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 20 Water Quality Control Board Members and Executive Officer*

21 UNITED STATES DISTRICT COURT
 22 FOR THE EASTERN DISTRICT OF CALIFORNIA

24	DUARTE NURSERY, INC., et al.,)	No. 2:13-cv-02095-LKK-DAD
	Plaintiffs,)	
25)	STIPULATION AND JOINT
	v.)	REQUEST TO CONTINUE
26)	STATUS CONFERENCE, AND
	UNITED STATES ARMY CORPS OF ENGINEERS,)	ORDER
27	et al.,)	
	Defendants.)	

1 All Defendants have moved to dismiss Plaintiffs' Complaint; the Court heard these motions
2 on February 10, 2014, and took them under submission. As of this date the Court has not issued
3 a ruling on the motions.

4 A status conference was originally set for January 13, 2014, which the Court continued to
5 March 24, 2014, because the motions to dismiss were then pending and the parties had suggested
6 that scheduling be deferred until after the motions were resolved. Because the motions to dismiss
7 are submitted and the Court has not yet ruled on them, the parties now stipulate and respectfully
8 request that the Court continue the March 24, 2014, status conference until after the motions are
9 ruled on.

10 In particular, in joining this request, Defendant U.S. Army Corps of Engineers (the
11 "Corps") draws the court's attention to its Status Report, wherein the Corps reports it is
12 considering alleging a counterclaim under the Clean Water Act against Plaintiffs and believes this
13 matter should be resolved prior to the Scheduling Conference.

14 DATED: March 19, 2014.

DAMIEN M. SCHIFF
ANTHONY L. FRANÇOIS

15
16 /s/ Anthony L. François
ANTHONY L. FRANÇOIS
17 *Attorneys for Plaintiffs Duarte Nursery, Inc.*
18 *and John Duarte*

19 DATED: March 19, 2014.

ROBERT G. DREHER
Acting Assistant Attorney General

20
21 /s/ John Thomas H. Do
KIM SMACZNIAK
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DATED: March 19, 2014.

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/s/ Kristin B. Peer
MATTHEW J. GOLDMAN
KRISTIN B. PEER
Deputy Attorney General
*Attorneys for Defendants Central Valley Regional
Water Quality Control Board members and Executive
Officer sued as individuals in their official capacities*

Good cause appearing, it is hereby ordered that the status conference set for March 24, 2014, is reset to June 23, 2014, at 1:30 p.m. All parties shall file further status reports not later than fourteen days prior to that date.

DATED: March 24, 2014.


LAWRENCE K. KARLTON
SENIOR JUDGE
UNITED STATES DISTRICT COURT