UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

ECOLOGICAL RIGHTS FOUNDATION, Plaintiff(s), v. PACIFIC GAS AND ELECTRIC, Defendant(s).	No. C10-0121 RS (BZ) **THIRD DISCOVERY ORDER**

The parties have asked the Court to resolve a disagreement over when fact discovery closes. In their joint case management statement, the parties jointly proposed a schedule for the completion of fact discovery "for the initial phase of litigation" while disagreeing over the scope of the initial phase. At the conference, I understand Judge Seeborg made certain rulings with respect to the scope of discovery and then issued an Order that all fact discovery as to the four sites to be tested would close **June 28, 2011**. I find that that Order superseded any prior recommendation by the

parties. Fact discovery as to the four tested sites closes **June 28, 2011**.

IT IS SO ORDERED.

Dated: June 20, 2011

Bernard Zimmerman
United States Magistrate Judge

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