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8 CITY OF REDDING

10 UNITED STATES DISTRICT COURT
11 EASTERN DISTRICT OF CALIFORNIA

13 CALIFORNIA SPORTFISHING PROTECTION
ALLIANCE, a non-profit corporation,

14 Plaintiff,

15 v.

16 CITY OF REDDING, a municipality,

17 Defendant.

Civil Case No. 2:12-CV-01884-GEB-KJN

STIPULATION TO EXTEND TIME TO
FILE MOTION TO DISMISS AND
SCHEDULE MEDIATION; [PROPOSED]
ORDER

19 The City of Redding (City) and California Sportfishing Protection Alliance (CSPA)
20 hereby stipulate to the following and jointly request that the Court extend the deadlines in the
21 Court's January 23, 2013 Status (Pretrial Scheduling) Order, filed as Docket No. 13, setting forth
22 the parties' respective filing deadlines relative to the City's Federal Rule of Civil Procedure Rule
23 12(b)(1) motion to dismiss and to schedule a date for mediation with the Magistrate Judge in this
24 matter.

25 WHEREAS, CSPA filed its Complaint on July 17, 2012 (Docket No. 1);

26 WHEREAS, CSPA served the summons and complaint on the City on October 31, 2012;

27 WHEREAS, the City filed and served its answer to the complaint on November 21, 2012
28 (Docket No. 9);

1 WHEREAS, CSPA and the City (collectively the Parties) submitted their first Joint Status
2 Report on October 15, 2012 (Docket No. 6);

3 WHEREAS, on October 23, 2102, the Court issued an order continuing the Case
4 Management Conference for this case to January 14, 2013, and directing the Parties to submit an
5 updated Joint Status Report at least fourteen (14) days prior to the conference (Docket No. 7);

6 WHEREAS, the Parties submitted a Second Joint Status Report on December 28, 2012
7 (Docket No. 10);

8 WHEREAS, on January 9, 2013, the Court issued an order further continuing the Case
9 Management Conference for this matter to January 28, 2013, and directing the Parties to submit a
10 further updated Joint Status Report at least fourteen (14) days prior to the conference and propose
11 a briefing schedule for the City's anticipated Rule 12(b)(1) dismissal motion (Docket No. 11);

12 WHEREAS, the Parties submitted a Third Joint Status Report on January 14, 2013
13 (Docket No. 12), which included a proposed briefing schedule and hearing date for the City's
14 Rule 12(b)(1) dismissal motion;

15 WHEREAS, on January 23, 2013, the Court issued an order (January 23 Order) further
16 continuing the Case Management Conference for this matter to June 10, 2013 and setting forth a
17 briefing schedule for the City's anticipated Rule 12(b)(1) motion to dismiss CSPA's complaint
18 (Docket No. 13);

19 WHEREAS, the January 23 Order requires the City's dismissal motion be filed by March
20 1, 2013, CSPA's opposition be filed by March 22, 2013, and the City's reply by April 1, 2013,
21 and noticed the motion for hearing on April 22, 2013;

22 WHEREAS, CSPA has submitted a written settlement offer to the City;

23 WHEREAS, the City has reviewed CSPA settlement offer and submitted a counter
24 settlement proposal, which included specific information discussing the City's sewer system
25 management program.

26 WHEREAS, in order to fully consider the City's counter-proposal, CSPA has requested
27 the City provide further information and documents relative to its sewer system management
28 program;

1 WHEREAS, the City is in the process of providing CSPA with the requested information
2 and documents;

3 WHEREAS, the Parties continue to negotiate in good faith in an effort to reach settlement
4 in this matter and in the interest of judicial and financial economy wish to extend the Court
5 ordered filing deadlines and hearing date for the dismissal motion for sixty (60) days to allow for
6 sufficient time to attempt to reach a full settlement in this matter.

7 NOW THEREFORE IT IS HEREBY STIPULATED by and between the Parties that:

8 1. The briefing deadlines set forth in the January 23 Order (Docket No. 13) shall be
9 vacated.

10 2. If the Parties have not settled the case by May 1, 2013 the parties stipulate to the
11 following revised briefing schedule:

- 12 City's dismissal motion shall be filed on May 15, 2013;
- 13 CSPA's opposition shall be filed on or before June 5, 2013;
- 14 City's reply shall on filed on or before June 17, 2013; and
- 15 The hearing on the motion shall be noticed for June 24, 2013 at 9:00 a.m.

16 SOMACH SIMMONS & DUNN

A Professional Corporation

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18 Dated: February 27, 2013

By: /s/ Kanwarjit S. Dua
Kanwarjit S. Dua,
Attorneys for Defendant CITY OF
REDDING

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22
23 Dated: February 27, 2013

LAWYERS FOR CLEAN WATER, INC.


/s/Drevet Hunt (as authorized on 2/27/13)
Drevet Hunt
Layne Friedrich
Attorneys for Plaintiff California
Sportfishing Protection Alliance

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ORDER

IT IS SO ORDERED:

Date: 3/5/2013



GARLAND E. BURRELL, JR.
Senior United States District Judge