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13
 14 **IN THE UNITED STATES DISTRICT COURT**
 15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN FRANCISCO DIVISION**

17 BASEL ACTION NETWORK, et al.,
 18 Plaintiffs,
 19 v.
 20 U.S. Environmental Protection Agency,
 21 et al.,
 22 Defendants.

Case No.: CV-11-06185-EMC

**JOINT STIPULATION FOR CASE
 MANAGEMENT CONFERENCE
 RESCHEDULING, STIPULATION
 EXTENDING TIME FOR
 DEFENDANTS TO FILE ANSWER,
 AND [PROPOSED] ORDER**

23 Pursuant to Civil L.R. 6-2, Defendant United States Environmental Protection
 24 Agency (“EPA”) and Lisa P. Jackson, Administrator, U.S. EPA, in her official capacity
 25 (collectively “Defendants”), and the Basel Action Network (“BAN”) and Sierra Club
 26 (collectively “Plaintiffs”), hereby stipulate to and request an order setting the initial Case
 27 Management Conference (“CMC”) for September 28, 2012. The parties had previously
 28 agreed to schedule the CMC on August 24, 2012, but a managerial shift in EPA’s legal
 office has delayed the process of obtaining EPA’s approval on the joint case management
 statement due to additional discussions on matters related to this case and working

CASE No. CV-11-06185-EMC
 JOINT STIPULATION FOR CMC RESCHEDULING, STIPULATION EXTENDING TIME FOR
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1 around schedules related to managerial shifts that counsel for Defendants had not
2 previously anticipated. (Exhibit A, Declaration of Jennifer Wills). Additionally,
3 Plaintiffs intend to file a motion to file a supplemental complaint no later than September
4 7, 2012. The parties have conferred and expect that Plaintiffs' motion will be unopposed.
5 Accordingly, the parties request that the CMC be set for September 28, 2012 to allow
6 them to prepare a joint case management statement that incorporates the revised pleading
7 and allows time for counsel for Defendants to obtain EPA approval of the joint case
8 management statement. The date requested is the first date after the expected filing of the
9 supplemental complaint that the court calendar allows for CMCs and counsel for both
10 parties are available.

11 The parties also stipulate and agree that Defendants time to answer Plaintiffs'
12 Complaint for Declaratory and Injunctive Relief (Dkt. No. 1) is extended to and including
13 September 17, 2012. This extension will not alter the date of any event or any deadline
14 already fixed by Court order.

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16 Respectfully submitted,

17 Date: August 9, 2012

18 IGNACIA S. MORENO
19 Assistant Attorney General
20 Environment and Natural Resources Division

21 _____
22 /s/
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/s/ (electronic mail authorization 8/9/12)
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~~[PROPOSED]~~ ORDER

Pursuant to Stipulation, IT IS SO ORDERED, and the Initial Case Management Conference is hereby reset for September 28, 2012.

DATED this 10th day of August, 2012.

