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Parties' Stipulation for Extension of Administrative Record Lodging Date
and [Proposed] Order
Case No. 2:12-cv-01710

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

COUNTY OF AMADOR, CALIFORNIA,
Plaintiff,

v.

THE UNITED STATES DEPARTMENT OF THE
INTERIOR; KEN SALAZAR, Secretary of the United
States Department of the Interior; KEVIN
WASHBURN, Assistant Secretary of Indian Affairs,
United States Department of Interior,
Defendants.

CASE NO. 2:12-cv-01710 JAM
CKD

**PARTIES' STIPULATION
FOR EXTENSION OF
ADMINISTRATIVE RECORD
LODGING DATE AND
ORDER**

1 The Parties, Plaintiff County of Amador, California, proposed Plaintiff Cathy Christian,
2 and Defendants, the United States Department of the Interior, Kenneth Salazar, Secretary of the
3 Interior (“Secretary”), and Kevin K. Washburn, Assistant Secretary for Indian Affairs (“Assistant
4 Secretary”)¹ (collectively, “Federal Defendants”), by and through their undersigned counsel,
5 hereby stipulate to extend the previously designated date for lodging of the Administrative
6 Record of the challenged agency decision from March 29, 2013 to April 26, 2013, and request
7 that the Court enter their accompanying Proposed Order. The grounds for this stipulation and
8 request are as follows:

- 9 1. Consistent with the urging of the Court at the February 6, 2013 hearing on their
10 respective motions, the Parties are in the process of attempting to settle the contested
11 FOIA claim proposed to be joined with Amador County’s Administrative Procedure
12 Act challenge via a proposed Second Amended Complaint.
- 13 2. The Parties anticipate that their settlement negotiations will have direct bearing on
14 certain features of the Administrative Record such that judicial efficiency will best be
15 served by allowing for the settlement process to proceed and conclude before lodging
16 of the Administrative Record.
- 17 3. The Parties have agreed that a new lodging date of April 26, 2013, should afford them
18 sufficient time to consummate a settlement. Should settlement not prove possible,
19 Federal Defendants will nonetheless lodge the certified Administrative Record of the
20 May 24, 2012 Record of Decision by April 26, 2013.
- 21 4. Subsequent to the lodging of the Administrative Record, either party may move to
22 supplement it. The Parties anticipate that cross-motions for summary judgment are
23 appropriate to resolve the APA claims. After the lodging of the Administrative
24 Record, and once any issues regarding its content are resolved, the Parties will file a
25 further Joint Status Report setting forth an agreed upon briefing schedule for their
26 cross-motions for summary judgment.

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28 ¹ Kevin K. Washburn, Assistant Secretary for Indian Affairs, is substituted for Donald E. Laverdure. This
substitution is automatic under Fed. R. Civ. P. 25(d).

1 5. No prior extension of the date for lodging of the Administrative Record has been
2 sought or granted.

3 Respectfully submitted this 27th day of March, 2013.

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**ORDER ON PARTIES'
STIPULATION FOR
EXTENSION OF
ADMINISTRATIVE RECORD
LODGING DATE**

Upon consideration of the Parties' Stipulation for Extension of the Administrative Record Lodging date, good cause having been shown, it is hereby ORDERED that the

1. Stipulation is APPROVED, and
2. The Administrative Record lodging date is EXTENDED from March 29, 2013 to April 26, 2013.

IT IS SO ORDERED.

DATED: 4/1/2013

/s/ John A. Mendez
HON. JOHN A. MENDEZ
UNITED STATES DISTRICT COURT JUDGE