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6 Attorneys for Plaintiffs
 PACIFIC DAWN LLC, CHELLISSA LLC, JAMES and SANDRA SCHONES,
 7 DA YANG SEAFOOD INC. and JESSIE’S ILWACO FISH COMPANY

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 9 UNITED STATES DISTRICT COURT
 10 NORTHERN DISTRICT OF CALIFORNIA
 11 SAN FRANCISCO DIVISION

DAVIS WRIGHT TREMAINE LLP

12 PACIFIC DAWN LLC, CHELLISSA LLC,) Case No. C-10-04829-TEH
 13 JAMES AND SANDRA SCHONES, DA YANG)
 SEAFOOD INC., and JESSIE’S ILWACO FISH)
 14 COMPANY,) **STIPULATION FOR FILING OF FIRST**
) **AMENDED COMPLAINT**
 15 Plaintiffs,)
)
 16 v.)
)
 17 GARY LOCKE, Secretary of Commerce, in his)
 official capacity as Secretary of the United)
 18 States, NATIONAL OCEANIC AND)
 ATMOSPHERIC ADMINISTRATION, and)
 19 NATIONAL MARINE FISHERIES SERVICE,)
)
 20 Defendants.)

21 IT IS HEREBY STIPULATED by and between the parties through their respective
 22 attorneys of record that plaintiffs Pacific Dawn LLC, Chellissa LLC, James and Sandra Schones,
 23 Da Yang Seafood Inc., and Jessie’s Ilwaco Fish Company may file their First Amended Complaint
 24 for Declaratory and Injunctive Relief (the “First Amended Complaint”) pursuant to Fed. R. Civ. P.
 25 15(a)(2). The First Amended Complaint adds a challenge to a regulation issued by Defendants on
 26 December 15, 2010. A copy of the First Amended Complaint is attached hereto as Attachment A.

27 IT IS FURTHER STIPULATED that defendants Gary Locke, Secretary of Commerce, the
 28 National Oceanic and Atmospheric Administration, and the National Marine Fisheries Service

1 (collectively, "Defendants") shall respond to the First Amended Complaint and file the
2 administrative record for the December 15, 2010 regulation within 45 days of service of the First
3 Amended Complaint, or by February 28, 2011.

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5 DATED: January 13, 2011

DAVIS WRIGHT TREMAINE LLP

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7 By : /s/ James P. Walsh

James P. Walsh

Gwen Fanger

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Attorneys for Plaintiffs
Pacific Dawn LLC, Chellissa LLC, James and Sandra
Schones, Da Yang Seafood Inc., and Jessie's Ilwaco
Fish Company

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12 DATED: January 13, 2011

U.S. DEPARTMENT OF JUSTICE
WILDLIFE & MARINE RESOURCES SECTION
ENVIRONMENT & NATURAL RESOURCES
DIVISION
U.S. DEPARTMENT OF JUSTICE
IGNACIA S. MORENO, Assistant Attorney General
SETH M. BARSKY, Acting Section Chief
KRISTEN L. GUSTAFSON, Assistant Chief

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18 By : /s/ Meredith L. Flax

MEREDITH L. FLAX, Senior Trial Attorney

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Attorneys for Defendants
Gary Locke, Secretary of Commerce,
National Oceanic and Atmospheric Administration,
and National Marine Fisheries Service

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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Dated: 1/14/2011

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