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12 ATTORNEYS FOR DEFENDANTS

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 14 IN THE UNITED STATES DISTRICT COURT
 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION
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THIRD STIPULATION AND ~~PROPOSED~~ ORDER FOR EXTENSION TO SUBMIT MOTION FOR ATTORNEY'S FEES

Case No. 07-03678 JSW

Case No. C 07-3678 JSW

COMMUNITIES FOR A BETTER ENVIRONMENT, ROCKY MOUNTAIN CLEAN AIR ACTION, COALITION FOR A SAFE ENVIRONMENT, and PHYSICIANS FOR SOCIAL RESPONSIBILITY-LOS ANGELES,

Plaintiffs,

v.

UNITED STATES ENVIRONMENTAL PROTECTION AGENCY, and LISA P. JACKSON, Administrator of the United States Environmental Protection Agency,^{1/}

Defendants.

THIRD STIPULATION AND [PROPOSED] ORDER FOR EXTENSION TO SUBMIT MOTION FOR ATTORNEY'S FEES

This stipulation is entered into by Plaintiffs, Communities for a Better Environment, Rocky Mountain Clean Air Action, Coalition for a Safe Environment, and Physicians for Social Responsibility-Los Angeles, and Defendants, the United States Environmental Protection Agency and Lisa P. Jackson, in consideration of the following facts:

1. The Court entered Judgment on November 24, 2008. Dkt. #44.
2. Pursuant to Local Rule 54-6, any motion for attorney's fees must be filed within 14 days of the entry of Judgment.
3. On December 1, 2008, the Court entered an order, pursuant to a stipulation by the Parties, extending the time to file a motion for attorneys' fees until December 22, 2008. Dkt. # 46.
4. On December 12, 2008, the Court entered an order, pursuant to a stipulation by the Parties, further extending the time to file a motion for attorneys' fees until January 26, 2009.
5. The Parties agree that there is good cause for a third extension of time for filing a Motion for Attorney's Fees until April 7, 2009. The Parties have reached a settlement as to

^{1/} Pursuant to Federal Rule of Civil Procedure 25(d), Lisa P. Jackson is substituted for Stephen L. Johnson.

1 attorneys' fees. The settlement has been finalized, and the Parties are in the process of executing
2 the settlement agreement and arranging for payment of the fees. The requested extension allows
3 for the payment of fees to be fully processed and performed, and the Parties agree that an
4 extension of an additional 70 days will be sufficient to allow that process to be completed.

5 NOW, THEREFORE, pursuant to Local Rules 6-2 and 7-12, by and through their
6 undersigned counsel, the Parties hereby stipulate to the entry of an order extending Plaintiffs'
7 time up to and including Monday, April 7, 2009, to file a Motion for Attorneys' Fees.

8
9 Respectfully submitted,

10 Dated: January 23, 2009

11 /s/ Robert S. Ukeiley

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27 Attorney for Plaintiffs

28 JOHN C. CRUDEN
Acting Assistant Attorney General
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Dated: January 23, 2009


/s/ Martha C. Mann
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Attorney for Defendants

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 26, 2009



JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

On January 23, 2009, a true and correct copy of the foregoing was served electronically via the Court's e-filing system to the following Counsel of Record.

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Date: January 23, 2009

/s/ Martha C. Mann
MARTHA C. MANN

