

1 IGNACIA S. MORENO  
 Assistant Attorney General  
 2 JASON A. HILL (DC 477543)  
 Trial Attorney  
 3 United States Department of Justice  
 4 Environment and Natural Resources Division  
 Natural Resources Section  
 5 P.O. Box 663  
 6 Washington, D.C. 20044-0663  
 jason.hill2@usdoj.gov  
 7 **Attorneys for Federal Defendants**

8  
 9 **IN THE UNITED STATES DISTRICT COURT**  
**FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 10

11 CENTER FOR SIERRA NEVADA )  
 12 CONSERVATION, a non-profit )  
 corporation; CENTER FOR BIOLOGICAL )  
 13 DIVERSITY, a non-profit corporation, )  
 14 Plaintiffs, )  
 15 v. )  
 16 )  
 17 CALIFORNIA DEPARTMENT FO )  
 PARKS AND RECREATION, an agency of )  
 18 the State of California; DIVISION OF OFF- )  
 HIGHWAY MOTOR VEHICLE )  
 19 RECREATION, a division of the California )  
 Department of Parks and Recreation, )  
 20 )  
 21 Respondents and Defendants. )  
 22 \_\_\_\_\_ )  
 23 ELDORADO NATIONAL FOREST; )  
 UNITED STATES FOREST SERVICE, an )  
 24 agency of the U.S. Department of )  
 Agriculture; and RAMIRO VILLALVAZO, )  
 25 in his official capacity as Forest Supervisor )  
 26 for the Eldorado National Forest; and DOES )  
 I – X, inclusive, )  
 27 )  
 28 Real Parties in Interest and Defendants. )

**No. 3:10-cv-3923-MEJ**  
**STIPULATION AND ~~PROPOSED~~**  
**ORDER FOR EXTENSION OF TIME**  
**FOR STATE AND FEDERAL**  
**DEFENDANTS TO FILE**  
**RESPONSIVE PLEADINGS**

1 Plaintiffs filed an action against State and Federal Defendants on or about July 30, 2010,  
2 in the Alameda County Superior Court. Pursuant to 28 U.S.C. § 1442(a)(1), Federal Defendants  
3 removed this case to the Northern District of California, the district embracing the place wherein  
4 this suit was then pending, namely Alameda County, on September 1, 2010. Pursuant to Federal  
5 Rule of Civil Procedure 81(c)(2), State Defendants' answer or other responsive pleadings are due  
6 on September 8, 2010. Federal Defendants' answer or other responsive pleadings are due on or  
7 about October 4, 2010. See Federal Rules of Civil Procedure 12(a)(2), and *Joam Co. v. Stiller*,  
8 1982 WL 1725 at 3 (N.D. Cal 1982) (holding Federal Defendants have the same amount of time  
9 to answer in a removal action that they would have had under Rule 12; applying the former 20-  
10 day and 5-day deadlines of Rule 81(c)(2) (pre-2009 Rule changes)). Unless the parties otherwise  
11 agree, Federal Defendants intend to file a Motion to Transfer Venue from the Northern District  
12 of California to the Eastern District of California. State and Federal Defendants have requested  
13 additional time to respond to the complaint with the hope that the issues involved in this suit may  
14 be resolved without further litigation. Plaintiffs have agreed to State and Federal Defendants'  
15 requests for additional time.

16 Accordingly, the Parties stipulate and agree that the date for State and Federal  
17 Defendants' answer or other responsive pleadings be that later date of either: (1) 60 days after  
18 the transfer of this matter to the Eastern District of California, or (2) 60 days after an Order  
19 denying any request by Federal Defendants' to transfer this matter to the Eastern District of  
20 California.

21 DATED: September 7, 2010.

22  
23 IGNACIA S. MORENO  
Assistant Attorney General

24  
25 /s/ Jason A.Hill  
JASON A. HILL (DC 477543)  
26 Trial Attorney  
United States Department of Justice  
27 Environment and Natural Resources Division  
Natural Resources Section  
28 P.O. Box 663  
Washington, D.C. 20044-0663

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Tel: (202) 514-1024  
Fax: (202) 353-0274  
jason.hill2@usdoj.gov  
**Attorneys for the Federal Defendants**

/s/ Michael R. Lozeau\*  
*\*(signed by filing attorney as authorized by Mr. Lozeau's email on 09/07/10)*  
Michael R. Lozeau (CA 142893)  
Richard T. Drury (CA 163559)  
Christina Caro (CA 250797)  
Lozeau | Drury LLP  
401 12th Street, Suite 250  
Oakland, CA 94607  
Tel: (510) 836-4200  
Fax: (510) 836-4205  
michael@lozeaudrury.com  
richard@lozeaudrury.com  
christina@lozeaudrury.com  
**Attorneys for Plaintiff**

/s/ Christina Tiedemann\*  
*\*(signed by filing attorney as authorized by Ms. Tiedemann's email on 09/07/10)*  
Christiana Tiedemann (CA 105299)  
Supervising Deputy Attorney General  
California Department of Justice  
1515 Clay Street, 20th Floor  
Oakland, CA 94612-1313  
(510) 622-2218 (phone)  
(510) 622-2270 (fax)  
chris.tiedemann@doj.ca.gov  
**Attorneys for State Defendants and Respondents**

~~PROPOSED~~ ORDER

IT IS SO ORDERED.  
Dated September 17, 2010.

