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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

ARC ECOLOGY, et al.,
and
CALIFORNIA REGIONAL WATER
QUALITY CONTROL BOARD, SAN
FRANCISCO BAY REGION

2:07-CV-2320 GEB GGH

**JOINT STIPULATION AND
[PROPOSED] ORDER EXTENDING
DEADLINE FOR MOTION FOR
ATTORNEYS' FEES**

Judge: Hon. Garland E. Burrell, Jr.

Plaintiff-Intervenor
v.
UNITED STATES MARITIME
ADMINISTRATION, et al.,
Defendants

Defendants.

WHEREAS the parties have reached a settlement agreement, which is before the court as a proposed consent decree, that, if approved, will eliminate the need for a trial on remedy; and

WHEREAS the proposed consent decree identifies Plaintiffs as “prevailing parties” within the meaning of 33 U.S.C. § 1365(d), and, with respect to the Environmental Plaintiffs, 42 U.S.C. § 6972(e); and

WHEREAS the proposed consent decree states that the parties will attempt to resolve any claims to attorneys' fees through negotiation; and

WHEREAS Civil Local Rule 54-292(b) provides that a bill of costs must be filed by the prevailing party within 14 days after entry of judgment; and

WHEREAS Civil Local Rule 54-293(a) provides that a motion for an award of attorneys' fees must be filed within 28 days after entry of judgment; and

WHEREAS the parties believe that additional time is necessary to negotiate attorneys' fees and complete any necessary approval processes if an agreement is reached;

THEREFORE, Plaintiffs and Defendants stipulate and agree that Plaintiffs shall have 56 days from the entry of the [Proposed] Consent Decree to file a bill of costs under Civil Local Rule 54-292 and to file a motion for attorneys' fees under Civil Local Rule 54-293 and Federal Rule of Civil Procedure 54(d)(2)(B), and request that the Court grant such extension.

Respectfully submitted,

For Defendants:

Dated: April 9, 2010

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22 Dated: April 9, 2010

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Pursuant to the stipulation of the parties, IT IS SO ORDERED.

Dated: April 14, 2010

GARLAND E. BURRELL, JR.
United States District Judge