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27 **UNITED STATES DISTRICT COURT**  
 28 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

29 **CENTER FOR BIOLOGICAL** )  
 30 **DIVERSITY,** )  
 31 )  
 32 Plaintiff, )  
 33 v. )  
 34 **KEN SALAZAR, et al.,** )  
 35 )  
 36 Defendants. )

**Case No. 3:08-cv-04595 WHA**  
**STIPULATED REQUEST TO**  
**EXTEND STAY OF BRIEFING SCHEDULE**  
**AND ORDER**

1           The Court's January 23, 2009 Scheduling Order provides that, in light of the parties' settlement  
2 discussions, no later than February 13, 2009, the parties were to file either a notice informing the Court  
3 that they will proceed with litigation, or, alternatively request to stay the briefing schedule in light of  
4 substantial progress in settlement discussions by that time. On February 13, 2009, the parties filed a  
5 stipulated request to stay the briefing schedule, and on February 17, 2009, this Court granted a stay that  
6 provides that no later than April 15, 2009, the parties shall either file a proposed Settlement Agreement  
7 or a notice informing the Court about the status of settlement negotiations.  
8

9           The parties believe that they have reached an agreement in principle and that they will soon  
10 finalize the settlement agreement. At this time, the parties are awaiting final approval of the agreement  
11 by officials of the Department of the Interior and the Department of Justice. These approvals will not  
12 be obtained early enough for the parties to meet the April 15, 2009 deadline. Therefore, the parties  
13 request that the Court extend the stay of the briefing schedule. The parties now anticipate that  
14 settlement discussions will be finalized, and they will be in a position to file a proposed Settlement  
15 Agreement with the Court, no later than ~~May 15~~<sup>May 1</sup>, 2009.

16           Accordingly, it is hereby agreed and the parties stipulate, subject to the Court's approval, that  
17 this action is hereby STAYED; and it is further agreed that, by no later than ~~May 15~~<sup>May 1</sup>, 2009, the parties  
18 shall either file a proposed Settlement Agreement or a notice informing the Court about the status of  
19 settlement negotiations.  
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Respectfully Submitted,

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PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: April 13, 2009

William H. Alsup  
U.S. District Judge

