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

# UNITED STATES OF AMERICA

CASE NO. 2:09-cv-02445-KJM-EFB

Plaintiff,

V.

SIERRA PACIFIC INDUSTRIES, *et al.*,

**[PROPOSED] ORDER GRANTING THE  
UNITED STATES AN EXTENSION OF  
TIME TO RESPOND TO SPI'S  
REQUESTS FOR PRODUCTION, SET #5  
AND INTERROGATORIES SET #3**

Defendant(s).

On April 28, 2011, the Court held oral argument on Defendants' joint motion to compel documents and deposition testimony.<sup>1</sup> Assistant United States Attorneys Richard Elias and Kelli appeared on behalf of the Plaintiff, the United States. Attorneys Annie Amaral and Meghan appeared on behalf of Defendant Sierra Pacific Industries ("SPI"). Attorney Richard Linkert appeared on behalf of Defendants W.M. Beaty and Associates and the Walker Defendants and related Defendants. Attorney Derek VanDeviver appeared on behalf of Defendant Howell's Forest Harvesting Co. At hearing, the Court addressed the United States' request for a Rule 26(f) conference and

<sup>1</sup> The Court will issue a separate written order addressing that motion.

{Proposed} Order Granting the United States an Extension of Time to Respond to SPI's Requests for Production, Set #5 and Interrogatories, Set #3

1 request for stay of its obligation to serve certain discovery responses, which were due on Friday,  
2 April 29 2011.

3 For the reasons discussed at the hearing, this Court hereby grants the United States an  
4 extension of time to respond to SPI's interrogatories, set #3, until May 5, 2011, and to respond to  
5 SPI's requests for production, set #5, until May 9, 2011. The parties agreed to meet soon to try to  
6 resolve among themselves other pending discovery issues. If the parties are unable to resolve these  
7 issues they will confer with the Courtroom Deputy to select a mutually convenient time for a 26(f)  
8 conference. In the event a Rule 26(f) conference is required, the parties shall file a list of items they  
9 seek to resolve. Defendants and Caterpillar Inc. shall file one joint list; the United States may file a  
separate list.

10 IT IS SO ORDERED.

11 DATED: May 5, 2011.



12 EDMUND F. BRENNAN  
13 UNITED STATES MAGISTRATE JUDGE