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10 Attorneys for Defendants
11 CEMEX Construction Materials Pacific, LLC

12 UNITED STATES DISTRICT COURT
13 EASTERN DISTRICT OF CALIFORNIA

14 THE CALIFORNIA SPORTFISHING
15 PROTECTION ALLIANCE, a non-profit
16 corporation,

17 Plaintiff,

18 vs.

19 CEMEX CONSTRUCTION MATERIALS
20 PACIFIC, LLC., a Delaware corporation

21 Defendant.

Case No. 2:17-cv-00272-MCE-CKD

**STIPULATION TO EXTEND TIME TO
RESPOND TO INITIAL COMPLAINT
BY 28 DAYS; ORDER**

**District Judge Morrison C. England, Jr.
Magistrate Judge Carolyn K. Delaney**

Complaint filed: February 8, 2017
Current response date: July 31, 2017
New response date: August 28, 2017

22 WHEREAS, the complaint in this action was filed on February 8, 2017 (“Complaint”) by
23 plaintiff The California Sportfishing Protection Alliance (“Plaintiff”) against defendant CEMEX
24 Construction Materials Pacific, LLC (“Defendant” or “CEMEX”);

25 WHEREAS, Defendant waived service on May 2, 2017;

26 WHEREAS, pursuant to Local Rule 144, Plaintiff and Defendant stipulated to extend
27 Defendant’s time to respond to the Complaint by 28 days on June 28, 2017;

28 WHEREAS, Defendant must currently respond to the Complaint by July 31, 2017.

WHEREAS, Plaintiff and Defendant have been engaged in settlement discussions and
anticipate reaching settlement in the coming weeks; and

WHEREAS, in light of ongoing settlement discussions, the parties believe it to further the
interests of judicial economy to extend the time for Defendant to respond to the Complaint by 28

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days.

THEREFORE, Plaintiffs and CEMEX hereby stipulate that CEMEX may respond to the Complaint by no later than August 28, 2017.

IT IS SO STIPULATED.

Dated: July 26, 2017

MITCHELL CHADWICK LLP

By: /s/ Sarah M. Taylor
PATRICK G. MITCHELL
SARAH M. TAYLOR

Attorneys for Defendant
CEMEX Construction Materials Pacific,
LLC.

Dated: July 26, 2017

LOZEAU DRURY LLP

By: /s/ Douglas Chermak (as authorized on July 26, 2017)
MICHAEL R. LOZEAU
DOUGLAS J. CHERMAK

Attorneys for Plaintiff
The California Sportfishing Protection
Alliance

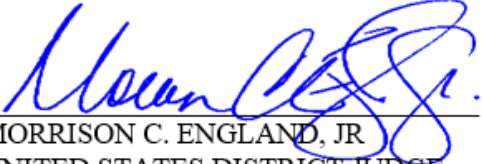
1 **ORDER**

2 Having read and considered the Joint Stipulation for Order Extending Time to
3 Respond to Initial Complaint of CEMEX CONSTRUCTION MATERIALS PACIFIC, LLC
4 (“Defendant”) and THE CALIFORNIA SPORTFISHING PROTECTION ALLIANCE
5 (“Plaintiff”), and good cause appearing therefore,

6 IT IS ORDERED that the application is GRANTED, as follows:
7 Defendant shall have an extension of time, up to and including August 28, 2017, to file a
8 responsive pleading to Plaintiff’s initial complaint.

9 IT IS SO ORDERED.

10 Dated: July 28, 2017

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12 MORRISON C. ENGLAND, JR.
13 UNITED STATES DISTRICT JUDGE
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