

1 XAVIER BECERRA
Attorney General of California
2 JAMEE JORDAN PATTERSON
Supervising Deputy Attorney General
3 BENJAMIN M. GLICKMAN
Supervising Deputy Attorney General
4 ANDREW M. VOGEL, State Bar No. 187312
Deputy Attorney General
5 JOHN W. KILLEEN, State Bar No. 258395
Deputy Attorney General
6 1300 I Street, Suite 125
P.O. Box 944255
7 Sacramento, CA 94244-2550
Telephone: (916) 210-6045
8 Fax: (916) 324-8835
E-mail: John.Killeen@doj.ca.gov
9 *Attorneys for the State Defendants*

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11 IN THE UNITED STATES DISTRICT COURT
12 FOR THE EASTERN DISTRICT OF CALIFORNIA
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15 **UNITED STATES OF AMERICA,**

16 Plaintiff,

17 v.

18 **STATE OF CALIFORNIA; and**
19 **CALIFORNIA STATE LANDS**
20 **COMMISSION, an agency of the State of**
California,

21 Defendants.
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2:18-CV-00721-WBS-DB

**STIPULATION AND [PROPOSED]
ORDER MODIFYING BRIEFING
SCHEDULE FOR CROSS-MOTIONS
FOR SUMMARY JUDGMENT**

1 Plaintiff United States of America and Defendants State of California and California State
2 Lands Commission (“the parties”) hereby respectfully submit the following stipulation and
3 proposed order pursuant to Local Rule 143. If entered by the Court, this stipulation would
4 modify the briefing schedule for cross-motions for summary judgment established by the Court’s
5 order of August 2, 2018 (Doc. 17). Under the revised schedule, the remaining deadlines for
6 summary judgment briefing would be adjusted by several days. The hearing date would not be
7 changed.

8 The Court’s order of August 2, 2018, established the following briefing schedule and
9 hearing date in accordance with the parties’ stipulation:

- 10 - United States’ Motion for Summary Judgment: August 16, 2018
- 11 - Defendants’ Memorandum in Opposition/Cross-Motion: September 13, 2018
- 12 - United States’ Memorandum in Opposition/Reply Memorandum: October 9, 2018
- 13 - Defendants’ Reply Memorandum: October 16, 2018
- 14 - Hearing Date: October 29, 2018

15 In the parties’ Joint Status Report and Discovery Plan (Doc. 12), they provided for a
16 procedure under which depositions of fact or expert witnesses submitting declarations could be
17 conducted during briefing of the parties’ cross-motions for summary judgment. Because of the
18 number of declarations submitted by the United States in support of its motion for summary
19 judgment, and the corresponding time it took for Defendants to depose these declarants,
20 Defendants requested, and the United States stipulated to, a modified briefing schedule. The
21 parties now respectfully ask that the Court approve the following revised briefing schedule:

- 22 - United States’ Motion for Summary Judgment: August 16, 2018 (*unchanged*)
- 23 - Defendants’ Memorandum in Opposition/Cross-Motion: September 17, 2018
- 24 - United States’ Memorandum in Opposition/Reply Memorandum: October 12, 2018
- 25 - Defendants’ Reply Memorandum: October 16, 2018 (*unchanged*)
- 26 - Hearing Date: October 29, 2018 (*unchanged*)

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IT IS SO STIPULATED.

Dated: September 4, 2018

XAVIER BECERRA
Attorney General of California
JAMEE JORDAN PATTERSON
Supervising Deputy Attorney General
BENJAMIN M. GLICKMAN
Supervising Deputy Attorney General
ANDREW M. VOGEL
Deputy Attorney General

/s/ John Killeen
JOHN W. KILLEEN
Deputy Attorney General
Attorneys for the State Defendants

Dated: September 4, 2018

JEFFREY H. WOOD
Acting Assistant Attorney General

/s/ Stacy Stoller (signature used by permission granted September 4, 2018)
ERIC GRANT
Deputy Assistant Attorney General
JUSTIN HEMINGER
STACY STOLLER
PETER MCVEIGH
Attorneys

MCGREGOR W. SCOTT
United States Attorney
DAVID T. SHELEDY
Civil Chief, Assistant United States Attorney
Counsel for Plaintiff United States of America

IT IS SO ORDERED.

Dated: September 4, 2018


WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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