centerville Community Services District, Davis Water District, Glenn Valley Water District, Myers-Marsh Mutual Water Company, Holthouse Water District, Proberta Water District, Clear Creek Community Services District, County of Colusa.

9
10 ORRICK, HERRINGTON & SUTCLIFFE LLP

11 /s/ Cynthia J. Larsen (as authorized on 12/9/22)

12 CYNTHIA J. LARSEN

Attorney for Westlands Water District, Westlands District Distribution District No. 1, Westlands Water District Distribution District No. 2

13
14 WELTY WEAVER & CURRIE, PC

15 /s/ Philip Williams (as authorized on 12/9/22)

16 PHILIP A. WILLIAMS

Attorney for Panoche Water District and International Water District

17 DANIEL C. CEDERBORG, County Counsel

18 /s/ Kyle Robertson (as authorized on 12/9/22)

19 KYLE ROBERSON, Deputy County Counsel

Attorney for Defendant COUNTY OF FRESNO

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21 BAKER, MANOCK & JENSEN, P.C.

22 /s/ Joseph M. Marchini (as authorized on 12/9/22)

23 JOSEPH M. MARCHINI

Attorneys for Eagle Field Water District, Mercy Springs Water District, Tranquillity Irrigation District, Fresno Slough Water District, Pacheco Water District, and Laguna Water District.

24
25 COUNTY OF TULARE

26 /s/ Paula C. Clark (as authorized on 12/9/22)

27 PAULA C. CLARK, Deputy County Counsel

Attorney for Defendant TULARE COUNTY

28
Stoel Rives LLP

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1:16-CV-00307-JLT-SKO

1 /s/ Kristen T. Castanos (as authorized on 12/9/22)

2 ELIZABETH P. EWENS
3 KRISTEN T. CASTANOS
4 Attorneys for Defendant
5 SAN JUAN WATER DISTRICT

6 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
7 A Professional Corporation

8 /s/ Eric N. Robinson (as authorized on 12/9/22)

9 Eric N. Robinson
10 Attorneys for Defendant
11 CITY OF WEST SACRAMENTO

12 KRONICK, MOSKOVITZ, TIEDEMANN & GIRARD
13 A Professional Corporation

14 /s/ William T. Chisum (as authorized on 12/9/22)

15 William T. Chisum
16 Attorneys for Defendant
17 SAN BENITO COUNTY WATER DISTRICT

18 THE LAW OFFICES OF YOUNG WOOLDRIDGE, LLP

19 /s/ Alan F. Doud (as authorized on 12/9/22)

20 ALAN F. DOUD
21 Attorney for Del Puerto Water District, James Irrigation District, Reclamation District 1606,
22 Hills Valley Irrigation District
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ORDER

GOOD CAUSE APPEARING from the Parties' foregoing Stipulation (Doc. 227), the Court hereby ADOPTS the case deadlines as set forth above.

IT IS SO ORDERED.

Dated: December 13, 2022

/s/ Sheila K. Oberto
UNITED STATES MAGISTRATE JUDGE