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Attorneys for Defendants

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

REVISED AND SUPERSEDING STIPULATION AND ORDER TO CONTINUE BRIEFING SCHEDULE ON **SUMMARY JUDGMENT**

The parties have continued attempts at resolution and are down to two key terms, and request a continuance in the hearing date and briefing schedule regarding the pending motion for summary judgment so that they may continue to attempt resolution. This stipulation and proposed order supersedes and is meant to replace the stipulation and proposed order lodged Friday, February 19, 2016, and reflects further communications of the parties today. Thus, the parties hereby stipulate to, and seek an order from this Court, continuing the briefing schedule as follows.

Event	<u>Current Date</u>	Proposed Date
Defendants' Opposition and Cross-Motion	February 22, 2016	March 8, 2016
Plaintiff's Reply and Opposition	March 21, 2016	April 4, 2016
Defendants' Reply	April 1, 2016	April 14, 2016

The parties also stipulate to, and propose continuing the current hearing date of April 7, 2016, at 2 p.m., to April 21, 2016, at 2 p.m.

STIPULATION AND ORDER TO CONTINUE BRIEFING SCHEDULE

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environmental impacts of previously implemented Project actions) and authorization for the challenged Project has been withdrawn.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: February 22, 2016 /s/ Paul S. Weiland (auth. Feb 22, 2016) By Attorney for Plaintiff BENJAMIN B. WAGNER **United States Attorney** /s/ Gregory T. Broderick By: GREGORY T. BRODERICK Assistant United States Attorney

IT IS SO ORDERED.

Dated: February 23, 2016

Troy L. Nunley

United States District Judge