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UNITED STATE DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

)	Case No.: 3:14-cv-04365-SC
OUR CHILDREN'S EARTH)	
FOUNDATION, et al.,)	
)	
Plaintiffs,)	STIPULATION AND PROPOSED
)	ORDER SETTING BRIEFING SCHEDULE
v.)	FOR CROSS MOTIONS FOR SUMMARY
)	JUDGMENT
NATIONAL MARINE FISHERIES)	Hon. Samuel Conti
SERVICE, et al.,)	
)	
Defendants.)	
)	
)	

STIP. AND PROPOSED ORDER RE MSJ BRIEFING SCHEDULE
Case No.: 3:14-cv-04365-SC

1 WHEREAS Plaintiffs filed an Amended Complaint on October 30, 2014, and
2 Defendants' answer or other response is due December 1, 2014;

3 WHEREAS Plaintiffs filed a Motion for Summary Judgment on October 31, 2014, and
4 Plaintiffs' motion is set for hearing on December 5, 2014;

5 WHEREAS Defendants' opposition to Plaintiffs' motion would be due on November 14,
6 2014;

7 WHEREAS Defendants requested an extension of time to oppose Plaintiffs' motion in
8 order to investigate and respond to the recently filed Amended Complaint and because
9 Defendants' personnel who would be involved in drafting declarations to oppose Plaintiffs'
10 motion have pre-planned vacations and competing work obligations;

11 WHEREAS the parties have been participating in ongoing settlement discussions
12 regarding Plaintiff's pending FOIA actions; and

13 WHEREAS the parties have met and conferred and have agreed upon a schedule for
14 briefing the motion for summary judgment regarding Plaintiffs' FOIA claims and Defendants'
15 anticipated cross motion and to request that the Court vacate the December 5, 2014 hearing date.
16

17 The parties thus stipulate, subject to the Court's approval to the following:

- 18 1. On or before December 5, 2014, Defendants shall file an opposition to Plaintiffs'
19 motion and a cross-motion for summary judgment regarding Plaintiffs' FOIA claims
20 as a single brief of no more than 25 pages;
- 21 2. On or before December 19, 2014, Plaintiffs shall file their opposition to Defendants'
22 motion for summary judgment and a reply in support of Plaintiffs' motion as a single
23 brief of no more than 25 pages;
- 24 3. On or before January 2, 2015, Defendants shall file a reply in support of their cross-
25 motion for summary judgment of no more than 15 pages.
- 26 4. The December 5, 2014 hearing for Plaintiffs' motion should be vacated, and the
27 Court should set a new hearing date for the parties' cross motions on January 9, 2015.
28

1
2 Dated: November 10, 2014

Respectfully submitted,

3 MELINDA HAAG
4 United States Attorney

5 /s/ Robin M. Wall

6 ROBIN M. WALL
7 Assistant United States Attorney
8 Counsel for Defendants

9 Dated: November 10, 2014

Respectfully submitted,

10 ENVIRONMENTAL ADVOCATES

11 /s/ Patricia Weisselberg

12 PATRICIA WEISSELBERG
13 Counsel for Plaintiffs

14
15 **~~PROPOSED~~ ORDER**

16 Pursuant to stipulation, IT IS SO ORDERED.

17 Dated: November 19, 2014

