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16
 17 IN THE UNITED STATES DISTRICT COURT
 18 FOR THE NORTHERN DISTRICT OF CALIFORNIA

19 OCEANA, Inc., a non-profit organization,)
 20 Plaintiff,)
 21 v.)
 22 JOHN E. BRYSON, in his official capacity as)
 Secretary of Commerce; NATIONAL OCEANIC)
 23 AND ATMOSPHERIC ADMINISTRATION; and)
 NATIONAL MARINE FISHERIES SERVICE,)
 24 Defendants.)
 25)
 26)
 27)
 28)

Case No. 4:11-cv-06257 EMC

STIPULATED REQUEST FOR ORDER
 CHANGING TIMES FOR MOTION TO
 INTERVENE ; ORDER

1 Plaintiff Oceana (“Plaintiff”), Defendants John E. Bryson, in his official capacity as
2 Secretary of Commerce, the National Oceanic and Atmospheric Administration, and the National
3 Marine Fisheries Service (“Federal Defendants”), and Proposed Intervenors California Wetfish
4 Producers Association *et al.* (“Proposed Intervenors”) hereby present, pursuant to Civ. L.R. 6-2, this
5 stipulated request for an order changing time for Plaintiff’s response to the motion to intervene,
6 Proposed Intervenors’ reply, and the hearing on the motion to intervene. In support of this request,
7 the parties present as follows:
8

9 1. Proposed Intervenors filed a motion to intervene in this case on February 21, 2012,
10 and noticed a hearing date of March 30, 2012.

11 2. Pursuant to Civ. L.R. 7-3, Plaintiff’s response to this motion was due by March 6,
12 2012 and Proposed Intervenors’ reply was due by March 13.

13 3. On February 22, 2012, the Court issued a Notice (Docket. No. 18) continuing the
14 hearing on the motion to intervene to April 6, 2012. The Notice also reset the deadline for Plaintiff’s
15 response to March 1, 2012 and reset the deadline for Proposed Intervenors’ reply to March 8, 2012.

16 4. Plaintiff’s counsel has a long-standing prior commitment that conflicts with the April
17 6, 2012 hearing date.

18 5. Due to the volume of materials submitted by Proposed Intervenors, and Plaintiff’s
19 pre-existing deadline to file its Amended Complaint on or before February 29, 2012, Plaintiff needs
20 the normal 14 days allowed by Civ. L. R. 7-3 to assess the motion to intervene and formulate a
21 response to it.

22 6. Federal Defendants take no position on the motion to intervene and do not intend to
23 participate in briefing the motion to intervene.

24 7. Based on the foregoing, the parties propose the following schedule for resolving the
25 motion to intervene, and submit that good cause exists for the Court to approve the proposed
26 schedule:
27
28

1 a. Plaintiff will file its response to the motion to intervene on or before March 6,
2 2012.

3 b. Proposed Intervenors will file their reply regarding the motion to intervene on
4 or before March 13, 2012.

5 c. The hearing on the motion to intervene will be set for April 20, 2012.

6 8. Plaintiff and Federal Defendants have stipulated to an extended schedule for the filing
7 of Plaintiff's amended complaint, Defendants' answer, and the lodging and service of the
8 administrative record. Docket No. 11. Approval of the instant stipulated request for an order
9 changing time will not affect the aforementioned schedule.

10
11 SO STIPULATED:

12 FOR THE PLAINTIFF:

13
14 DATED: February 24, 2012

/s/ Andrea A. Treece
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20 FOR THE FEDERAL DEFENDANTS:

21 DATED: February 24, 2012

/s/ Rachel K. Bowen (as authorized on 2/24/12)
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FOR THE PROPOSED INTERVENORS:

10 DATED: February 24, 2012

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1 [PROPOSED] ORDER

2 Upon consideration of the Stipulation set out above, and good cause appearing, it is hereby
3 ORDERED that: (1) Plaintiff shall file its response to the motion to intervene on or before March 6,
4 2012; (2) Proposed Intervenors shall file their reply to Plaintiff's response on or before March 13,
5 2012; (3) The hearing on this motion shall be set for April 20, 2012 at 1:30 p.m.

6
7 IT IS SO ORDERED this 24th day of February, 2012

8
9
10 HON. EDWARD M. CHEN
United States District Judge

