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*Attorney for Defendants*

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN FRANCISCO DIVISION

CENTER FOR BIOLOGICAL DIVERSITY,  
  
Plaintiff,  
  
v.  
  
LISA JACKSON, in her official capacity as  
Administrator of the United States  
Environmental Protection Agency, and  
ENVIRONMENTAL PROTECTION  
AGENCY,  
  
Defendants.

Case No. 3:10-cv-01846-MMC

**STIPULATION AND ORDER TO  
EXTEND ANSWER DEADLINE  
AND TO CONTINUE INITIAL  
DISCOVERY, ADR DEADLINES,  
AND CASE MANAGEMENT  
CONFERENCE**

STIPULATION AND ORDER TO EXTEND ANSWER DEADLINE  
AND TO CONTINUE INITIAL DISCOVERY, ADR DEADLINES,  
AND CASE MANAGEMENT CONFERENCE

Case No. 3:10-cv-01846-MMC

1           WHEREAS, on April 29, 2010, Plaintiff Center for Biological Diversity filed a complaint  
2 in the above-captioned matter against the United States Environmental Protection Agency and its  
3 Administrator, Lisa Jackson (collectively, “EPA”), alleging that EPA has failed to undertake  
4 certain nondiscretionary duties under the Clean Air Act, 42 U.S.C. §§ 7401-7671q;

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6           WHEREAS, Plaintiff and EPA seek to resolve this case through settlement, thereby  
7 reducing litigation expenses and preserving this Court’s resources, and are currently engaged in  
8 settlement discussions;

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10           WHEREAS, any final settlement of this case must be approved by authorized officials at  
11 the United States Department of Justice and EPA, a process that can take several weeks;

12           WHEREAS, at least 30 days before any final settlement of this matter can be entered,  
13 EPA must provide notice of such settlement in the Federal Register and an opportunity for public  
14 comment pursuant to Section 113(g) of the Clean Air Act, 42 U.S.C. § 7413(g);

15           WHEREAS, no previous requests for extensions of time or continuances have been filed  
16 in this case, and the parties believe that the requested extensions and continuances below will not  
17 adversely affect the schedule of this case;

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19           NOW THEREFORE the parties, pursuant to Local Rules 6-2 and 7-12, Plaintiff and EPA  
20 hereby stipulate to the following:

- 21           1. EPA’s time for responding to Plaintiff’s complaint is extended by 91 days, to  
22 September 27, 2010;
- 23           2. The parties’ deadline to meet and confer regarding initial disclosures, early settlement,  
24 ADR process selection, and discovery planning is continued to October 21, 2010;
- 25           3. The parties’ deadline to file initial disclosures, a Case Management Statement, and a  
26 Rule 26(f) Report is continued until November 4, 2010;
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1           4. The initial case management conference is continued until November 12, 2010, or a  
2 date thereafter set by the Court.

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5 **COUNSEL FOR DEFENDANTS:**

6 Dated: June 23, 2010

IGNACIA S. MORENO  
Assistant Attorney General  
Environment & Natural Resources Division

8  
9 /s/ Adam J. Katz  
ADAM J. KATZ  
Trial Attorney  
United States Department of Justice  
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15 **COUNSEL FOR PLAINTIFF:**

16 Dated: June 23, 2010

/s/ Robert Ukeiley (with permission)  
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22 **PURSUANT TO STIPULATION, IT IS SO ORDERED.** Further, the Case Management  
Conference is CONTINUED to November 12, 2010.

23 Dated: June 24, 2010

  
HON. MAXINE M. CHESNEY  
UNITED STATES DISTRICT JUDGE

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28 STIPULATION AND ORDER TO EXTEND ANSWER DEADLINE  
AND TO CONTINUE INITIAL DISCOVERY, ADR DEADLINES,  
AND CASE MANAGEMENT CONFERENCE

Case No. 3:10-cv-01846-MMC