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**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN FRANCISCO DIVISION**

20	UNITED STATES OF AMERICA,)	
21)	Civil Action No. 09-4503 SI
22	Plaintiff,)	
23)	JOINT STIPULATION FOR
24	v.)	CONTINUANCE OF INITIAL CASE
25	PACIFIC GAS and ELECTRIC COMPANY,)	MANAGEMENT CONFERENCE
26)	AND [PROPOSED] ORDER
27	Defendant.)	
28)	

1 Pursuant to Local Rule 6-1(b) Plaintiff, the United States of America, and Defendant,
2 Pacific Gas and Electric Company, hereby stipulate through their undersigned counsel that (1)
3 the Initial Case Management Conference, which is currently set for 2:30 p.m. on January 22,
4 2010, be continued until 2:30 p.m. on March 26, 2010, or a date thereafter that is set by the
5 Court; and (2) that Defendant be given until April 2, 2010, to answer or otherwise respond to the
6 Complaint.

7 The parties respectfully submit that good cause exists for continuing the Initial Case
8 Management Conference in this matter as follows:

9 1. On September 24, 2009, the United States concurrently filed a Complaint and
10 lodged a Consent Decree resolving the claims alleged in the Complaint. (Docket Nos. 1 and 2.)

11 2. In its Notice of Lodging of the Consent Decree (Docket No. 3) the United States
12 informed the Court that pursuant to 28 C.F.R. § 50.7, the United States would publish a notice of
13 the proposed settlement in the Federal Register and accept public comment on the proposed
14 Consent Decree for a period of 30 days. Notice was published in the Federal Register on
15 October 5, 2009 (74 Fed. Reg. 51170-51171).

16 3. After the notice was published, the United States was contacted by and met with
17 citizen groups seeking additional information on the proposed settlement.

18 4. On November 16, 2009, the parties filed a Joint Stipulation Extending Time for
19 Defendant to Answer or Otherwise Respond to Complaint, requesting an extension of the public
20 comment period, and an extension for PG&E to answer or respond to the Complaint to March 5,
21 2010.

22 5. The notice extending the public comment period was published in the Federal
23 Register on November 9, 2009 (74 Fed. Reg. 57703), and the public comment period was
24 extended to January 8, 2010.

25 6. The United States has received comments and is reviewing and fully considering
26 the information provided. After this review is completed, the United States will request the
27 Court to enter, not enter, or take other action concerning the Consent Decree. Therefore, there
28 may be no need for the Court to hold a case management conference or for the Defendant to

1 answer the Complaint.

2 7. The parties therefore respectfully request that the Court postpone the Case
3 Management Conference established in its Order Setting Case Management Conference (Docket
4 No. 10) until 2:30 p.m. on March 26, 2010, or a date thereafter that is set by the Court and that
5 PG&E be given until April 2, 2010, to answer or otherwise respond to the Complaint.

6
7 IT IS SO STIPULATED.

8 I, Bradley R. O'Brien, attest that concurrence in the filing of this joint stipulation has
9 been obtained from Mr. Matthew A. Fogelson, the attorney for Defendant PG&E.

10
11 FOR THE UNITED STATES OF AMERICA

12
13 January 8, 2010 /s/Bradley R. O'Brien
14 Date W. BENJAMIN FISHEROW
15 ANGELA MO
16 BRADLEY R. O'BRIEN
17 United States Department of Justice

18 FOR PACIFIC GAS and ELECTRIC COMPANY

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22 January 8, 2010 /s/Matthew A. Fogelson
23 Date MATTHEW A. FOGELSON
24 Pacific Gas and Electric Company
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[PROPOSED] ORDER

GOOD CAUSE APPEARING, IT IS ORDERED that:

- (1) the Initial Case Management Conference, which is currently set for 2:30 p.m. on January 22, 2010, shall be continued until 2:30 p.m. on March 26, 2010, or a date thereafter that is set by the Court; and
- (2) Defendant shall file an answer or otherwise respond to the Complaint by April 2, 2010.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

SUSAN ILLSTON
UNITED STATES DISTRICT JUDGE

Date

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