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7 Attorneys for Defendant/Cross-Defendant
 SIERRA PACIFIC INDUSTRIES

8 UNITED STATES DISTRICT COURT
 9 EASTERN DISTRICT OF CALIFORNIA

11 UNITED STATES OF AMERICA,
 12 Plaintiff,
 13 v.
 14 SIERRA PACIFIC INDUSTRIES, et al.
 15 Defendants.

Case No. 2:09-CV-02445-KJM-EFB

**STIPULATION AND ORDER TO
 PARTIALLY RESOLVE DISCOVERY
 DISAGREEMENT**

17 AND RELATED CROSS-ACTIONS

19 Defendants Sierra Pacific Industries (“Sierra Pacific”), W.M. Beaty and Associates, Inc.
 20 (“Beaty”), the Landowner Defendants, and Eunice Howell, individually and d/b/a Howell’s
 21 Forest Harvesting Products (“Howell”) (collectively, “Defendants”), and Plaintiff the United
 22 States of America (“United States”) (collectively with Defendants, the “Parties”), by and through
 23 their respective counsel, hereby submit the following Stipulation to partially resolve a discovery
 24 dispute currently pending between the Parties regarding Sierra Pacific’s request for more time to
 25 depose United States Forest Service (“USFS”) Special Agent Diane Welton, USFS Battalion
 26 Chief Ron Heinbockel, and to conclude the deposition of USFS Special Agent Marion Matthews:

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STIPULATION

1. The United States agrees to produce Diane Welton for an additional day of deposition testimony, where one day is comprised of a total of seven (7) hours. Sierra Pacific may question Agent Welton for 3.5 of the additional 7 hours. Beaty, the Landowner Defendants, and Howell may collectively question Agent Welton for 3.5 of the 7 hours. Agent Welton’s deposition will occur at a court reporter’s office in Vallejo on August 15, 2011, or at a Vallejo hotel subject to Ms. Welton’s approval.

2. In exchange for the United States’ agreement to produce Agent Welton on the terms set forth in paragraph 1, Defendants agree to refrain from pursuing their requests (1) for additional time with Battalion Chief Ron Heinbockel, and (2) to produce Special Agent Marion Matthews for the remaining 44 minutes of her deposition or for any additional time. Beaty, the Landowner Defendants, and Howell all agree to forego this request as well.

IT IS SO STIPULATED, THROUGH COUNSEL OF RECORD.

DATED: July 20, 2011

U.S. ATTORNEY’S OFFICE

By: /s/ Kelli Taylor (as authorized on 7/20/11)
KELLI TAYLOR
Attorneys for Plaintiff
UNITED STATES OF AMERICA

DATED: July 20, 2011

DOWNEY BRAND LLP

By: /s/ Annie S. Amaral
ANNIE S. AMARAL
Attorneys for Defendant/Cross-Defendant
SIERRA PACIFIC INDUSTRIES

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DATED: July 20, 2011

MATHENY SEARS LINKERT AND JAIME

By: /s/ Richard S. Linkert (as authorized on 7/20/11)
RICHARD S. LINKERT
Attorneys for Defendant
W.M. BEATY AND ASSOCIATES, INC. AND
LANDOWNER DEFENDANTS

DATED: July 20, 2011

RUSHFORD AND BONOTTO, LLP

By: /s/ Phil Bonotto (as authorized on 7/20/11)
PHIL BONOTTO
Attorneys for Defendant
EUNICE HOWELL, INDIVIDUALLY AND
D/B/A HOWELL'S FOREST HARVESTING
PRODUCTS

ORDER

SO ORDERED.

DATED: July 21, 2011


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE