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 United States Department of Justice
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 5 *Attorney for Defendant*

6 IN THE UNITED STATES DISTRICT COURT
 7 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 8 SAN FRANCISCO DIVISION

9	NORTHWEST ENVIRONMENTAL) No. C 03 - 05760 SI
10	ADVOCATES, et al.,)
11	Plaintiffs,) JOINT STIPULATION TO CONTINUE
12	v.) BRIEFING AND HEARING DATES FOR
13	UNITED STATES ENVIRONMENTAL) PLAINTIFFS' MOTION FOR ATTORNEYS'
14	PROTECTION AGENCY,) FEES AND COSTS PURSUANT
15	Defendant.) TO EAJA; PROPOSED ORDER
) <i>NO HEARING REQUESTED</i>

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 17 This Joint Stipulation is filed by Defendant United States Environmental Protection
 18 Agency and Plaintiffs Northwest Environmental Advocates, *et al.* In support of this Joint
 19 Stipulation, the parties state as follows:

20 Plaintiffs in this case have filed a Motion for Attorneys' Fees and Costs Pursuant to the
 21 Equal Access to Justice Act. (Dkt. 127) (the "Fee Motion"). The Fee Motion is currently
 22 calendared for hearing on April 3, 2009 (Dkt. 143). The parties are engaged in settlement
 23 discussions concerning the Fee Motion and therefore stipulate to a continuance of the hearing on
 24 said Motion until July 17, 2009, or such later date as is convenient for the Court. The parties
 25 further stipulate that Defendant's response to the Fee Motion will be due June 5, 2009, and
 26 Plaintiffs' reply will be due June 19, 2009.

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Respectfully submitted and agreed to this 2nd day of April, 2009:

JOHN C. CRUDEN
Acting Assistant Attorney General
Environment and Natural Resources Division

By: s/ Martin F. McDermott
MARTIN F. McDERMOTT, Attorney
Environment and Natural Resources Division
Environmental Defense Section
U.S. Department of Justice
Attorney for Defendant

Of Counsel:
DAWN M. MESSIER
Office of General Counsel, U.S. EPA
Washington, D.C. 20460

STIPULATED AND AGREED TO BY:

s/ Deborah Sivas
DEBORAH A. SIVAS
Environmental Law Clinic
Mills Legal Clinic at Stanford Law School
559 Nathan Abbott Way
Stanford, California 94306
Attorney for Plaintiffs

[PROPOSED] ORDER

Upon consideration of the parties' Joint Stipulation, the hearing on Plaintiffs' Motion for Attorneys' Fees and Costs Pursuant to the Equal Access to Justice Act, currently set for April 3, 2009, is continued until July 17, 2009. Defendant's response to said Motion will be due June 5, 2009; Plaintiffs' reply will be due June 19, 2009.

DATED: 4/2/09



Hon. Susan Illston, United States District Judge

CERTIFICATE OF SERVICE

I hereby certify that on this 2nd day of April, 2009, the foregoing JOINT STIPULATION TO CONTINUE BRIEFING AND HEARING DATES FOR PLAINTIFFS' MOTION FOR ATTORNEYS' FEES AND COSTS PURSUANT TO EAJA and PROPOSED ORDER have been served electronically through the Court's ECF system on counsel of record.

/s/ Martin F. McDermott
Martin F. McDermott

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