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**Listed on Signature Page**

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

15 EARTH ISLAND INSTITUTE, *et al.*,

16 Plaintiffs,

17 v.

18 KEVIN ELLIOTT, in his official capacity as  
19 the Forest Supervisor of the Sequoia National  
20 Forest, *et al.*,

21 Federal Defendants,

22 and

23 SIERRA FOREST PRODUCTS, a California  
24 Corporation,

25 Defendant-Intervenor.

Case No. 1:17-cv-01320-LJO-SAB

**STIPULATION AND ORDER FOR STAYING  
TAXATION OF COSTS PENDING APPEAL**

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1 **STIPULATION AND ORDER**

2 IT IS HEREBY STIPULATED, by and between Plaintiffs and Federal Defendants and subject to  
3 Court approval, that:

- 4 (1) Plaintiffs waive any objections to Federal Defendants’ Bill of Costs (ECF No. 61).
- 5 (2) The final taxation of Federal Defendants’ Bill of Costs against Plaintiffs shall be stayed  
6 pending Plaintiffs’ appeal of the Court’s summary judgment order and judgment (ECF  
7 Nos. 57, 58).

8 The reasons for this stipulation are as follows:

9 On July 19, 2018, Plaintiffs filed a Notice of Appeal of this Court’s summary judgment order  
10 and judgment. ECF No. 59. If Plaintiffs prevail in their appeal, they will not be liable for Federal  
11 Defendants’ Bill of Costs, and thus taxing the Bill of Costs against Plaintiffs at this time is premature.  
12 Waiting to tax costs until after the appeal is resolved promotes efficiency and may avoid the unnecessary  
13 expenditure of time and resources. If Plaintiffs do not prevail in their appeal, or if the appeal is  
14 otherwise dismissed, Plaintiffs will be liable for Federal Defendants’ Bill of Costs.

15 Dated: July 26, 2018

/s/ René P. Voss (authorized 7/25/2018)  
 RENÉ P. VOSS  
 MATT KENNA, *Pro Hac Vice*

17 Attorneys for Plaintiffs

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25 IT IS SO ORDERED.

26 Dated: July 26, 2018

/s/ Lawrence J. O’Neill  
 UNITED STATES CHIEF DISTRICT JUDGE