

1 R. MORGAN GILHULY (State Bar No. 133659; rmg@bcltlaw.com)
 2 JOSHUA A. BLOOM (State Bar No. 183358; jab@bcltlaw.com)
 3 LAURA S. BERNARD (State Bar No. 197556; lsb@bcltlaw.com)
 CHRISTOPHER D. JENSEN (State Bar No. 235108; cdj@bcltlaw.com)
 4 BARG COFFIN LEWIS & TRAPP, LLP
 350 California Street, 22nd Floor
 5 San Francisco, California 94104-1435
 Telephone: (415) 228-5400
 6 Fax: (415) 228-5450
 Attorneys for Plaintiffs Coalition for a Sustainable Delta,
 7 Belridge Water Storage District, Berrenda Mesa Water District,
 Cawelo Water District, North of the River Municipal Water District,
 Wheeler Ridge-Maricopa Water Storage District, and Dee Dillon

8 PAUL S. SIMMONS (State Bar No. 127920; psimmons@somachlaw.com)
 9 THERESA A. DUNHAM (State Bar No. 187644; tdunham@somachlaw.com)
 KANWARJIT S. DUA (State Bar No. 214591; kdua@somachlaw.com)
 10 SOMACH SIMMONS & DUNN
 813 6th Street, 3rd Floor
 11 Sacramento, CA 95814
 Telephone: (916) 446-7979
 12 Fax: (916) 446-8199
 Attorneys for Defendant City of Stockton

13 NICOLE E. GRANQUIST (State Bar No. 199017; ngranquist@downeybrand.com)
 14 COURTNEY S. COVINGTON (State Bar No. 259723; ccovington@downeybrand.com)
 DOWNEY BRAND LLP
 15 621 Capitol Mall, 18th Floor
 Sacramento, California 95814-4686
 16 Telephone: (916) 444-1000
 Fax: (916) 444-2100
 17 Attorneys for Defendant County of San Joaquin

18
 19 UNITED STATES DISTRICT COURT
 20 EASTERN DISTRICT OF CALIFORNIA
 21 SACRAMENTO DIVISION

22 COALITION FOR A SUSTAINABLE DELTA,
 a California nonprofit corporation, *et al.*,

23 Plaintiffs,

24 v.

25 CITY OF STOCKTON, a municipal
 26 corporation, and COUNTY OF SAN JOAQUIN,
 a political subdivision of the State of California,

27 Defendants.
 28

Case No. 2:09-cv-00466-JAM-KJN

**STIPULATION AND ORDER
 MODIFYING THE SECOND AMENDED
 STATUS ORDER**



1 WHEREAS, the Court issued an Order Modifying Amended Status (Pre-trial Scheduling)
2 Order on March 5, 2010, amending and establishing discovery, motion, pre-trial and trial dates in
3 this matter ("Second Amended Status Order");

4 WHEREAS, the Stipulation in support of the Second Amended Status Order indicated
5 that the Parties had commenced discussions to explore an acceptable informal resolution to this
6 matter, and that the amendment of the schedule as set forth in the Second Amended Status Order
7 would allow the Parties adequate time to prepare their respective cases, and would provide an
8 opportunity for substantive settlement discussions;

9 WHEREAS, for the period from the Second Amended Status Order to the present, the
10 Parties have engaged in substantive settlement discussions;

11 WHEREAS, during those settlement discussions, the parties agreed to postpone discovery
12 and other trial preparation in the case pending the outcome of those discussions and to stipulate to
13 a postponement of pretrial discovery deadlines;

14 WHEREAS, notwithstanding the continued good faith efforts of the Parties, a resolution
15 to this matter has not yet been achieved; and

16 WHEREAS, the parties desire to resume discovery and trial preparation on a schedule
17 that will ensure that no party is prejudiced by the informal stay of discovery in effect during the
18 pendency of settlement discussions.

19 NOW THEREFORE IT IS HEREBY STIPULATED by and among the Parties that the
20 dates set forth in the Second Amended Status Order shall be modified as follows:

21	Non-Expert Discovery Cut-Off:	April 15, 2011
22	Expert Disclosures:	June 15, 2011
23	Rebuttal Expert Disclosures:	July 15, 2011
24	Completion of All Discovery:	August 26, 2011
25	Deadline to File Dispositive Motions:	November 11, 2011
26	Dispositive Motion Hearing Deadline:	January 11, 2012 at 9:30 a.m.
27	Final Pre-Trial Conference:	March 2, 2012 at 2:00 p.m.
28	Trial:	April 9, 2012 at 9:00 a.m.



1 SO STIPULATED.

2 DATED: August 16, 2010

BARG COFFIN LEWIS & TRAPP, LLP

3
4 /s/ Joshua A. Bloom

JOSHUA A. BLOOM

5 Attorneys For Plaintiffs Coalition for a Sustainable
6 Delta, Belridge Water Storage District, Berrenda
7 Mesa Water District, Cawelo Water District, North
8 of the River Municipal Water District, Wheeler
9 Ridge-Maricopa Water Storage District, and Dee
10 Dillon

11 DATED: August 16, 2010

SOMACH SIMMONS & DUNN

12
13 /s/ Kanwarjit S. Dua

KANWARJIT S. DUA

14 Attorneys for Defendant City of Stockton

15
16 DATED: August 16, 2010

DOWNEY BRAND LLP

17
18 /s/ Nicole E. Granquist

NICOLE E. GRANQUIST

19 Attorneys for Defendant County of San Joaquin
20
21
22
23
24
25
26



ORDER

Having considered the Parties' stipulated request to modify the Second Amended Status Order filed in this matter on March 5, 2010, and GOOD CAUSE appearing therefore, the Court hereby orders the following:

1. The Parties' request to modify the Second Amended Status Order is GRANTED;
2. The deadlines in the Second Amended Status Order are modified as follows:

Non-Expert Discovery Cut-Off:	April 15, 2011
Expert Disclosures:	June 15, 2011
Rebuttal Expert Disclosures:	July 15, 2011
Completion of All Discovery:	August 26, 2011
Deadline to File Dispositive Motions:	November 11, 2011
Dispositive Motion Hearing Deadline:	January 11, 2012 at 9:30 a.m.
Final Pre-Trial Conference:	March 2, 2012 at 2:00 p.m.
Trial:	April 9, 2012 at 9:00 a.m.

IT IS SO ORDERED.

DATED: August 16, 2010

/s/ John A. Mendez
Hon. John A. Mendez
United States District Court Judge

