

1 STEPHAN C. VOLKER (CSB #63093)
 2 ALEXIS E. KRIEG (CSB #254548)
 3 STEPHANIE L. CLARKE (CSB #257961)
 4 JAMEY M.B. VOLKER (CSB #273544)
 5 LAW OFFICES OF STEPHAN C. VOLKER
 6 1633 University Avenue
 7 Berkeley, California 94703
 8 Tel: 510/496-0600
 9 Fax: 510/845-1255
 10 svolker@volkerlaw.com
 11 akrieg@volkerlaw.com
 12 sclarke@volkerlaw.com
 13 jvolker@volkerlaw.com
 14 *Attorneys for Plaintiffs*

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,

18 Plaintiffs,

19 v.

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

24 Defendants.

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

**THIRD STIPULATION EXTENDING
 SUMMARY JUDGMENT BRIEFING
 SCHEDULE (SAME HEARING DATE);
 ORDER THEREON**

Current Due Date: April 29, 2022

Proposed New Date: May 31, 2022

25 Plaintiffs PACIFIC COAST FEDERATION OF FISHERMEN'S ASSOCIATIONS, et al.,
 26 DEFENDANTS DONALD R. GLASER, U.S. BUREAU OF RECLAMATION, and SAN LUIS &
 27 DELTA-MENDOTA WATER AUTHORITY, and Defendant-Intervenor GRASSLAND WATER
 28 DISTRICT hereby stipulate, and jointly request, that this Court enter an Order amending its Minute
 Order filed May 3, 2022 (ECF 225) to extend the current summary judgment briefing schedule (but keep
 the same hearing date) in the above-referenced action from the current due dates as stated in that Minute
 Order to the later dates specified below to accommodate the unavailability of Plaintiffs' counsel due to
 Covid and additional urgent medical issues, as follows:

<u>Task</u>	<u>Current Deadline</u>	<u>Extended Deadline</u>
Plaintiffs' Reply(ies)	August 19, 2022	September 9, 2022
Hearing Date	September 30, 2022	September 30, 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' replies in support of their summary judgment motion due to Covid and additional urgent medical issues, necessitating an extension of the current deadline.

4. This extension request is STIPULATED AND UNOPPOSED.

5. The Parties propose to retain the Court's existing hearing date of September 30, 2022, but recognize and defer to the Court's decisions as to whether a new hearing date is appropriate, and as to any other schedule adjustments. Retention of the existing hearing date of September 30, 2022 is made respectfully with this understanding.

6. The Parties 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 replies from the current due date, August 19, 2022, until September 9, 2022, and corresponding extensions of the later briefing due dates.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Dated: August 9, 2022 Respectfully submitted,
LAW OFFICES OF STEPHAN C. VOLKER

By: /s/ Stephanie L. Clarke
STEPHANIE L. CLARKE
Attorney for Plaintiffs

Dated: August 10, 2022 U.S. DEPARTMENT OF JUSTICE

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

Dated: August 10, 2022 COTCHETT, PITRE & McCARTHY, LLP

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

Dated: August 10, 2022 GRASSLAND WATER DISTRICT

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

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER

GOOD CAUSE APPEARING from the Parties' foregoing Stipulation and Joint Request,
IT IS SO ORDERED.

DATED: August 25, 2022



CHIEF UNITED STATES DISTRICT JUDGE