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United States District Court
Northern District of California

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN FRANCISCO HERRING
ASSOCIATION,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
THE INTERIOR, et al.,

Defendants.

Case No. 13-cv-01750-JST

**ORDER GRANTING IN PART AND
DENYING IN PART PLAINTIFF'S
MOTION TO SHORTEN TIME**

Re: ECF No. 82

Plaintiff has moved, pursuant to Civil Local Rule 6-3, to shorten the time to hear and brief its motion for a preliminary injunction. ECF No. 82. The Court has reviewed the motion, Defendants' response thereto, and Plaintiff's reply.

The Court hereby SETS Plaintiff's motion for a preliminary injunction, ECF No. 75, for hearing on January 13, 2014, at 2:30 P.M. Defendants shall file any opposition brief before 5:00 P.M. on January 3, 2014. Plaintiff may file any reply brief not later than January 8. The Court expects to enter an order on the preliminary injunction motion by January 14.

The Court had previously ordered the California Attorney General's Office to file any brief in this case not later than January 10, 2014. ECF No. 65. On behalf of the California State Lands Commission ("CSLC"), the Attorney General requested until February 10 to file such a brief. ECF Nos. 70, 73 & 74. Plaintiff and Defendants did not oppose the request, and so the Court granted it. ECF No. 85. However, it now appears that the Court may, in determining whether Plaintiff has satisfied the "probability of success" / "serious questions" prong of the preliminary injunction inquiry, need to address some or all of the questions presented in the Court's December 5 notice to the Attorney General. ECF No. 64. If, before the Court does so, the CSLC would like to make any portion of its views known to the Court (even if it only consists of a short

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statement of the positions CLSC expects to take on these questions), CSLC may file such a submission before 5:00 P.M. on January 2.

IT IS SO ORDERED.

Dated: December 20, 2013

JON S. TIGAR
United States District Judge