

1 LESTER J. MARSTON
 2 RAPPORT AND MARSTON
 3 405 West Perkins Street
 4 Ukiah, CA 95482
 (707) 462-6846
marston1@pacbell.net
 Attorney for Plaintiffs

5 STUART F. DELERY
 Acting Assistant Attorney General
 6 JOHN R. GRIFFITHS
 Assistant Branch Director
 7 JAMES D. TODD, JR.
 Senior Counsel
 8 U.S. DEPARTMENT OF JUSTICE
 CIVIL DIVISION
 9 FEDERAL PROGRAMS BRANCH
 20 Massachusetts Avenue, N.W.
 10 Washington, DC 20001
 (202) 514-3378
 11 james.todd@usdoj.gov
 Attorneys for Defendants

12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN FRANCISCO DIVISION

15 HOPLAND BAND OF POMO INDIANS,)
 16 *et al.*,)
 17 Plaintiffs,)
 18 v.)
 19 KEN SALAZAR, Secretary of the Interior,)
 20 *et al.*,)
 21 Defendants.)

Case No. 3:12CV556-CRB
 Hon. Charles R. Breyer
 Courtroom: N/A
 Hearing: N/A

SECOND STIPULATION WITH
~~REDACTED~~ ORDER TO EXTEND TIME
 FOR DEFENDANTS TO RESPOND TO
 PLAINTIFFS' COMPLAINT

22 Pursuant to Civil L.R. 6-2, and for good cause shown, the parties stipulate that the time
 23 for defendants to respond to plaintiffs' complaint shall be extended for a second time, from May
 24 9, 2012 until May 23, 2012. Pursuant to Civil L.R. 6-2(a)(1), and in support of this stipulation,
 25 the parties state as follows:

- 26 1. Plaintiffs filed and served their complaint on February 2, 2012, *see* Compl. &
 27 Summons, ECF No. 1-2, and served it on the United States Attorney for the Northern
 28 District of California on February 8, 2012. Pursuant to Fed. R. Civ. P. 12(a)(2) and

2d Stipulation to Extend Time for
 Defendants to File Response to
 Compl., No. 3:12CV556-CRB

- 1 6(a)(1)(C), defendants' time to respond to plaintiffs' complaint originally was set for
2 April 9, 2012. However, on March 23, 2012, the parties, for good cause shown, filed
3 a stipulation for a 30-day extension of time for defendants to respond to plaintiffs'
4 complaint. *See* Stip. with Proposed Order, ECF No. 9.
- 5 2. On March 28, 2012, this Case was reassigned from Magistrate Judge Nandor J. Vadas
6 to Judge Charles R. Breyer. *See* Order, ECF No. 12. On April 10, 2012, the Clerk
7 entered a Notice setting the Case Management Statement due by June 15, 2012, and
8 setting the Case Management Conference for June 22, 2012, at 8:30 a.m. *See* Clerk's
9 Notice, ECF No. 13.
- 10 3. Undersigned counsel for defendants has been out of state from March 28, 2012 until
11 April 12, 2012, first to visit to his dying father-in-law and then to deal with funeral
12 planning, funeral arrangement, and preliminary estate matters concerning his late
13 father-in-law. Even after his return, these personal affairs have kept and will continue
14 to keep undersigned counsel for defendants out of the office on a number of different
15 days. Since his return to the office, moreover, undersigned counsel for defendants has
16 been tasked with helping the Deputy Solicitor General prepare for an argument in
17 *Salazar et al. v. Ramah Navajo Chapter*, No. 11-551, before the Supreme Court on
18 April 18, 2012, and has been tasked with assisting the Civil Appellate staff with
19 drafting an appellate brief in *Los Coyotes Band of Cahuilla & Cupeño Indians v.*
20 *Salazar, et al.*, No. 11-57222 (9th Cir.), due May 2, 2012. These events have
21 prevented and will prevent defendants from having adequate time to prepare a file a
22 response to plaintiffs' complaint by May 9, 2012.
- 23 4. The parties agree that, in light of the personal and professional obligations and
24 commitments of undersigned counsel for defendants, a 14-day extension of time for
25 defendants to prepare and file a response to plaintiffs' complaint is reasonable and
26 appropriate. Pursuant to Civil L.R. 6-2(a)(2), the parties agree that this is the second
27 extension of time sought by defendants in this matter. Pursuant to Civil L.R. 6-
- 28

1 2(a)(3), the parties further agree that this extension of time need not affect the dates
2 set for the Case Management Statement and Case Management Conference.

3 Accordingly, for good cause shown, the time for defendants to file a response to
4 plaintiffs' complaint shall be extended from May 9, 2012 to May 23, 2012.

5 Respectfully Submitted,

6 s/ Lester J. Marston
LESTER J. MARSTON
7 RAPPORT AND MARSTON
Attorney for Plaintiffs

8 s/ James D. Todd, Jr.
9 JAMES D. TODD, JR.
Senior Counsel
10 U.S. DEPARTMENT OF JUSTICE
Attorney for Defendants

11 Dated: May 4, 2012

12
13 PURSUANT TO STIPULATION, IT IS SO ORDERED.

14
15
16 Dated: May 7, 2012

