

1 BARRY E. HINKLE, SBN 071223
 PATRICIA M. GATES, SBN 076498
 2 ROBERTA D. PERKINS, SBN 153074
 WEINBERG, ROGER & ROSENFELD
 3 A Professional Corporation
 1001 Marina Village Parkway, Suite 200
 4 Alameda, CA 94501-1091
 Telephone: 510.337-1001
 5 Facsimile: 510.337.1023

6 Attorneys for Plaintiff, LABORERS INTERNATIONAL UNION OF NORTH AMERICA
 PACIFIC SOUTHWEST REGION

7 BENJAMIN B. WAGNER
 8 United States Attorney
 YOSHINORI H. T. HIMEL #66194
 9 Assistant United States Attorney
 501 I Street, Suite 10-100
 10 Sacramento, CA 95814
 Telephone: (916) 554-2760
 11 Facsimile: (916) 554-2900
 email: yoshinori.himel@usdoj.gov

12 Attorneys for Defendant, UNITED STATES DEPARTMENT OF ENERGY

13
 14 IN THE UNITED STATES DISTRICT COURT
 15 EASTERN DISTRICT OF CALIFORNIA

16 LABORERS' INTERNATIONAL UNION OF
 NORTH AMERICA PACIFIC SOUTHWEST
 17 REGION,

CASE NO. 2:13-CV-02204-MCE-DAD

**STIPULATION AND ORDER
 RESETTING SCHEDULE**

18 Plaintiff,

19 v.

20 U.S. DEPARTMENT OF ENERGY,

21 Defendant.

22
 23 The parties, by their undersigned counsel, hereby recite and stipulate, subject to the
 24 Court's approval as provided for herein, as follows:

25 RECITALS

26 1. The issue remaining to be decided, after the stipulated issue-limiting Orders, filed
 27 February 11 and March 26, 2014, is the merits of the FOIA Exemption 4 withholding.

28 2. The parties are discussing possible arrangements outside the action with the

1 potential to moot past and future FOIA requests for records including the request in issue in this
2 action.

3 3. Deferring the briefing set by stipulated Order filed April 17, 2014, would facilitate
4 the parties' discussions.

5 STIPULATIONS

6 1. This stipulation shall substitute for the parties' Joint Status Report due May 1,
7 2014, required by the Minute Order filed April 8, 2014, as modified by the stipulated Order filed
8 April 17, 2014.

9 2. Defendant's motion for summary judgment shall be filed by July 31, 2014.

10 3. Plaintiff's opposition to defendant's motion for summary judgment shall be filed
11 by August 22, 2014.

12 4. Defendant's reply shall be filed by September 8, 2014.

13 5. Hearing before Judge England shall be held September 18, 2014, at 2:00 p.m.

14 Dated: April 24, 2014

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

16 By: /s/ Roberta D. Perkins

17 ROBERTA D. PERKINS, SBN 153074
(as authorized on 4/24/14)

18 Dated: April 24, 2014

BENJAMIN B. WAGNER
United States Attorney


20 By: /s/ YHimel

21 YOSHINORI H. T. HIMEL #66194
Assistant United States Attorney

22 **ORDER**

23 IT IS SO ORDERED.

24 Dated: April 29, 2014

25 
26 MORRISON C. ENGLAND, JR., CHIEF JUDGE
27 UNITED STATES DISTRICT COURT
28