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 4 United States Department of Justice  
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12 *Attorneys for Defendants*

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 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 REQUEST TO APPEAR  
 TELEPHONICALLY FOR INITIAL  
 CASE MANAGEMENT  
 CONFERENCE 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”), Sierra Club, and  
 26 the Center for Biological Diversity (collectively “Plaintiffs”), hereby stipulate to and  
 27 request an order allowing the parties to appear telephonically for the initial Case  
 28 Management Conference (“CMC”) at 9:00 am on September 28, 2012.

Lead counsel for EPA is located in Washington, D.C., and, due to current  
 government budgetary restrictions, has not received approval to travel to San Francisco

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1 for the CMC. No local Department of Justice attorneys are assigned to this matter and no  
2 other Department of Justice attorneys have worked on this matter in any capacity. Lead  
3 counsel for Plaintiffs is located in Seattle, WA and does not object to this request so long  
4 as both parties appear telephonically.

5 Therefore, for the reasons stated above, the parties request that they both be  
6 allowed to appear and participate telephonically at the September 28, 2012 initial CMC.

7  
8 Respectfully submitted,

9 Date: September 21, 2012

10 IGNACIA S. MORENO  
11 Assistant Attorney General  
12 Environment and Natural Resources Division

13 \_\_\_\_\_  
14 /s/  
15 LESLIE M. HILL (D.C. Bar No. 476008)  
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25 /s/ (electronic mail authorization 9/18/12)  
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CONFERENCE AND [PROPOSED] ORDER

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*Local Counsel for Plaintiffs*

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**[PROPOSED] ORDER**

Before the Court is the parties' Joint Request To Appear Telephonically For Initial Case Management Conference And [Proposed] Order on September 28, 2012, at 9:00 a.m. Upon due consideration, and for good cause shown, the parties' request is hereby GRANTED. It is further ordered that

\_\_\_\_\_ counsel will call the following number to participate in the hearing:

\_\_\_\_\_

  <sup>x</sup> Plaintiffs' counsel will be called at (206) 343-7340 ext. 1020 and

Defendant's counsel will be called at (202) 514-0375 to participate in the hearing.

Counsel will be available from 9:00 am until the call occurs. Court to call counsel between 9:00 and 10:30 a.m.

IT IS SO ORDERED.

DATED this   24th   day of   September  , 2012.

