| IGNACIA S. MORENO, Assistant Attorney General Environment and Natural Resources Division KRISTEN L. GUSTAFSON, Assistant Chief JANRIEL J. POLLAK, Trial Attorney, State Bar No. 264285 Wildlife and Marine Resources Section Ben Franklin Station, P.O. Box 7369 Washington, D.C. 20044-7369 Telephone: (202) 305-0201 Facsimile: (202) 305-0201 Facsimile: (202) 305-0201 Facsimile: (202) 305-0275 Email: daniel.pollak@usdoj.gov Attorneys for Defendants DEBORAH S. REAMES, State Bar No. 117257 Email: dreames@earthjustice.org GEORGE M. TORGUN, State Bar No. 222085 Email: glorgun@earthjustice.org Earthjustice 426 17th Street, 5th Floor Oakland, CA 94612 Telephone: (510) 550-6725 Facsimile: (510) 550-6725 Facsimile: (510) 550-6749 Attorneys for Plaintiffs UNITED STATES DISTRICT COURT CENTER FOR BIOLOGICAL DIVERSITY, SIERRA FOREST LEGACY, ENVIRONMENTAL) PROTECTION INFORMATION CENTER, and KLAMATH-SISKIYOU WILDLANDS CENTER,) CENTER FOR BIOLOGICAL DIVERSITY, SIERRA FOREST LEGACY, ENVIRONMENTAL) PROTECTION INFORMATION CENTER, and KLAMATH-SISKIYOU WILDLANDS CENTER,) Case No. 3:10-ev-01501-JCS Plaintiffs,) Joint Status Report and Stipulated Request for Extension of Stay KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Fish and Wildlife Service, and UNITED STATES Fish and | | Case3:10-cv-01501-JCS | Document41 | Filed04/18/11 | Page1 of 4 | |
|---|--|--|--------------------------------------|---------------|----------------|--|
| Environment and Natural Resources Division KRISTEN L. GUSTAFSON, Assistant Chief DANIEL J. POLLAK, Trial Attorney, State Bar No. 264285 Wildlife and Marine Resources Section Ben Franklin Station, P.O. Box 7369 Washington, D.C. 20044-7369 Telephone: (202) 305-0201 Facsimile: (202) 305-0201 Facsimile: (202) 305-0207 Email: daniel.pollak@usdoj.gov Attorneys for Defendants DEBORAH S. REAMES, State Bar No. 117257 Email: dreames@earthjustice.org GEORGE M. TORGUN, State Bar No. 222085 Email: gtorpun@earthjustice.org 12 Earthjustice 426 17th Street, 5th Floor Oakland, CA 94612 Telephone: (510) 550-6725 Facsimile: (510) 550-6725 Facsimile: (510) 550-6749 Attorneys for Plaintiffs UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA CENTER FOR BIOLOGICAL DIVERSITY, SIERRA FOREST LEGACY, ENVIRONMENTAL) PROTECTION INFORMATION CENTER, and KLAMATH-SISKIYOU WILDLANDS CENTER, Plaintiffs, Oplaintiffs, Joint Status Report and Stipulated Request for Extension of Stay KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States FiSH and WildLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. | | | | | | |
| 12 Oakland, CA 94612 Telephone: (510) 550-6725 Facsimile: (510) 550-6749 Attorneys for Plaintiffs UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA CENTER FOR BIOLOGICAL DIVERSITY, SIERRA FOREST LEGACY, ENVIRONMENTAL) PROTECTION INFORMATION CENTER, and KLAMATH-SISKIYOU WILDLANDS CENTER, Plaintiffs, Joint Status Report and Stipulated Request for Extension of Stay KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Fish and Wildlife Service, and UNITED STATES FISH and WILDLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. | 2 3 4 5 6 7 8 9 10 | Environment and Natural Resources Dir KRISTEN L. GUSTAFSON, Assistant DANIEL J. POLLAK, Trial Attorney, S Wildlife and Marine Resources Section Ben Franklin Station, P.O. Box 7369 Washington, D.C. 20044-7369 Telephone: (202) 305-0201 Facsimile: (202) 305-0275 Email: daniel.pollak@usdoj.gov Attorneys for Defendants DEBORAH S. REAMES, State Bar No Email: dreames@earthjustice.org GEORGE M. TORGUN, State Bar No. Email: gtorgun@earthjustice.org Earthjustice | vision Chief State Bar No. 264 | 4285 | | |
| Facsimile: (510) 550-6749 Attorneys for Plaintiffs UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA CENTER FOR BIOLOGICAL DIVERSITY, SIERRA FOREST LEGACY, ENVIRONMENTAL) PROTECTION INFORMATION CENTER, and KLAMATH-SISKIYOU WILDLANDS CENTER, Plaintiffs, Plaintiffs, Plaintiffs, V. KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Fish and Wildlife Service, and UNITED STATES FISH and WILDLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. | | Oakland, CA 94612 | | | | |
