

1 ANDREA HOGAN
(CA Bar No. 238209)
2 LATHAM & WATKINS LLP
505 Montgomery St., Suite 2000
3 San Francisco, CA. 94111-6538
Tel: (415) 391-0600
4 Fax: (415) 395-8095
andrea.hogan@lw.com

5 JANICE M. SCHNEIDER*
6 (D.C. Bar No. 472037)
LATHAM & WATKINS LLP
7 555 11TH Street, NW, Suite 1000
8 Washington, DC 20016
Tel: (202) 637-2261
9 Fax: (202) 637-2201
janice.schneider@lw.com

10 Attorneys for Intervenor-Defendant Syngenta
11 Crop Protection

12 *Admitted *pro hac vice*

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
SAN FRANCISCO DIVISION

15 **CENTER FOR BIOLOGICAL**
16 **DIVERSITY,**

17 Plaintiff,

18 v.

19 **PERCIASEPE¹**

20 Defendants,

21 and

22 **CROPLIFE AMERICA, AMERICAN**
FOREST & PAPER ASSOCIATION,
23 **WESTERN PLANT HEALTH**
24 **ASSOCIATION, OREGONIANS FOR**
FOOD AND SHELTER, and SYNGENTA
25 **CROP PROTECTION, INC.,**

26 Intervenor-Defendants.

CASE NO. 02-CV-1580-JSW
(Related to 11-CV-5108-JSW)

UNOPPOSED ADMINISTRATIVE MOTION
TO APPEAR TELEPHONICALLY AT
MOTION HEARING

(The Honorable Jeffrey S. White)

[L.R. 7-11]

Date: July 12, 2013

Time: 9:00 am

Place: Courtroom 11 – 19th Floor

27 ¹ Robert Perciasepe replaces Christine Todd Whitman per F.R.C.P. 25(d).
28

1 On May 17, 2013, CropLife America filed a Motion to Dismiss and in Opposition to
2 Settlement in *Center for Biological Diversity v. U.S. Fish and Wildlife Service*, Case No. 11-CV-
3 5108-JSW (Docket No. 64). On the same date, CropLife America filed a Motion to Enforce
4 Stipulated Injunction in the instant case, *Center for Biological Diversity v. Whitman*, Case No. 02-
5 CV-1580-JSW (Docket No. 259). On May 15, 2013, this Court set the motions for hearing on **July**
6 **12, 2013 at 9:00 am** (Docket No. 258). On July 9, 2013, the Court granted the Federal Defendants'
7 unopposed motion for agency counsel to appear by telephone at the July 12 hearing (Docket No.
8 264).

9
10 Syngenta Crop Protection, Inc. (Syngenta) is not a party to case number 11-CV-5108 and it
11 does not seek to participate in that matter. Syngenta is a party, however, to case number 02-CV-
12 1580, which has been dormant for over six years. ~~Counsel for Syngenta, Ken Weinstein, has retired~~
13 ~~from the practice of law, and other attorneys involved in the case have also left the law firm. Janice~~
14 ~~Schneider resides in Washington, DC, and because (i) the undersigned counsel has not been able to~~
15 ~~receive authorization to fly to San Francisco and (ii) the Court has granted participation by telephone~~
16 ~~by other parties, counsel respectfully requests the opportunity to appear in the hearing on case~~
17 ~~number 11-CV-5108 by telephone. Ms. Schneider's direct dial is (202) 637-2261.~~ Andrea Hogan,
18 Latham & Watkins LLP, is available to attend the hearing in person if the Court so instructs. This
19 motion is unopposed.
20

21 Dated: July 10, 2013

Respectfully submitted,

22 /s/ Janice M. Schneider

/s/ Andrea Hogan

23 JANICE M. SCHNEIDER*
24 (D.C. Bar No. 472037)
25 LATHAM & WATKINS LLP
26 555 11TH Street, NW, Suite 1000
27 Washington, DC 20016
Tel: (202) 637-2261
Fax: (202) 637-2201
janice.schneider@lw.com

ANDREA HOGAN
(CA Bar No. 238209)
LATHAM & WATKINS LLP
505 Montgomery St., Suite 2000
San Francisco, CA. 94111-6538
Tel: (415) 391-0600
Fax: (415) 395-8095
Andrea.hogan@lw.com

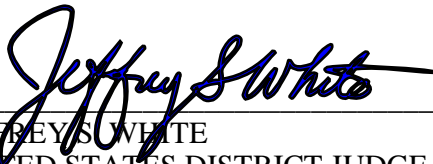
28 ** admitted *pro hac vice* in Case No. 02-CV-1580

1
2 [PROPOSED] ORDER

3 This Court has been moved to allow counsel for Syngenta Crop Protection, Inc. to
4 telephonically attend the motion hearing scheduled for July 12, 2013. This motion is unopposed. The
5 Andrea Morgan
6 Court has reviewed the motion and grants the motion for ~~counsel to telephonically~~ attend the motion
7 hearing in Case Number 02-CV-1580, scheduled for July 12, 2013 at 9:00 am.

8
9 IT IS SO ORDERED.

10 DATED this 10th day of July, 2013.

11 
12 JEFFREY S. WHITE
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28