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Attorneys for Plaintiff
 Center for Biological Diversity

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

CENTER FOR BIOLOGICAL DIVERSITY,

Plaintiff,

v.

THE OFFICE OF MANAGEMENT AND

BUDGET,

Defendant.

Civil Action No.: C-07-4997 MHP

**~~[PROPOSED]~~ STIPULATION RE
 CASE MANAGEMENT
 CONFERENCE DATE**

Date: October 19, 2009

Time: 2:00 p.m.

Court: 15, 18th Floor

1 Plaintiff, the Center for Biological Diversity (the "Center"), and defendant, the Office of
2 Management and Budget ("OMB"), by and through their undersigned counsel, hereby submit the
3 following Proposed Stipulation Re Case Management Conference Date.

4 As this Court is aware, OMB recently located additional documents responsive to the Center's
5 FOIA request that have not been submitted for *in camera* inspection to Magistrate Judge Zimmerman.
6 OMB has released a number of these documents to the Center, and the parties are presently engaged in
7 discussions about some additional documents OMB may release to the Center, whether other documents
8 are subject to the Court's summary judgment rulings, whether all remaining documents should be
9 released to the Center, or whether they should be submitted for *in camera* inspection. The parties are
10 hopeful that the matter can be resolved between themselves, and thus request that the date on which the
11 Center must file any request for immediate release of the remaining documents, the date of any response
12 by OMB, and the date of the next Case Management Conference, be delayed by two weeks.

13 Subject to the Court's approval, the parties stipulate and have agreed that (1) the Center shall
14 have until October 27, 2009 at 4:00 p.m. to file any request for immediate release of the remaining,
15 recently located documents; (2) OMB shall have until October 29, 2009 at 4:00 p.m. to file a responsive
16 brief, if any; and (3) the next Case Management Conference take place on November 2, 2009 at 3:00
17 p.m.

18 Dated: October 16, 2009

JOSEPH P. RUSSONIELLO
United States Attorney

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20 By: _____/s/_____
MICHAEL T. PYLE
Assistant United States Attorney
Attorney for Defendant OMB

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23 VERA PARDEE

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25 By: _____/s/_____
Attorney for Plaintiff Center for Biological
26 Diversity
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PURSUANT TO STIPULATION, IT IS SO ORDERED:

As stipulated by the parties, (1) the Center for Biological Diversity shall file any briefing to request the immediate release of the recently discovered documents by October 27, 2009 at 4:00 p.m.; (3) OMB shall file any responsive briefing by October 29, 2009 at 4:00 p.m.; and (2) the next Case Management Conference in this matter shall take place on November 2, 2009 at 3:00 p.m.

Dated: October 14, 2009

HON. MARILYN PATEL
United States District Court

