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Board and Steven S. Cliff, in his official capacity
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9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA
 11 SACRAMENTO DIVISION

13 **CALIFORNIA TRUCKING**
 14 **ASSOCIATION, A CALIFORNIA**
 15 **CORPORATION,**
 16
 17 **v.**
 18 **CALIFORNIA AIR RESOURCES BOARD;**
 19 **STEVEN S. CLIFF, IN HIS OFFICIAL**
 20 **CAPACITY; AND DOES 1 THROUGH 25,**
 21 **INCLUSIVE,**

Plaintiff,

Defendants.

2:23-cv-02333-TLN-CKD
**STIPULATION AND ORDER TO
 EXTEND TIME FOR DEFENDANTS TO
 RESPOND TO COMPLAINT**

 Judge: Hon. Troy L. Nunley
 Trial Date: None set
 Action Filed: October 16, 2023

1 Under Local Rule 144, Plaintiff California Trucking Association (Plaintiff or CTA) and
2 Defendants California Air Resources Board and Steven S. Cliff, in his official capacity
3 (collectively, Defendants), hereby stipulate to extend the time for Defendants to respond to
4 Plaintiff's Complaint, as follows:

5 1. Plaintiff filed the Complaint in this action on October 16, 2023 and served
6 Defendants on October 19, 2023.

7 2. On October 30, 2023, the parties stipulated to extend Defendants' deadline to respond
8 to the Complaint by 28 days from November 9, 2023 to December 7, 2023.

9 3. On December 1, 2023, this Court signed a stipulation and order extending
10 Defendants' deadline to respond to the Complaint until December 21, 2023.

11 4. Meanwhile, on November 17, 2023, the California Air Resources Board (CARB)
12 submitted to the United States Environmental Protection Agency a request for a Clean Air Act
13 preemption waiver that, pursuant to 42 U.S.C. § 7543(b)(1), would authorize CARB's
14 enforcement of the challenged portions of the Advanced Clean Fleets regulation.

15 5. The parties have had productive discussions about actions CARB plans to take,
16 pursuant to that regulation, while the waiver request is pending. CARB is memorializing those
17 discussions in a letter to Plaintiff and plans to issue a public enforcement advisory as well.

18 6. As a consequence of the parties' discussions, CTA has decided not to file the
19 preliminary injunction motion it had planned to file on December 21, 2023. And the parties have
20 agreed that extending the time to March 14, 2024, for Defendants to file a motion to dismiss or
21 other responsive pleading would facilitate further potentially productive discussions between the
22 parties.

1 Dated: December 20, 2023

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MYUNG J. PARK
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/s/ M. Elaine Meckenstock
M. ELAINE MECKENSTOCK
Deputy Attorney General
*Attorneys for Defendants California Air Resources
Board and Steven S. Cliff, in his official capacity*

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8 Dated: December 20, 2023

HOLLAND AND KNIGHT LLP

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/s/ Marne S. Sussman (as authorized on Dec. 20, 2023)
Marne S. Sussman
Attorneys for Plaintiff California Trucking Association

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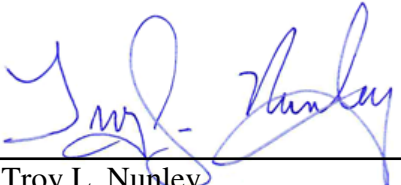
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ORDER

Based on the foregoing stipulation of the parties, and for good cause shown, the time for Defendants California Air Resources Board and Steven S. Cliff, in his official capacity, to file a response to Plaintiff's Complaint for Declaratory Judgment and Injunctive Relief, ECF No. 1, is hereby extended to March 14, 2024.

Dated: December 20, 2023



Troy L. Nunley
United States District Judge