| 15 UNITED STATES DISTRICT COURT 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA 17 CENTER FOR BIOLOGICAL DIVERSITY, 18 SIERRA FOREST LEGACY, ENVIRONMENTAL) 19 PROTECTION INFORMATION CENTER, and 19 KLAMATH-SISKIYOU WILDLANDS CENTER, 20 Plaintiffs, 21 v. 22 KEN SALAZAR, in his official capacity as 23 Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States 24 Fish and WILDLIFE SERVICE, an agency of the United States Department of the Interior, 26 Defendants. 27 Defendants. | 13 | | | | | |
| FOR THE NORTHERN DISTRICT OF CALIFORNIA FOR THE NORTHERN DISTRICT OF CALIFORNIA CENTER FOR BIOLOGICAL DIVERSITY, SIERRA FOREST LEGACY, ENVIRONMENTAL) PROTECTION INFORMATION CENTER, and KLAMATH-SISKIYOU WILDLANDS CENTER, Plaintiffs, Joint Status Report and Stipulated Request for Extension of Stay KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Fish and Wildlife Service, and UNITED STATES FISH and WILDLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. Defendants. | 14 | Attorneys for Plaintiffs | | | | |
| CENTER FOR BIOLOGICAL DIVERSITY, SIERRA FOREST LEGACY, ENVIRONMENTAL) PROTECTION INFORMATION CENTER, and KLAMATH-SISKIYOU WILDLANDS CENTER, Plaintiffs, V. KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Fish and Wildlife Service, and UNITED STATES Fish and WILDLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. Case No. 3:10-cv-01501-JCS Joint Status Report and Stipulated Request for Extension of Stay | 15 | UNITED STATES DISTRICT COURT | | | | |
| CENTER FOR BIOLOGICAL DIVERSITY, SIERRA FOREST LEGACY, ENVIRONMENTAL) PROTECTION INFORMATION CENTER, and KLAMATH-SISKIYOU WILDLANDS CENTER, Plaintiffs, V. KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Fish and Wildlife Service, and UNITED STATES FISH and WILDLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. Case No. 3:10-cv-01501-JCS Joint Status Report and Stipulated Request for Extension of Stay | 16 | FOR THE NORTHERN DISTRICT OF CALIFORNIA | | | | |
| 18 SIERRA FOREST LEGACY, ENVIRONMENTAL) PROTECTION INFORMATION CENTER, and 19 KLAMATH-SISKIYOU WILDLANDS CENTER, 20 Plaintiffs, 21 v. 22 KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Fish and Wildlife Service, and UNITED STATES FISH and WILDLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. Case No. 3:10-cv-01501-JCS Joint Status Report and Stipulated Request for Extension of Stay Extension of Stay | | CENTER FOR RIOLOGICAL DIVERS | RITV) | | | |
| 19 KLAMATH-SISKIYOU WILDLANDS CENTER,) 20 Plaintiffs,) 21 V. 22 KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Pish and Wildlife Service, and UNITED STATES (Pish and WILDLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. | 18 | SIERRA FOREST LEGACY, ENVIRC | NMENTAL) | | | |
| 21 v. and Stipulated Request for Extension of Stay 22 KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Fish and Wildlife Service, and UNITED STATES FISH and WILDLIFE SERVICE, an agency of the United States Department of the Interior, 24 Defendants. | | | | Case No. 3:10 | 0-cv-01501-JCS | |
| KEN SALAZAR, in his official capacity as Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Fish and Wildlife Service, and UNITED STATES FISH and WILDLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. | | Plaintiffs, |)) | and Stipulat | ed Request for | |
| Secretary of the Interior, ROWAN GOULD, in his official capacity as Acting Director, United States Fish and Wildlife Service, and UNITED STATES FISH and WILDLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. | | |) | Extension of | Stay | |
| Fish and Wildlife Service, and UNITED STATES FISH and WILDLIFE SERVICE, an agency of the United States Department of the Interior, Defendants. | | Secretary of the Interior, ROWAN GOU | JLD, in his) | | | |
| United States Department of the Interior, Defendants. | | Fish and Wildlife Service, and UNITED | STATES) | | | |
| 26 Defendants.) 27 | | | | | | |
| 27 | | Defendants. |) | | | |
| 28 | 27 | | | | | |
| | 28 | | | | | |
| | | | | | | |

