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

UPPER SOUTH EAST COMMUNITIES
COALITION,

Plaintiff,

v.

U.S. ARMY CORPS OF ENGINEERS;
LT. GEN. THOMAS P. BOSTICK, in his
official capacity, Chief of Engineers and
Commanding General, U.S. Army Corps of
Engineers; COL. MICHAEL J. FARRELL,
in his official capacity, District
Commander, Sacramento District, U.S.
Army Corps of Engineers; and MICHAEL
S. JEWELL Chief, Regulatory Division,
Sacramento District, U.S. Army Corps of
Engineers.

Defendants.

REGIONAL TRANSPORTATION
COMMISSION OF WASHOE COUNTY,

Intervenor Defendant.

Case No. 2:15-cv-00930-JAM-DAD

**ORDER GRANTING PLAINTIFF'S
EX PARTE APPLICATION TO FILE
COMBINED REPLY BRIEF**

1 TO ALL PARTIES:

2 1. On April 29, 2015, Plaintiff Upper Southeast Communities Coalition (“Plaintiff”)
3 filed the instant action, challenging the actions of Defendants U.S. Army Corps of Engineers et
4 al. (“Defendants”) under the Federal Water Pollution Control Act, commonly referred to as the
5 Clean Water Act (“CWA”), 33 U.S.C. § 1251 *et seq.*; the National Environmental Policy Act, 42
6 U.S.C. § 4321 *et seq.* (“NEPA”); the Administrative Procedure Act, 5 U.S.C. § 701 *et seq.*
7 (“APA”); and the CWA and NEPA implementing regulations;

8 2. On May 6, 2015, Plaintiff filed a motion for preliminary injunction;

9 3. On May 20, 2015, Defendant and Defendant Intervenor each filed a separate, 25-
10 page brief in opposition to Plaintiff’s motion for preliminary injunction;

11 4. On May 21, 2015, Plaintiff filed an Unopposed *Ex Parte* Application to File
12 Combined Reply Brief, in which Plaintiff requested permission to file a single, combined reply
13 brief of up to 20 pages. Defendants and Defendant Intervenor do not oppose Plaintiff’s
14 application;

15 5. The Court finding good cause, Plaintiff’s Unopposed *Ex Parte* Application to File
16 Combined Reply Brief is GRANTED.

17 THEREFORE IT IS ORDERED AS FOLLOWS: Plaintiff may file a single,
18 combined reply brief of up to 20 pages, exclusive of exhibits, attachments, declarations and
19 tables, in support of its Motion for Preliminary Injunction. This Order does not alter the
20 deadlines or hearing date set forth in the Court’s May 15, 2015 Order Shortening Time for
21 Hearing on Plaintiff’s Motion for Preliminary Injunction.

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23
24 IT IS SO ORDERED.

25 DATED: May 22, 2015

26 /s/ John A. Mendez

27 HON. JOHN A. MENDEZ