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 10 **IN THE UNITED STATES DISTRICT COURT**
FOR THE NORTHERN DISTRICT OF CALIFORNIA
 11 **SAN FRANCISCO DIVISION**

12 BASEL ACTION NETWORK, et al., Plaintiffs, 13 v. 14 U.S. ENVIRONMENTAL PROTECTION 15 AGENCY, 16 et al., 17 Defendants.
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Case No.: CV-11-06185-EMC

STIPULATED MOTION FOR STAY;
[PROPOSED] ORDER

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 26 CASE No. CV-11-06185-EMC
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1 Pursuant to Civil L.R. 6-2, Basel Action Network (“BAN”), Sierra Club, and Center for
2 Biological Diversity (collectively “Plaintiffs”) and Defendant United States Environmental
3 Protection Agency (“EPA”) and Lisa P. Jackson, Administrator, U.S. EPA, in her official
4 capacity (collectively “Defendants”), hereby stipulate to and request an order staying the above-
5 captioned litigation pursuant to the terms of the attached Joint Stipulation for Stay of All
6 Proceedings (Exhibit A). The parties have agreed to the terms of a stay to allow Defendants to
7 respond to the outstanding requests in Plaintiffs’ petitions under the Marine Protection, Research,
8 and Sanctuaries Act (“MPRSA”), which are currently pending with EPA. The parties’
9 negotiations during the course of the stay and/or EPA’s response to the MPRSA portions of
10 Plaintiffs’ petitions may obviate the need for further litigation. Alternatively, if the parties are
11 unable to reach agreement, Plaintiffs anticipate seeking leave to amend the complaint upon
12 expiration of the stay to add claims under the MPRSA. Because there is significant overlap in
13 the factual basis for Plaintiffs’ TSCA and MPRSA claims, litigating these claims together
14 promotes judicial economy.

15 In support of this stipulated motion, the parties submit the Declaration of Leslie M. Hill,
16 counsel of record for Defendants (attached as Exhibit B).

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1 Respectfully submitted this 31st day of December, 2012.

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3 Assistant Attorney General
4 Environment and Natural Resources Division

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Local Counsel for Plaintiffs

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STIPULATED MOTION FOR STAY; [PROPOSED] ORDER

[PROPOSED] ORDER

Pursuant to Stipulation, IT IS SO ORDERED. Defendants' motion for judgment set for 2/14/13 is hereby vacated.

DATED this 2nd day of January, 2013.

EDWARD M. CHEN
United States District Judge

