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 18 YUBA COUNTY WATER AGENCY

19 UNITED STATES DISTRICT COURT  
 20 EASTERN DISTRICT OF CALIFORNIA  
 21 SACRAMENTO DIVISION

22 FRIENDS OF THE RIVER,  
 23  
 24 Plaintiff,

25 v.

26 NATIONAL MARINE FISHERIES SERVICE;  
 27 PENNY PRITZKER, as Secretary of Commerce;  
 28 UNITED STATES ARMY CORPS OF  
 ENGINEERS; LT. GENERAL THOMAS P.  
 BOSTICK as Commanding General, of U.S. Army  
 Corps of Engineers; BUREAU OF LAND  
 MANAGEMENT; SALLY JEWELL, as Secretary  
 of the Interior; and NEIL KORNZE, as Director,  
 Bureau of Land Management,

Defendants,

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YUBA COUNTY WATER AGENCY,  
 Proposed  
 Defendant-Intervenor and  
 Counter-Claimant.

Civil Case No. 2:16-cv-00818-JAM-EFB

**ORDER GRANTING YCWA's  
 UNOPPOSED MOTION TO INTERVENE**

1 Having considered the Motion to Intervene by Yuba County Water Agency (YCWA),  
2 supporting papers, and responses of the parties, and being fully advised, the Court hereby **GRANTS**  
3 YCWA's Motion to Intervene as of right under Fed. R. Civ. P. 24(a) subject to the following terms and  
4 conditions:

5 1. Intervenor YCWA shall file its Answer in Intervention and Counterclaim for  
6 Declaratory and Injunctive Relief, attached as Exhibit 1 to the Declaration of Howard F. Wilkins III in  
7 Support of YCWA's Unopposed Motion to Intervene, within five (5) days of entry of this Order.

8 2. Intervenor YCWA shall abide by the Court's September 19, 2016 scheduling order  
9 (ECF No. 11), which is modified as follows:

10 a. Intervenor YCWA shall file its cross motion for summary judgment and opposition to  
11 Plaintiff's motion for summary judgment (no more than 35 pages) no later than seven (7) days after  
12 Federal defendants file their cross motion and opposition, and YCWA shall not duplicate arguments  
13 raised by Federal defendants in their cross motion and opposition;  
14

15 b. Plaintiff shall file its reply and opposition brief (no more than 20 pages) to YCWA's cross  
16 motion and opposition no later than seven (7) days after the deadline for filing Plaintiff's reply and  
17 opposition to the Federal defendants' cross motion and opposition;

18 c. YCWA files is reply brief (no more than 10 pages) no later than seven (7) days after Federal  
19 defendants file their reply.  
20

21 **IT IS SO ORDERED.**

22  
23 Dated: October 12, 2016

\_\_\_\_\_/s/ John A. Mendez\_\_\_\_\_  
The Honorable John A. Mendez  
United States District Judge

1 **CERTIFICATE OF SERVICE**

2

3 I, Howard F. Wilkins, hereby certify that on October 7, 2016, I caused the foregoing to be

4 served upon counsel of record through the Court’s electronic service system.

5

6 /s/ Howard F. Wilkins III

7 Howard F. Wilkins III

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