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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

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SIERRA CLUB and FRIENDS OF THE  
WEST SHORE,

Plaintiffs,

v.

TAHOE REGIONAL PLANNING AGENCY,  
COUNTY OF PLACER, and BOARD OF  
SUPERVISORS OF THE COUNTY OF  
PLACER,

Defendants,

v.

HOMEWOOD VILLAGE RESORTS, LLC  
and JMA VENTURES, LLC,

Defendants and Real  
Parties in Interest.

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The court is in receipt of plaintiffs' application for  
initial ex parte extension to extend time for filing plaintiffs'  
opening brief on their motion for summary judgment. (Docket No.  
29.) Plaintiffs complain that in filing its administrative

1 record, defendant Tahoe Regional Planning Agency ("TRPA")  
2 incorporated by reference the record submitted by defendant  
3 Placer County ("the County") but supplemented that record with  
4 additional documents that were unique to TRPA's administrative  
5 record.

6           Plaintiffs have moved separately to exclude extra-  
7 record evidence from TRPA's administrative record, and that  
8 motion is scheduled to be heard on July 30, 2012. (Docket No.  
9 28.) However, pursuant to the court's Status Order, plaintiffs'  
10 motion for summary judgment is due by July 17, 2012. (Apr. 17,  
11 2012, Status Order (Docket No. 26).) Plaintiffs state that they  
12 cannot complete their brief in support of that motion before they  
13 know what documents are properly included in TRPA's record, and  
14 request that the deadline for their opening brief be extended to  
15 either: (1) thirty days after their motion is denied; (2) thirty  
16 days from plaintiffs' receipt of TRPA's corrected record; or (3)  
17 a deadline mutually agreed upon by the parties if plaintiffs'  
18 motion challenging TRPA's record is resolved among the parties.

19           Defendants object that this will delay the proceedings,  
20 but fail to show how such a delay would prejudice them. Because  
21 plaintiff's application for additional time appears reasonable  
22 and no party has shown that it would be prejudiced, the court  
23 will grant plaintiffs' requested extension of time.

24           The County additionally states that if plaintiffs'  
25 request is granted, it should be limited to the motion for  
26 summary judgment relating to TRPA's approval, and the proceeding  
27 related to the County's approval continue according to the dates  
28 set in the April 17, 2012, Status Order. However, the court has

1 already determined that such bifurcation of the proceeding would  
2 be inefficient and the County has not explained why it would be  
3 prejudiced by the court considering the matters together.

4 IT IS THEREFORE ORDERED that plaintiffs' application  
5 for an extension be, and the same hereby is, GRANTED. The court  
6 will determine the date plaintiffs' motion for summary judgment  
7 shall be filed after it rules on the motion scheduled to be heard  
8 on July 30, 2012.

9 DATED: June 29, 2012

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12 WILLIAM B. SHUBB  
13 UNITED STATES DISTRICT JUDGE  
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