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12 Attorneys for Federal Defendants

13 **IN THE UNITED STATES DISTRICT COURT**
 14 **FOR THE EASTERN DISTRICT OF CALIFORNIA**
 15 **SACRAMENTO DIVISION**

17 _____
 18 SOUTH YUBA RIVER CITIZENS
 LEAGUE, et al.,

19 Plaintiffs,

20 v.

21 NATIONAL MARINE FISHERIES
 22 SERVICE, et al.,

23 Defendants,

24 CORDUA IRRIGATION DISTRICT, et al.,

25 Defendant-Intervenors.

No. 2:06-cv-S-02845-LKK-JFM

**STIPULATION AND ORDER
 SETTING BRIEFING SCHEDULE**

1 Pursuant to L.R. Civ. 83-143 and 6-144, this Stipulation is entered into by and between
2 Plaintiffs South Yuba River Citizens League and Friends of the River; Federal Defendants National
3 Marine Fisheries Service, Otto Wolff,¹ Rodney McInnis, United States Army Corps of Engineers,
4 Pete Geren, and Col. Thomas C. Chapman; Defendant Yuba County Water Agency (“YCWA”); and
5 Defendant-Intervenors Cordua Irrigation District (“CID”), Dry Creek Mutual Water Company,
6 Brophy Water District, Hallwood Irrigation Company, and Ramirez Water District:

7 WHEREAS, on January 19, 2009, Plaintiffs filed a motion entitled “Motion for Clarification
8 of Order Granting Reconsideration of Magistrate Judge’s Ruling,” Doc. No. 185 (“Motion”);

9 WHEREAS, the Motion is not presently noticed for a hearing date pursuant to LR Civ 78-
10 230;

11 WHEREAS, the parties agree that resolution of Plaintiffs’ Motion without hearing is
12 appropriate;

13 NOW, THEREFORE, the parties hereby Stipulate and Agree as follows:

- 14 1. Responses by Defendants and Defendant-Intervenors shall be filed on or before
15 February 13, 2009;
- 16 2. Plaintiffs’ Reply, if any, shall be filed on or before February 17, 2009;
- 17 3. Upon the filing of Plaintiffs’ Reply, the Motion shall stand submitted.
- 18 4. In the event the Court deems a hearing to be warranted, the parties stipulate that a
19 hearing on shortened time be held on February 23, 2009, or another date at the Court's
20 convenience.

21
22 Respectfully submitted this 30th day of January, 2009.

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25 _____
26 ¹ Acting Secretary of Commerce Otto Wolff is substituted for his predecessor, Carlos M.
27 Gutierrez, pursuant to Fed. R. Civ. P. 25(d).

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/s/ Brian Orion (as authorized on 1/29/09)

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1 Attorney for Intervenor-Defendant
2 CORDUA IRRIGATION DISTRICT


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12 MUTUAL WATER COMPANY, BROPHY WATER
13 DISTRICT, and HALLWOOD IRRIGATION
14 COMPANY

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24 WATER DISTRICT

25 **ORDER:**

- 26 _____ 1. Responses by Defendants and Defendant-Intervenors to the above-referenced
27 motion shall be filed on or before February 13, 2009;
28 2. Plaintiffs' Reply, if any, shall be filed on or before February 17, 2009;
3. Upon the filing of Plaintiffs' Reply, the Motion shall stand submitted.

29 **IT IS SO ORDERED**, this 5th day of February, 2009.

30 
31 LAWRENCE K. KARLTON
32 SENIOR JUDGE
33 UNITED STATES DISTRICT COURT