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13 Attorneys for Defendants

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 SAN FRANCISCO DIVISION

17 TRI-VALLEY CARES,)	No. C 08-5408 SC
)	
18)	
19 Plaintiff,)	STIPULATION TO VACATE DATES;
)	and [Proposed] ORDER
20)	
21 v.)	
22 UNITED STATES DEPARTMENT OF)	
ENERGY and NATIONAL NUCLEAR)	Date: November 19, 2010
SECURITY ADMINISTRATION,)	Time: 10:00 a.m.
23)	
24 Defendants.)	
)	

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28 Stipulation to Vacate Briefing
 C 08-5408 SC

1 Plaintiff, Tri-Valley Cares, and defendants, the United States Department of Energy (“DOE”),
2 and the National Nuclear Security Administration (“NNSA”), by and through their counsel of
3 record, hereby stipulate, subject to the approval of the Court, to the following:

4 1. On April 20, 2010, the Court set a supplemental briefing schedule for the parties in which
5 the initial round of summary judgment briefing was set to begin on July 15, 2010.

6 2. Since that time, the parties have been engaged in settlement discussions and narrowed the
7 areas of contention to the issue of attorney’s fees.

8 3. On or about August 11, 2010, the parties reached a tentative agreement on attorneys’ fees
9 and intend to resolve this case without further litigation.

10 4. In this case, the process of finalizing a settlement agreement with the government requires
11 final approval by a certain component of the U.S. Department of Justice. This final approval
12 process can only begin after the terms of a settlement agreement between the parties has been
13 completed and finalized.

14 5. The parties now respectfully request that the Court terminate summary judgement briefing
15 and allow defendants time to seek the aforementioned final approval of the tentative settlement
16 agreement. Accordingly, the parties request that the current briefing schedule, in which plaintiff is
17 set to begin the initial round of summary judgment on August 16, 2010, be vacated and that the
18 November 19, 2010 hearing date be vacated.

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1 6. Additionally, the parties respectfully request a status conference with the Court on
2 November 19, 2010, at 10:00am.

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4
5 Dated: August 16, 2010

Respectfully submitted,

6 MELINDA HAAG
7 United States Attorney

8 /s/
9 ISAAC CAMPBELL
10 Trial Attorney
11 United States Department of Justice

12 ILA C. DEISS
13 Assistant United States Attorney

14 Attorneys for Defendants

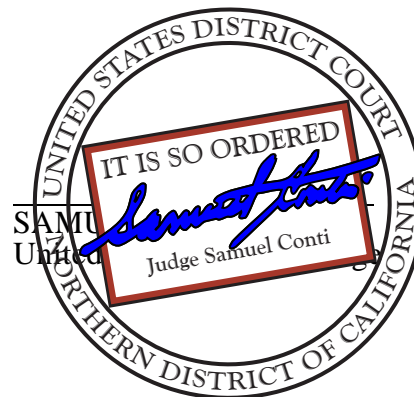
15 Dated: August 16, 2010

16 /s/
17 SCOTT J. YUNDT
18 Attorney for Plaintiff

19 **ORDER**

20 Pursuant to the stipulation, IT IS SO ORDERED. A further case management conference is set
21 for **November 19, 2010 at 10:00 am**. Should the parties resolve this matter prior to that date, a
22 stipulation to dismiss shall be promptly filed and the case management conference vacated.
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25 Date: August 24, 2010



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