

1 CANNATA, O'TOOLE, FICKES & OLSON  
 2 THERESE Y. CANNATA  
 3 MARK P. FICKES  
 4 ZACHARY E. COLBETH  
 5 100 Pine Street, Suite 350  
 6 San Francisco, CA 94111  
 7 Telephone: (415) 409.8900 / Fax: (415) 409-8904  
 8 *Attorneys for Defendant Roger J. LaPant, Jr.*

9 ANDREW J. DOYLE  
 10 JOHN THOMAS H. DO  
 11 ANDREW S. COGHLAN  
 12 United States Department of Justice  
 13 Environmental and Natural Resources Division  
 14 P.O. Box 7611  
 15 Washington, DC 20044  
 16 Telephone: (202) 514-4427 / Fax: (202) 514-8865  
 17 *Attorneys for Plaintiff United States*

18 UNITED STATES DISTRICT COURT  
 19 EASTERN DISTRICT OF CALIFORNIA

20 UNITED STATES OF AMERICA,  
 21 Plaintiff,  
 22 v.  
 23 ROGER J. LAPANT, JR., *et al.*,  
 24 Defendants.

Case No. 2:16-cv-01498-KJM-DB  
**SEVENTH STIPULATION AND  
 ORDER FOR EXTENSION  
 OF DEADLINES AND S.J. HEARING**

25  
26  
27  
28

1 Plaintiff United States of America and Defendant Roger J. LaPant, Jr. have met and  
2 conferred and hereby stipulate and propose for the Court's approval an extension of deadlines  
3 and the summary judgment hearing date. Specifically:

4 1. Beginning February 12, 2020, the parties have been appearing before The  
5 Honorable Kendall J. Newman, United States Magistrate Judge, for settlement conferences.

6 2. Since the most recent settlement conference on September 23, the parties have  
7 made substantial progress.

8 3. Indeed, the parties have completed all substantive edits to a draft proposed  
9 consent decree and settlement agreement and are finalizing the last remaining edits to the  
10 accompanying (highly technical) appendices.

11 4. Currently, as set forth in the Minute Order dated October 16, 2020 (ECF No.  
12 154), reply briefs associated with cross motions for summary judgment (ECF Nos. 113 & 121)  
13 are due November 24, 2020.

14 5. To allow the parties to complete their settlement efforts, the parties stipulate and  
15 propose for the Court's approval an extension of the deadline for reply briefs from November 24  
16 to January 15, 2021.

17 6. Likewise, the parties stipulate and propose for the Court's approval an extension  
18 of the summary judgment hearing date from December 11, 2020 to January 22, 2021.

19 7. The parties note that if, as anticipated, they lodge a propose consent decree  
20 earlier than January 15, 2021, they will move for a stay of the litigation until the Court takes  
21 action on the proposed consent decree.

22 8. At this time, the parties do not propose any change to the deadline for the Joint  
23 Pretrial Statement (February 5, 2021).

24 //

25 //

26 //

27 //

28 //

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Dated: November 23, 2020

Respectfully submitted,

*/s/ Therese Y. Cannata*  
CANNATA, O'TOOLE, FICKES & OLSON LLP  
100 Pine Street, Suite 350  
San Francisco, CA 94111  
Tel: (415) 409-8900

*Attorney for Roger J. LaPant, Jr.*

*/s/ Andrew S. Coghlan*  
United States Department of Justice  
Environmental and Natural Resources Division  
P.O. Box 7611  
Washington, DC 20044  
Tel: (202) 514-9275

*Attorney for the United States*

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

**ORDER**

Upon due consideration, the Court approves the foregoing stipulation and amends the schedule as follows:

- (1) Reply briefs associated with cross motions for summary judgment (ECF Nos. 113 & 121) are now due January 15, 2021.
- (2) The hearing date for the cross motions for summary judgment is now January 22, 2021, at 10:00 a.m.
- (3) The Joint Pretrial Statement remains due February 5, 2021.

DATED: November 30, 2020.

  
\_\_\_\_\_  
CHIEF UNITED STATES DISTRICT JUDGE