

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

BAYKEEPER, et al.,

No. C 07-0725 SI

Plaintiffs,

**ORDER RE: FURTHER STATUS  
REPORT**

v.

UNITED STATES ENVIRONMENTAL  
PROTECTION AGENCY, et al.,

Defendants.


---

The parties' Joint Status Report filed August 12, 2009, states that on August 3, 2009 a final decision was issued by the Sixth Circuit in the *Nat'l Cotton Council v. EPA* action, and that the likely consequence of that decision is that this action will be dismissed. However, the parties request that the stay in this action remain in place until it is determined whether any party to the *Nat'l Cotton Council* action will seek or obtain review in the United States Supreme Court.

**Accordingly, on or before November 6, 2009, the parties are ORDERED to provide a joint status report, providing the status of the Sixth Circuit proceedings and the anticipated timing of further proceedings, if any, in this action.**

**IT IS SO ORDERED.**

Dated: August 13, 2009

  
\_\_\_\_\_  
SUSAN ILLSTON  
United States District Judge