Plaintiffs Center for Biological Diversity, Sierra Forest Legacy, Environmental Protection Information Center, and Klamath-Siskiyou Wildlands Center ("Plaintiffs"), and Defendants Ken Salazar, Rowan Gould, and the U.S. Fish and Wildlife Service ("Defendants") herein report on the status of this action and respectfully request, pursuant to Local Civil Rule 6-2, that the Court enter an order extending the current stay of this litigation for an additional 30 days pending continuing settlement discussions between the Plaintiffs and Defendants (collectively, "Parties").

STATUS REPORT AND STIPULATED REQUEST TO EXTEND STAY

On March 4, 2011, the Court entered an order adopting the Parties' stipulation to a stay of proceedings pending settlement negotiations. See Docket No. 40. That stipulation also provided that the Parties would file a joint status report on or before April 18, 2011, advising the Court of whether additional time was needed for such settlement discussions or whether a new briefing schedule and hearing date should be set.

The Parties hereby report that the Parties are still engaged in settlement discussions. An additional stay of 30 days should allow the Parties to determine whether settlement is possible or not, and judicial economy would best be served by such an extension of the current stay. The Parties therefore stipulate to an extension of the current stay until May 18, 2011, and agree that they will will file by that date a new joint status report advising the Court of the status of settlement and whether a new briefing schedule and hearing date should be set.

For the reasons stated above, the Parties therefore respectfully request that the Court enter an order extending the current stay and adopting the schedule set forth above.

Respectfully submitted this 18th day of April, 2011.

IGNACIA S. MORENO, Assistant Attorney General

<u>/s/ Daniel Pollak</u> DANIEL POLLAK

Center for Biological Diversity, et al. v. Salazar, et al., No. 3:10-cv-01501-JCS

Stipulated Request for Extension of Stay

Page 2

Case3:10-cv-01501-JCS Document41 Filed04/18/11 Page3 of 4 **Trial Attorney** 1 U.S. Department of Justice 2 Environment & Natural Resources Division Wildlife & Marine Resources Section 3 Ben Franklin Station P.O. Box 7369 4 Washington, DC 20044-7369 Telephone: (202) 305-0201 5 Facsimile: (202) 305-0275 Email: daniel.pollak@usdoj.gov 6 Attorneys for Defendants 7 /s/ George M. Torgun (with permission) 8 DEBORAH S. REAMES GEORGE M. TORGUN 9 Earthjustice 426 17th Street, 5th Floor 10 Oakland, CA 94612 Tel.: (510) 550-6725 11 Fax: (510) 550-6749 dreames@earthjustice.org 12 gtorgun@earthjustice.org 13 BRENDAN R. CUMMINGS Center for Biological Diversity 14 P.O. Box 549 Joshua Tree, CA 92252 15 760-366-2232 760-366-2669 (fax) 16 bcummings@biologicaldiversity.org 17 Attorneys for Plaintiffs 18 19 20 PURSUANT TO STIPULATION, IT IS SO ORDERED. 21 Dated: <u>4/19</u>, 2011 22 JOSEPH C. United States 23 Judge Joseph C. Spero 24 25 26 27

Center for Biological Diversity, et al. v. Salazar, et al., No. 3:10-cv-01501-JCS

28 Stipulated Request for Extension of Stay

Case3:10-cv-01501-JCS Document41 Filed04/18/11 Page4 of 4 **CERTIFICATE OF SERVICE** I hereby certify that on this 18th day of April, 2011, I caused a copy of the foregoing Stipulated Request for Extension of Stay to be served on the counsel of record by means of the Court's electronic filing system: Deborah S. Reames dreames@earthjustice.org George M. Torgun gtorgun@earthjustice.org Brendan R. Cummings bcummings@biologicaldiversity.org <u>/s/ Daniel Pollak</u> DANIEL POLLAK