

1 BENJAMIN B. WAGNER
 United States Attorney
 2 EDWARD A. OLSEN (CSBN 214150)
 Assistant United States Attorney
 3 501 I Street, Suite 10-100
 Sacramento, CA 95814
 4 Telephone: (916) 554-2821
 Facsimile: (916) 554-2900
 5 edward.olsen@usdoj.gov

6 Attorneys for Defendants

7
 8

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

12 SACRAMENTO MUNICIPAL UTILITY
 DISTRICT,

13 Plaintiff,

14 v.

15 UNITED STATES DEPARTMENT OF THE
 16 INTERIOR, ET AL.,

17 Defendants.

CASE NO. 2:12-CV-03112-TLN-EFB

**PARTIES' SUPPLEMENTAL
 STATUS REPORT; AND ORDER**

18
 19 Plaintiff, by and through its attorneys of record, and defendants, by and through their
 20 attorneys of record, hereby submit this supplemental status report.

21 Plaintiff Sacramento Municipal Utility District ("SMUD") brought the above-captioned
 22 action pursuant to the Administrative Procedure Act, 5 U.S.C. § 701 *et seq.*, challenging the Bureau
 23 of Reclamation's rate-setting and contract renewal actions related to the conveyance of water
 24 through the Folsom South Canal, a component of the Central Valley Project. With the benefit of
 25 several stays of this action, the parties have engaged in productive negotiations in an effort to resolve
 26 the Complaint. The parties believe that they have resolved this action and expect that the action can
 27 be dismissed promptly.

1 If the action is not dismissed by February 28, 2014, the parties have agreed, subject to the
2 Court's approval, to prepare and file a supplemental joint status report with a proposed briefing
3 schedule by March 7, 2014.

4 The parties preserve all claims, defenses, objections, and legal arguments they have or may
5 have in the action.

6 Dated: February 7, 2014

BENJAMIN B. WAGNER
UNITED STATES ATTORNEY

8 /s/ Edward A. Olsen
EDWARD A. OLSEN
9 Assistant United States Attorney
10 Attorneys for Defendants

11 Dated: February 7, 2014

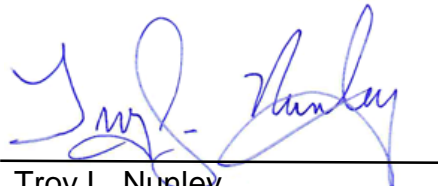
DOWNEY BRAND LLP

12 /s/ Meredith E. Nikkel
13 MEREDITH E. NIKKEL
14 STEVE P. SAXTON
15 DAVID E. LINDGREN
16 Attorneys for Plaintiff

17 **ORDER**

18 Pursuant to the parties' supplemental joint status report, IT IS SO ORDERED.

19
20 Dated: February 10, 2014

21
22 
23
24

Troy L. Nunley
25 United States District Judge
26
27
28