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IN THE UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

DENNIS D. MURPHY

Plaintiff,

v.

UNITED STATES FOREST SERVICE: TOM TIDWELL, in his official capacity as Chief of the United States Forest Service; and NANCY J. GIBSON, in her official capacity as Forest Supervisor of the United States Forest Service,

Defendants

CASE NO. 13-cv-02315-TLN-AC

JOINT STATUS REPORT AND STIPULATION AND ORDER TO CONTINUE BRIEFING SCHEDULE ON **SUMMARY JUDGMENT**

The parties note for the Court, in light of the fact that this matter was recently re-assigned (Dkt. No. 72), that pending are a fully briefed motion to supplement (Dkt. Nos. 60, 63, and 64) and motion to dismiss (Dkt. Nos. 61, 62, and 65). Further, because counsel for the United States will be in trial January 25 through February 3, 2016, and in consideration of the fact that the Court recently reset hearing on the cross motions for summary judgment (Dkt. No. 73), the parties hereby stipulate to, and seek an order from this Court, continuing the briefing schedule on the pending motions for summary judgment as set forth below.

<u>Event</u>	<u>Current Date</u>	Proposed Date
Defendants' Opposition and Cross-Motion	January 21, 2016	February 8, 2016
Plaintiff's Reply and Opposition	February 11, 2016	March 7, 2016
Defendants' Reply	February 29, 2016	March 17, 2016

The parties do not propose any change in the current hearing date of March 24, 2016, at 2 p.m.

The parties further note that the Forest Service halted the Project some time ago (though there is a dispute regarding the ongoing environmental impacts of previously implemented Project actions) and authorization for the challenged Project has been withdrawn. There is thus good cause for the continuance, and the Court should grant it.

Respectfully submitted,

DATED: January 19, 2016

By <u>/s/ Paul S. Weiland</u> (auth. Jan. 16, 2016) Attorney for Plaintiff

BENJAMIN B. WAGNER United States Attorney

By: /s/ Gregory T. Broderick
GREGORY T. BRODERICK
Assistant United States Attorney

IT IS SO ORDERED.

Date: January 19, 2016

Troy L. Nunley
United States District Judge