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

CONSERVATION CONGRESS and the  
CITIZENS FOR BETTER FORESTRY,

Plaintiffs.

v.

UNITED STATES FOREST SERVICE,  
and the UNITED STATES FISH AND  
WILDLIFE SERVICE,

Federal Defendants,

and

AMERICAN FOREST RESOURCE  
COUNCIL,

Defendant-Intervenor.

CASE NO. 2:13-cv-934-JAM-DB

**STIPULATED MOTION REGARDING  
DEADLINES RELATED TO MOTION TO  
STRIKE [ECF NO. 79]**

1 The parties respectfully submit this Stipulated Motion Regarding Deadlines Related to  
2 Motion to Strike [ECF No. 79].

3 On January 6, 2020, the Court adopted the Stipulation of Joint Briefing Schedule and  
4 Order (First Scheduling Order), ECF No. 37, proposed by Plaintiffs and Federal Defendants.  
5 Under the First Scheduling Order, if Plaintiffs moved to supplement or complete the  
6 administrative records, the deadlines for briefing the parties' cross motions for summary  
7 judgment would be vacated and the parties would propose new summary judgment briefing  
8 deadlines following resolution of Plaintiffs' motion. *Id.* at 2.

9 Plaintiffs moved to supplement the administrative records on February 10, 2020 (First  
10 Motion to Supplement). ECF No. 38. Before ruling on the First Motion to Supplement, the  
11 Court granted American Forest Resource Council's motion to intervene as a defendant. ECF No.  
12 54. The Court then granted in part and denied in part the First Motion to Supplement, ECF No.  
13 55, and the parties proposed a summary judgment briefing schedule consistent with the First  
14 Scheduling Order, ECF No. 57. The Court adopted the parties' proposed briefing schedule  
15 (Second Scheduling Order), under which Plaintiffs' motion for summary judgment was due on  
16 September 4, 2020, ECF No. 58.

17 The parties filed cross-motions for summary judgment according to the Second  
18 Scheduling Order. ECF Nos. 61, 72, 75. Plaintiffs filed their combined reply in support of their  
19 motion for summary judgment and response to Federal Defendants' cross-motion for summary  
20 judgment on November 6. ECF No. 78. At that time, Plaintiffs also filed a Motion to Strike.  
21 ECF No. 79. The Second Scheduling Order did not set deadlines for such a motion. The parties  
22 agree that it would be most efficient to align Federal Defendants' response to the Motion to  
23 Strike with their November 24, 2020, deadline for filing a reply in support of their cross-motion  
24 for summary judgment. The parties further agree to a December 4, 2020, deadline for Plaintiffs'  
25 reply in support of their Motion to Strike. Accordingly, the parties respectfully request that the  
26 Court enter an order with the following deadlines:

- 27 a. Federal Defendants' opposition to the Motion to Strike is due on or before November  
28 24, 2020.

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b. Plaintiffs' reply in support of the Motion to Strike is due on or before December 4, 2020.

Dated: November 13, 2020

Respectfully Submitted,

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**IT IS SO ORDERED:**

DATED: November 16, 2020

/s/ John A. Mendez

THE HONORABLE JOHN A. MENDEZ  
UNITED STATES DISTRICT COURT JUDGE