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14	IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO DIVISION						
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- 1. Plaintiffs filed this Endangered Species Act ("ESA") lawsuit on January 14, 2009 and perfected service of process upon the United States Attorney for the Northern District of California on January 22, 2009.
- 2. This matter is a challenge to a final rule designating revised critical habitat for the Peirson's milk-vetch, a plant listed as "threatened" under the ESA. See Revised Designation of Critical Habitat for Astragalus magdalenae var. peirsonii (Peirson's milk-vetch), 73 Fed. Reg. 8,748 (Feb. 14, 2008) ("Final Rule").
- 3. On December 10, 2008, another challenge to the same Final Rule was filed against Defendants in the United States District Court for the Southern District of California. See Maddalena v. U.S. Fish and Wildlife Serv., Civ. No. 08-2292 (S.D. Cal., filed Dec. 10, 2008) (Ex. A to Defs.' Mot. To Transfer (Docket Entry #7)).
- 4. On February 3, 2009, Defendants moved this court to transfer this action to the Southern District of California. See Defs.' Mot. To Transfer (Docket Entry #7).
- 5. On February 11, 2009, Defendants withdrew that motion, to facilitate the filing of this joint stipulated transfer motion. See Defs.' Notice of Withdrawal (Docket Entry #9).
- 6. The parties agree that venue for this action is proper in the Southern District of California and that this action might have been brought there. See 28 U.S.C. § 1391(e)(2).
- 7. The parties agree that transfer to the Southern District of California is in the interest of justice, would promote efficiency for the parties and the Courts, and would avoid potentially conflicting rulings. See 28 U.S.C. § 1404.
- 8. In the event that this Court does not grant this stipulated motion to transfer this case to the United States District Court for the Southern District of California, defendants will re-file their Motion to Transfer Venue (Docket Entry #7).
- WHEREFORE, the parties pray that this Court grant the Stipulated Motion to Transfer, and thereby transfer this matter to the United States District Court for the Southern District of California.

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