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14 Attorneys for Defendants

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

17 FRIENDS OF THE RIVER, DEFENDERS OF
 18 WILDLIFE, and CENTER FOR BIOLOGICAL
 19 DIVERSITY,

20 Plaintiffs,
 v.

22 UNITED STATES ARMY CORPS OF
 ENGINEERS, *et al.*,

23 Defendants.

Case No. 2:11-cv-01650-JAM -JFM

**JOINT STATUS REPORT AND
 STIPULATION**

28 Joint Status Report and Stipulation
 Case No. 2:11-cv-01650-JAM -JFM

1 Pursuant to stipulation and this Court's January 18, 2013 Order (Doc No. 68) the parties,
2 by and through their undersigned counsel, hereby submit the following Joint Status Report
3 proposing steps to be taken by Defendants in the next several weeks to complete the
4 Administrative Record in this case. In support of their proposal to file their next joint status
5 report on July 15, 2013, the Parties hereby state as follows:

6 1. Defendants certified and filed the Administrative Record with the Court on March 15,
7 2013. Doc. No. 69. The Administrative Record is unusually voluminous and consists of over
8 800,000 pages. Nonetheless, as explained in paragraph 3, the parties agree that the Administrative
9 Record is not yet complete.

10 2. In the time since Defendants produced the Administrative Record to Plaintiffs, the
11 parties have conferred, and continue to confer, in an effort to amicably resolve several issues
12 Plaintiffs have raised regarding the organization and completeness of the Administrative Record.

13 3. As a result of the parties' ongoing discussions regarding the Administrative Record,
14 Defendants plan to take further steps within the next few weeks to address several of these
15 outstanding concerns. In particular, Defendants plan to produce: (a) over 5,400 additional
16 documents originally withheld from the Administrative Record as privileged; (b) a revised
17 privilege log for the remaining 3,221 documents Defendants claim as privileged; and (c) a revised
18 index containing the newly produced documents, as well as additional information for certain
19 other documents in the Administrative Record.

20 4. As a result of Defendants' forthcoming productions and revisions to the Administrative
21 Record and the parties' continuing discussions over the Administrative Record, the parties agree
22 that it is premature to propose a schedule for motion practice regarding the Administrative
23 Record or for dispositive motions. The parties propose instead that they file a Joint Status Report
24 on July 15, 2013, proposing a schedule for further briefing.

25 WHEREFORE, the parties respectfully request that this Court issue an Order that the
26 parties file a Joint Status Report on July 15, 2013 proposing a schedule for further briefing.

1 Respectfully submitted,

2 Dated: May 14, 2013

Jason Rylander (by permission May 14, 2013)

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27 /s/ Devon Lehman McCune

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IT IS SO ORDERED.

Date: 5/15/2013

/s/ John A. Mendez
UNITED STATES DISTRICT COURT JUDGE