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11 UNITED STATES DISTRICT COURT
 12 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION

<p>14</p> <p>15 SIERRA CLUB and MEDICAL) ADVOCATES FOR HEALTHY AIR,) 16) Plaintiffs,) 17) v.) 18) LISA P. JACKSON, in her official capacity as) Administrator of the United States) Environmental Protection Agency, and) 19) JARED BLUMENFELD, in his official) capacity as Regional Administrator for Region) 20) IX of the United States Environmental) Protection Agency,) 21) Defendants.) 22) 23) 24)</p>	<p>Case No. 10-cv-01954 VRW</p> <p>STIPULATION TO CONTINUE ANSWER AND INITIAL CASE MANAGEMENT DEADLINES</p> <p>AND</p> <p>PROPOSED ORDER THEREON</p>
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1 WHEREAS, on May 6, 2010, Plaintiffs Sierra Club and Medical Advocates for Healthy
2 Air filed the complaint in the above-captioned matter against Defendants Lisa P. Jackson, in her
3 official capacity as Administrator of the United States Environmental Protection Agency, and
4 Jared Blumenfeld, in his official capacity as Regional Administrator for Region IX of the United
5 States Environmental Protection Agency (collectively, "EPA"), alleging that EPA failed to fulfill
6 a certain non-discretionary duty under the Clean Air Act, 42 U.S.C. §§ 7401-7671q, and that
7 such alleged failure is actionable under section 304(a)(2) of the Act, 42 U.S.C. § 7604(a)(2);

8 WHEREAS, Plaintiffs and EPA seek to resolve this case through private settlement,
9 thereby reducing litigation expenses and preserving the Court's resources, and are currently
10 engaged in settlement discussions;

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

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

16 WHEREAS, no previous requests for extensions of time or continuances have been filed
17 in this case, and the parties believe that the requested 90-day continuances below will not
18 adversely affect the schedule of this case;

19 NOW THEREFORE, pursuant to Local Rules 6-2 and 7-12, the parties, by and through
20 their undersigned counsel, hereby stipulate to entry of an order that:

- 21 1. Extends EPA's time for responding to the complaint to October 8, 2010;
- 22 2. Continues the parties' deadline to meet and confer regarding initial disclosures,
23 early settlement, ADR process selection and certification, and discovery planning to December 3,
24 2010;
- 25 3. Continues the parties' deadline to file initial disclosures, a Case Management
26 Statement, and a Rule 26(f) Report to December 17, 2010;
- 27 4. Continues the initial case management conference to January 6, ~~2010~~²⁰¹¹ at 3:30pm or
28 a date and time thereafter set by the Court.

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1 **COUNSEL FOR PLAINTIFFS:**

2 Dated: June 25, 2010

3 /s/ Paul R. Cort
4 PAUL R. CORT
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12 *Counsel for Plaintiffs Sierra Club and*
13 *Medical Advocates for Healthy Air*

14 **COUNSEL FOR DEFENDANTS:**

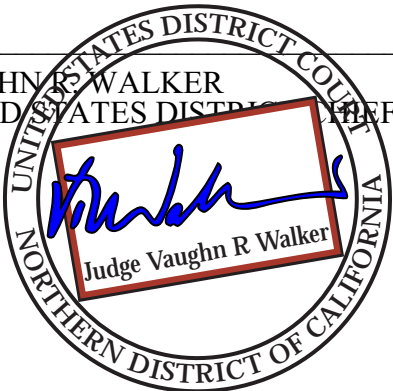
15 Dated: June 25, 2010

16 IGNACIA S. MORENO
17 Assistant Attorney General
18 Environment and Natural Resources Division

19 /s/ Rochelle L. Russell
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29 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

30 Dated: June 30, 2010

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32 VAUGHN R. WALKER
33 UNITED STATES DISTRICT COURT CHIEF JUDGE
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