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14 *Attorneys for Defendants*

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 16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA  
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19 HIGH SIERRA HIKERS ASSOCIATION,

20 Plaintiff,

21 v.

22 UNITED STATES DEPARTMENT OF THE  
 INTERIOR, et al.,

23 Defendants.  
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Case No. CV-09-4621-RS

JOINT STATUS REPORT AND  
 STIPULATION TO REVISE  
 BRIEFING SCHEDULE;  
 PROPOSED ORDER

JUDGE: HONORABLE  
 RICHARD SEEBORG

Courtroom: 3, 17th Floor

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2 The Plaintiff High Sierra Hikers Association and the Defendants, U.S. Department of the  
3 Interior, et al., submit this joint status report and stipulation to advise the Court as to the status of  
4 the ongoing settlement process with respect to the Plaintiff's Motion for Attorneys' Fees, Costs,  
5 and Other Expenses. The settlement process is moving forward, and both parties believe that a  
6 final settlement can be reached in the near future. As explained below, additional time is needed  
7 to secure formal approval from federal officials in Washington, D.C.

8 WHEREAS, on October 26, 2012, the Plaintiff High Sierra Hikers Association filed a  
9 Motion for Attorneys' Fees, Costs, and Other Expenses Pursuant to 28 U.S.C. § 2412,

10 WHEREAS, Plaintiff and Defendants United States of the Interior, et al., have been  
11 engaged in settlement discussions with respect to the Plaintiff's motion and are optimistic that a  
12 final settlement can be reached that would avoid the need for a hearing;

13 WHEREAS, the litigation counsel for both parties have reached agreement on the terms  
14 and conditions of a settlement agreement;

15 WHEREAS, the Defendants require additional time to secure formal approval by senior  
16 officials in the Department of the Interior and Department of Justice; and

17 WHEREAS, at Defendants' request, the Court previously continued the date for the  
18 Defendants to file their opposition to the fee motion until January 10, 2013;

19 NOW THEREFORE, IT IS HEREBY STIPULATED and agreed between the Parties that:

20 1. The date for the Defendants to file their opposition to Plaintiff's Motion shall be  
21 continued by an additional 35 days, until **February 14, 2013**, to allow time for final review and  
22 approval of the proposed settlement agreement negotiated by the parties.

23 2. The parties shall advise the Court of the status their settlement discussions in a joint  
24 status report to be filed on or before **February 7, 2013**.

25 3. The hearing on Plaintiff's Motion is continued until a date to be set following the joint  
26 status report on **February 7, 2013**. If settlement does not appear imminent at that time, the  
27 parties will agree on a date for the Plaintiff's Reply and request a hearing on Plaintiff's Motion at  
28 the next available date on the Court's calendar.

**IT IS SO STIPULATED.**

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In addition to stipulating to the above, I, Charles R. Shockey, attest that concurrence in the filing of this Stipulation has been obtained from Barbara N. Barath, Attorney for Plaintiff.

Dated: January 4, 2013

BARBARA N. BARATH  
MORRISON & FOERSTER LLP

By: /s/ *Barbara Barath* [as authorized]  
Barbara Barath, Attorney for Plaintiff

Dated: January 4, 2013

CHARLES R. SHOCKEY  
U.S. DEPARTMENT OF JUSTICE

By: /s/ *Charles R. Shockey*  
Charles R. Shockey, Attorney for Defendants

**[PROPOSED] ORDER**

PURSUANT TO STIPULATION, IT IS SO ORDERED.

BY:   
HONORABLE RICHARD SEEBORG  
U.S. DISTRICT COURT JUDGE

Dated: 1/4/13