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17 IN THE UNITED STATES DISTRICT COURT
18 EASTERN DISTRICT OF CALIFORNIA

19 SEQUOIA FORESTKEEPER, *et al.*,

20
21 Plaintiffs,

22 v.

23 ANN CARLSON, in her official capacity as
24 the Forest Supervisor of the Sequoia National
Forest, *et al.*,

25 Federal Defendants.
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Case No. 1:18-CV-00331-LJO-SAB

ORDER RE STIPULATION FOR DISPENSING
WITH STATEMENTS OF UNDISPUTED FACTS

(ECF No. 24)

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1. Plaintiffs Sequoia ForestKeeper and Earth Island Institute allege that the United States Forest Service and the Forest Supervisor of the Sequoia National Forest (“Federal Defendants”) violated the National Environmental Policy Act (“NEPA”), 42 U.S.C. § 4332, by authorizing the Spear Creek Roadside Hazard Tree Mitigation Project.

3. “Local Rule 260(e) [currently 260(a)] directs that each [summary judgment] motion shall be accompanied by a ‘Statement of Undisputed Facts’ that shall enumerate each of the specific material facts on which the motion is based and cite the particular portions of any document relied upon to establish that fact. In APA cases, such statements are generally redundant because all relevant facts are contained in the agency’s administrative record.” *San Joaquin River Grp. Auth. v. Nat’l Marine Fisheries Serv.*, 819 F. Supp. 2d 1077, 1084 (E.D. Cal. 2011); *see W. Watersheds Project v. Bureau of Land Mgmt.*, 971 F. Supp. 2d 957, 968–69 (E.D. Cal. 2013). Consequently, “requests to dispense with the requirement of filing a statement of facts are routinely granted in this District.” *San Joaquin River Grp. Auth.*, 819 F. Supp. 2d at 1084; *Pinnacle Armor, Inc. v. United States*, No. 07-1655, 2013 WL 5947340, at *7 (E.D. Cal. Nov. 4, 2013) (O’Neill, J.).

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1 4. For the foregoing reasons, the parties respectfully request approval to dispense with
2 Local Rule 260's requirement to file and respond to Statements of Undisputed Facts in connection with
3 their cross-motions for summary judgment.
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5 Dated: June 19, 2018

/s/ René Voss
RENÉ P. VOSS
MATT KENNA, *Pro Hac Vice*

Attorneys for Plaintiffs

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9 MCGREGOR W. SCOTT
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10 By: /s/ Joseph Frueh (authorized on 6/19/2018)
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18 As this action arises under the Administrative Procedures Act, the stipulation to dispense with
19 the requirement that the parties file and respond to a statement of undisputed facts in connection with
20 their cross-motions for summary judgment is approved.

21 IT IS SO ORDERED.

22 Dated: June 19, 2018


UNITED STATES MAGISTRATE JUDGE