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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CENTER FOR BIOLOGICAL  
DIVERSITY, a non-profit organization,

Plaintiff,

v.

THE OFFICE OF MANAGEMENT AND  
BUDGET,

Defendant.

No. C 07-4997 MHP

**STIPULATION AND ~~PROPOSED~~  
ORDER REGARDING BRIEFING  
SCHEDULE FOR REMAINDER OF  
CASE**

1 WHEREAS the current schedule for the disposition of this case involves the filing of  
2 cross-motions for summary adjudication regarding the "ARMS Documents" on February 9, 2009  
3 and opposition briefs on February 23, 2009 followed by a cross-briefs seeking summary  
4 adjudication regarding the "EXCHANGE Documents" on March 14, 2009, with a hearing on the  
5 motions regarding both the ARMS and EXCHANGE Documents on March 23, 2009 at 2:00  
6 p.m.

7 IT IS HEREBY STIPULATED by and between the undersigned, subject to the approval  
8 of the Court, that the briefing schedule be amended such that the parties would file cross-  
9 motions for summary adjudication regarding the ARMS Documents on or before February 27,  
10 2009 and file briefs on or before March 13, 2009 that would address any opposition to the  
11 motions filed on February 27, 2009 and also seek summary adjudication with regard to the  
12 EXCHANGE documents. OMB will produce a revised *Vaughn* index and declarations in  
13 connection with the EXCHANGE documents to CBD by March 1, 2009. The  
14 reason for this stipulation is that the parties believe that the existing briefing schedule can and  
15 should be made more efficient for both the parties and the Court.

16 Respectfully submitted,

17 DATED: February 4, 2009

By: /s/  
VERA PARDEE  
Attorneys for Plaintiff

19 JOSEPH P. RUSSONIELLO  
20 United States Attorney

21 DATED: February 4, 2009

By: /s/  
MICHAEL T. PYLE  
Assistant United States Attorney  
Attorneys for Defendant

23 **PURSUANT TO STIPULATION, IT IS SO ORDERED:**

24 The parties shall file cross-motions for summary adjudication regarding the ARMS  
25 Documents on or before February 27, 2009 (instead of February 9, 2009) and file briefs on or  
26 before March 13, 2009 that would address any opposition to the motions filed on February 27,  
27 2009 (instead of February 23, 2009) and also seek summary adjudication with regard to the  
28

1 EXCHANGE documents. OMB shall produce a revised *Vaughn* index and declarations in  
2 connection with the EXCHANGE documents to CBD by March 1, 2009. The hearing on the  
3 motions regarding the ARMS and EXCHANGE documents will be held on March 23, 2009 at  
4 2:00 p.m.

5  
6 DATED: February 6, 2009

