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PLAINTIFFS' AND FEDERAL DEFENDANTS'
STIPULATION AND [PROPOSED] ORDER REGARDING
THE DEADLINE FOR MOTION FOR ATTORNEYS' FEES AND COSTS

Case No. 2:09-cv-2523-LKK-JFM

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

CENTER FOR SIERRA NEVADA
CONSERVATION, CENTER FOR
BIOLOGICAL DIVERSITY, and FOREST
ISSUES GROUP, non-profit corporations,

Plaintiffs,
vs.

RAMIRO VILLALVAZO, in his official
capacity as Forest Supervisor for the
Eldorado National Forest, UNITED STATES
FOREST SERVICE,

Federal Defendants,

and

CALIFORNIA ASSOC. OF 4 WHEEL
DRIVE CLUBS, *et al.*,

Defendant-Intervenors.

Case No. 2:09-cv-2523-LKK-JFM

**PLAINTIFFS' AND FEDERAL DEFENDANTS'
STIPULATION AND ORDER REGARDING THE
DEADLINE FOR MOTION FOR ATTORNEYS'
FEES AND COSTS**

Whereas by order dated January 2, 2013, the Court stayed briefing on Plaintiffs' petition for costs and attorneys' fees until February 26, 2013, by which time the Parties were to advise the Court on the status of the their settlement discussions. Dkt. No. 132;

Whereas Plaintiffs and Federal Defendants have continued to engage in substantive good-faith discussions attempting to negotiate a settlement of the issue of costs and attorneys' fees;

Whereas as a result of these discussions, the Plaintiffs and Federal Defendants have made substantive progress toward reaching a settlement;

Whereas Plaintiffs and Federal Defendants desire more time to explore settlement of the costs and attorneys' fees;

1 Whereas Defendant-Intervenors have not participated in the negotiations, and thus have not
2 formed a position, but have been consulted regarding this stipulation and do not oppose any request that
3 the primary parties continue negotiations;

4 Accordingly, Plaintiffs and Federal Defendants stipulate and agree, and request that the Court
5 enter an order staying through April 26, 2013, the deadline for Plaintiffs to file a motion for attorneys'
6 fees and costs, at which time the Parties will advise the Court on the status of their settlement
7 discussions. If no agreement appears forthcoming, the Parties will submit a proposed schedule for
8 briefing the fee petition. By entering into this Stipulation, Federal Defendants do not waive any defenses
9 as to whether Plaintiffs are entitled to any attorneys' fees, costs or expenses in this case.
10

11 Respectfully submitted on February 26, 2013.

12 IGNACIA S. MORENO

13 Assistant Attorney General
14 Environment and Natural Resources Division

15 */s/ David A. Bahr (with permission)*

/s/ J. Brett Grosko

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ORDER

This matter having come before the Court upon Plaintiffs' and Federal Defendants' stipulation and proposed order regarding the deadline for motion for attorneys' fees and costs, and the Court being fully advised in the premises and good cause appearing;

IT IS HEREBY ORDERED that briefing on Plaintiffs' application for fees and costs is stayed until April 26, 2013, at which time the Parties will advise the Court on the status of the their settlement discussions. If no agreement appears forthcoming, the Parties will submit a proposed schedule for briefing the fee petition.

Dated this 27th of February, 2013.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT