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22 Attorney for El Dorado County, California

23 UNITED STATES DISTRICT COURT
 24 FOR THE EASTERN DISTRICT OF CALIFORNIA

25 UNITED STATES OF AMERICA,
 26
 27 Plaintiff,
 28
 29 v.
 30 EL DORADO COUNTY, CALIFORNIA,
 31
 32 *et al.*,
 33
 34 Defendants.
 35
 36 AND RELATED ACTIONS.

No. 2:01-cv-1520-MCE-DAD

STIPULATION TO WITHDRAW UNITED STATES' BRIEF WITHOUT PREJUDICE and ORDER

37 WHEREAS, on July 8, 2011 (ECF No. 416) the Court entered an Order granting
 38 El Dorado County's ("County") Motion to Modify the Consent Decree in this matter.

1 WHEREAS, by Order dated October 29, 2014 (ECF No. 445) the Court ordered
2 further briefing on the issues remaining in this dispute between the County and the
3 United States.

4 WHEREAS, the Court's Order required the County to file an opening brief by
5 November 28, 2014; the United States to file a response brief by January 2, 2015; and
6 the County to file a reply brief by January 16, 2015.
7

8 WHEREAS, on November 28, 2014, the County filed its opening brief (ECF No.
9 446).

10 WHEREAS, on December 3, 2014, the parties had an in-person mediation to
11 attempt to resolve the remaining issues in dispute before the District Court as well as
12 some additional issues.

13 WHEREAS, in light of the parties' progress at mediation, on December 22, 2014,
14 the parties filed a stipulation and motion to extend the deadline by which the United
15 States must file its response brief (ECF No. 447).
16

17 WHEREAS, the requested extension was to February 2, 2015.

18 WHEREAS, in the absence of action by the Court, the United States filed its
19 response brief on January 2, 2015 (ECF No. 448).
20

21 WHEREAS, on January 6, 2015, the Court granted the parties' extension motion
22 (ECF No. 449).

23 IT IS HEREBY STIPULATED AND AGREED that the United States' brief is
24 hereby WITHDRAWN WITHOUT PREJUDICE. In accordance with the Court's Order of
25 January 6, 2015 (ECF No. 449), the United States shall have until, Monday, February 2,
26 2015 to submit any response brief. Any reply on behalf of the County must be filed no
27 later than February 17, 2015.
28

1 DATED: January 13, 2015

2 Respectfully submitted,

3
4 FOR THE UNITED STATES OF AMERICA

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6 Assistant Attorney General
7 Environment & Natural Resources Division
8 U.S. Department of Justice

9 /s/ Andrew J. Doyle
10 ANDREW J. DOYLE
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21 United States Attorney

22 FOR DEFENDANT EL DORADO COUNTY, CALIFORNIA:

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25 Dated: January 13, 2015 /s/ Thomas M. Bruen (with permission by AJD)
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ORDER

Upon consideration of the Parties' Stipulation and Motion for the United States to Withdraw its Brief Without Prejudice, it is hereby ORDERED that the stipulated motion is GRANTED. The brief filed by the United States on January 2, 2015 (ECF No. 448) is hereby deemed WITHDRAWN WITHOUT PREJUDICE. As previously stipulated and ordered, the United States shall have until Monday, February 2, 2015, to file any response brief pursuant to the Court's Order dated October 29, 2014 (ECF No. 445). Any reply on behalf of the County must be filed no later than February 17, 2015.

IT IS SO ORDERED.

Dated: January 14, 2015


MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT