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9 IN THE UNITED STATES DISTRICT COURT

10 FOR THE EASTERN DISTRICT OF CALIFORNIA

11 PACIFIC COAST FEDERATION OF
 12 FISHERMEN’S ASSOCIATIONS, CALIFORNIA
 13 SPORTFISHING PROTECTION ALLIANCE,
 14 FRIENDS OF THE RIVER, SAN FRANCISCO
 15 CRAB BOAT OWNERS ASSOCIATION, INC.,
 16 THE INSTITUTE FOR FISHERIES RESOURCES,
 17 and FELIX SMITH,

15 Plaintiffs,

16 v.

17 DONALD R. GLASER, Regional Director of the
 18 U.S. Bureau of Reclamation, U.S. BUREAU OF
 19 RECLAMATION, and SAN LUIS & DELTA-
 20 MENDOTA WATER AUTHORITY,

20 Defendants.

Civ. No. 2:11-cv-02980-KJM-CKD

SECOND STIPULATION EXTENDING SUMMARY JUDGMENT BRIEFING SCHEDULE; ORDER THEREON

Current Due Date: April 29, 2022
Proposed New Date: May 31, 2022

21 Plaintiffs PACIFIC COAST FEDERATION OF FISHERMEN’S ASSOCIATIONS, et al.,
 22 DEFENDANTS DONALD R. GLASER, U.S. BUREAU OF RECLAMATION, and SAN LUIS &
 23 DELTA-MENDOTA WATER AUTHORITY, and Defendant-Intervenor GRASSLAND WATER
 24 DISTRICT hereby stipulate, and jointly request, that this Court enter an Order amending its Minute
 25 Order filed March 21, 2022 (ECF 223) to extend the current summary judgment briefing schedule in the
 26 above-referenced action from the current due dates as stated in that Minute Order to the later dates
 27 specified below to accommodate the unavailability of Plaintiffs’ counsel due to Covid and additional
 28 urgent medical issues, as follows:

<u>Task</u>	<u>Current Deadline</u>	<u>Extended Deadline</u>
Pltfs' X-Mtn(s) and Opp(s) to Defs' two MSJs	April 29, 2022	May 27, 2022
Defendants' Opp(s)/Reply(ies)	May 27, 2022	July 22, 2022
Plaintiffs' Reply(ies)	June 24, 2022	August 19, 2022
Hearing Date	July 29, 2022	September 15, 2022

In support of this Stipulation and Joint Request the undersigned Parties state as follows:

1. Defendants and Defendant-Intervenor previously requested and were granted a 34-day extension of time to file their opening summary judgment motions and supporting documents by this Court's Minute Order filed February 25, 2022.

2. Plaintiffs previously requested and were granted a 35-day extension of time to file their cross-motion for summary judgment and opposition to Defendants' summary judgment motion by this Court's Minute Order filed March 21, 2022.

3. Plaintiffs' two counsel with principal responsibility for preparing Plaintiffs' cross-motion for summary judgment and opposition have encountered serious medical issues that have substantially impaired their ability to prepare Plaintiffs' cross-motion for summary judgment and opposition to Defendants' summary judgment motion due to Covid and additional urgent medical issues, necessitating an extension of the current deadline. Further, Defendants' counsel have prepaid week-long vacations in June during which they will be unable to work on their opposition to Plaintiffs' brief.

4. This extension request is STIPULATED AND UNOPPOSED.

5. The Parties recognize and defer to the Court's decisions as to a new hearing date, but propose September 15, 2022, to allow the Court time to review the Parties' submissions.

6. Plaintiffs submit that granting this extension should not appreciably delay the ultimate resolution of this case.

For the foregoing reasons, the Parties respectfully request that the Court issue an order extending the time for the filing of Plaintiffs' summary judgment briefs and supporting

1 documents, along with corresponding extensions of the later briefing due dates, and an
2 appropriate rescheduling of the hearing date, on the schedule provided above.
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4 Dated: April 27, 2022 Respectfully submitted,
5 LAW OFFICES OF STEPHAN C. VOLKER

6 By: /s/ Stephan C. Volker
7 STEPHAN C. VOLKER
8 *Attorney for Plaintiffs*

9 Dated: April 27, 2022 U.S. DEPARTMENT OF JUSTICE

10 By: /s/ Martin F. McDermott
11 Martin F. McDermott
12 U.S. Department of Justice Environment & Natural Res. Div.
13 Environmental Defense Section
14 P.O. Box 7611 Washington, D.C. 20044
15 *Attorneys for Federal Defendants*

16 Dated: April 27, 2022 COTCHETT, PITRE & McCARTHY, LLP

17 By: /s/ Julie L. Fieber
18 JULIE L. FIEBER
19 840 Malcolm Road
20 Burlingame, CA 94101
21 Attorneys for Defendant San Luis & Delta-Mendota Water Authority

22 Dated: April 27, 2022 GRASSLAND WATER DISTRICT

23 By: /s/ Ellen L. Wehr
24 ELLEN F. WEHR
25 200 West Willmott Avenue
26 Los Banos, CA 93635
27 Attorney for Defendant-Intervenor Grassland Water District
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ORDER

GOOD CAUSE APPEARING from the Parties' Stipulation and Joint Request, the Court extends the following deadlines:

<u>Task</u>	<u>Current Deadline</u>	<u>Extended Deadline</u>
Pltfs' X-Mtn(s) and Opp(s) to Defs' two MSJs	April 29, 2022	May 27, 2022
Defendants' Opp(s)/Reply(ies)	May 27, 2022	July 22, 2022
Plaintiffs' Reply(ies)	June 24, 2022	August 19, 2022
Hearing Date	July 29, 2022	September 30, 2022 at 10:00 a.m.

IT IS SO ORDERED.

DATED: May 3, 2022.



CHIEF UNITED STATES DISTRICT JUDGE