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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,

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

v.

SIERRA PACIFIC INDUSTRIES, *et al.*,

Defendant(s).

On April 28, 2011, the Court held oral argument on Defendants' joint motion to compel documents and deposition testimony.¹ Assistant United States Attorneys Richard Elias and Kelli Taylor appeared on behalf of the Plaintiff, the United States. Attorneys Annie Amaral and Meghan Baker 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 trusts. Attorney Derek VanDeviver appeared on behalf of Defendant Howell's Forest Harvesting Co. At that hearing, the Court addressed the United States' request for a Rule 26(f) conference and

¹ The Court will issue a separate written order addressing that motion.

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
10 separate list.

11 IT IS SO ORDERED.

12 DATED: May 5, 2011.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE