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12 *Local Counsel for Plaintiffs*

13 UNITED STATES DISTRICT COURT  
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
15 AT SAN FRANCISCO

16 BASEL ACTION NETWORK, et al., )

17 Plaintiffs, )

18 v. )

19 U.S. ENVIRONMENTAL PROTECTION )  
AGENCY, an agency of the United States; LISA P. )  
20 JACKSON, Administrator, U.S. Environmental )  
Protection Agency, in her official capacity, )

21 Defendants. )  
22 )

) Civ. No. C11-6185 EMC

) **JOINT STIPULATION**  
) **CONTINUING THE CASE**  
) **MANAGEMENT CONFERENCE**  
) **AND [PROPOSED] ORDER**

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27 JOINT STIPULATION CONTINUING THE CASE  
MANAGEMENT CONFERENCE AND  
28 [PROPOSED] ORDER (Civ. No. 11-6185 EMC) -1-

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1 Pursuant to Civil L.R. 6-2, Defendants United States Environmental Protection Agency  
2 (“EPA”) and Gina McCarthy, Administrator, U.S. EPA, in her official capacity (collectively  
3 “Defendants”), and the Basel Action Network (“BAN”), Sierra Club, and Center for Biological  
4 Diversity (collectively “Plaintiffs”), hereby stipulate to and request an order continuing the Case  
5 Management Conference (“CMC”) currently set for February 27, 2014 (Dkt. No. 65) to March  
6 27, 2014 at 9:00 a.m. in Courtroom 5, 17th Floor, San Francisco. The Court previously stayed  
7 all proceedings, in part, to allow EPA to act on the portion of Plaintiffs’ administrative petition  
8 requesting that EPA take certain actions under the Marine Protection, Research, and Sanctuaries  
9 Act (“MPRSA”) (Dkt. No. 61). On January 29, 2014, EPA responded to the MPRSA portion of  
10 Plaintiffs’ petition. EPA’s response grants in part and denies in part Plaintiffs’ petition, and  
11 contains detailed technical explanation of EPA’s rationale for its action. Due to the complex  
12 nature of EPA’s response to Plaintiffs’ petition, Plaintiffs require additional time to review  
13 EPA’s response and to determine appropriate next steps in this litigation. The parties agree that  
14 until Plaintiffs have had adequate time to consider EPA’s response to the MPRSA portion of the  
15 petition, they cannot effectively meet and confer on how to proceed with the pending case.  
16 Plaintiffs reasonably believe that an additional 28 days will provide adequate time to review  
17 EPA’s response and decide on appropriate next steps. Accordingly, the parties request that the  
18 CMC be continued until March 27, 2014, and that the case management statement be due on  
19 March 20, 2014.

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27 JOINT STIPULATION CONTINUING THE CASE  
28 MANAGEMENT CONFERENCE AND  
[PROPOSED] ORDER (Civ. No. 11-6185 EMC) -2-

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1 Respectfully submitted,  
2 Date: February 10, 2014

3 /s/ Amanda W. Goodin

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22 *Local Counsel for Plaintiffs*

23 ROBERT G. DREHER  
24 Acting Assistant Attorney General  
25 Environment and Natural Resources Division

26 /s/ Leslie M. Hill (email authorization 2/10/14)

27 LESLIE M. HILL (D.C. Bar No. 476008)  
28 U.S. Department of Justice  
Environment & Natural Resources Division  
Environmental Defense Section  
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*Attorneys for Defendants*

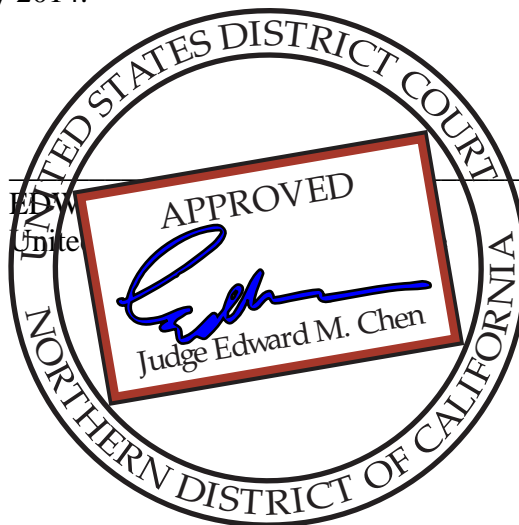
1 **[PROPOSED] ORDER**

2 Pursuant to Stipulation, the case management conference is continued until March 27,  
3 2014 at 9:00 a.m. in Courtroom 5, 17th Floor, San Francisco. The case management statement  
4 shall be due March 20, 2014.

5 Further, pursuant to the Court's Order granting the parties' Joint Request To Appear  
6 Telephonically, Dkt. No. 65 (Jan. 22. 2014), it is further ordered that Plaintiffs' counsel will be  
7 called at (206) 343-7340 ext. 1020 and Defendants' counsel will be called at (202) 514-0375 to  
8 participate in the conference. Counsel will be available from 9:00 am until the call occurs.

9 IT IS SO ORDERED.

10 DATED this <sup>13<sup>th</sup></sup> day of February 2014.



1 CERTIFICATE OF SERVICE

2 I am a citizen of the United States and a resident of the State of Washington. I am over 18  
3 years of age and not a party to this action. My business address is 705 Second Avenue, Suite 203,  
4 Seattle, Washington 98104.

5 I HEREBY CERTIFY that on February 10, 2014, I electronically filed the following  
6 documents:

- 7 1. Joint Stipulation Continuing the Case Management Conference and [Proposed]  
8 Order

9 with the Clerk of the Court using the CM/ECF system, which will send notification of such filing to  
10 the following:

11 Leslie M. Hill  
12 Assistant Attorney General  
13 Environmental Defense Section  
14 601 D Street N.W., Suite 8000  
15 Washington D.C. 20004  
16 (202) 514-0375 | Phone  
17 (202) 514-8865 | Fax  
18 leslie.hill@usdoj.gov  
19 Attorney for Federal Defendants

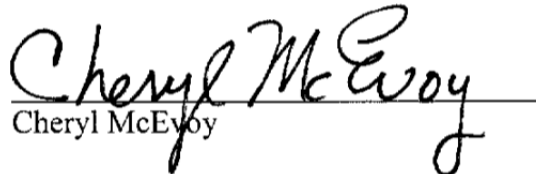
- via facsimile
- via overnight courier
- via first-class U.S. mail
- via hand delivery
- via e-mail
- via electronic service by Clerk

20 AND I FURTHER CERTIFY that I have mailed by United States Postal Service the  
21 documents to the following non-CM/ECF participants:

22 None

23 I, Cheryl McEvoy, declare under penalty of perjury that the foregoing is true and correct.

24 Executed this 10th day of February, 2014, at Seattle, Washington.

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Cheryl McEvoy