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 9 EL DORADO COUNTY, CALIFORNIA

10 (Additional counsel on following page.)

11 **UNITED STATES DISTRICT COURT**
 12 **EASTERN DISTRICT OF CALIFORNIA**

13 UNITED STATES OF AMERICA,
 14
 15 Plaintiff,
 16 v.
 17 EL DORADO COUNTY, CALIFORNIA; and
 18 CITY OF SOUTH LAKE TAHOE,
 19 CALIFORNIA,
 20 Defendants.

Case No.: 2:01-cv-01520 MCE GGH

**DEFENDANT COUNTY OF EL DORADO
 AND PLAINTIFF UNITED STATES OF
 AMERICA’S STIPULATION REGARDING
 STATUS REPORT SUBMISSION
 DEADLINE; PROPOSED ORDER**

21 AND RELATED ACTIONS
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STIPULATION

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1 This Stipulation is entered into by and between Plaintiff United States of America (“United
2 States”) and Defendant El Dorado County, California (“County”) by their respective undersigned
3 counsel of record. By this Stipulation, the United States and County jointly request that the Court
4 enter the following proposed order.

5 WHEREAS, on July 8, 2011, the Court issued an Memorandum and Order (“Order,” ECF.
6 No. 416) granting the County’s Motion for Construction, Enforcement, and Modification of the
7 PCD;

8 WHEREAS, the Order stated that an evidentiary hearing shall be conducted to determine the
9 United States’ liability for additional costs paid by the County to construct the Final 100%
10 Remedial Design, and for any costs incurred by the County in completing said Design in the future;

11 WHEREAS, the Order directed parties to meet and confer with respect to the discovery
12 needed in advance of such a hearing, the anticipated length of the hearing, whether the hearing
13 should be assigned to a special magistrate, and the suggested dates for the hearing;

14 WHEREAS, the Order directed the parties to submit such information to the Court in a
15 Status Report to be submitted no later than 10 days following the filing of the Order, or July 18,
16 2011;

17 WHEREAS, counsel for the United States and the County have entered discussions
18 regarding the matters to be addressed in the Status Report;

19 WHEREAS, the governing body of the County, the Board of Supervisors (“Board”), is next
20 scheduled to meet on July 19, 2011, when they will conduct a closed session meeting addressing
21 this litigation;

22 WHEREAS, the Board will then be able to provide County counsel and staff with direction
23 regarding the matters to be addressed in the Status Report and the County’s ongoing discussion with
24 the Untied States;

25 WHEREAS, pending the July 19, 2011 meeting of the Board, the County is continuing to
26 construct the OU-1 Remedy at the Meyers Landfill;

27 NOW, THEREFORE, the United States and El Dorado County stipulate to and hereby
28 request that the Court enter a proposed order:

1 1. Extending the submission deadline of the Status Report from July 18, 2011 to July
2 29, 2011.

3 IT IS SO STIPULATED.

4
5 DATED: July 15, 2011

LAW OFFICES OF THOMAS M. BRUEN,
A Professional Corporation

/s/ Thomas M. Bruen

THOMAS M. BRUEN
Attorneys for Defendant
EL DORADO COUNTY

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10 DATED: July 15, 2011

UNITED STATES OF AMERICA

IGNACIA S. MORENO
Assistant Attorney General
Environment & Natural Resources Division
U.S. Department of Justice

/s/ Andrew J. Doyle

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ORDER

IT IS HEREBY ORDERED that:

1. The parties are ordered to submit the Status Report previously due July 18, 2011 no later than July 29, 2011.

Date: 7/19/2011



MORRISON C. ENGLAND, JR
UNITED STATES DISTRICT JUDGE