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13 [additional counsel listed in signature blocks]

14  
 15 **IN THE UNITED STATES DISTRICT COURT**  
 16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 17 **SAN FRANCISCO DIVISION**

18 SIERRA CLUB, et al.

19 Plaintiffs,

20 v.

21 United States Environmental Protection  
22 Agency, et al.

23 Defendants.

Case No. 3:14-cv-04596-EMC

**REQUEST TO APPEAR**  
**TELEPHONICALLY FOR CASE**  
**MANAGEMENT CONFERENCE**  
**AND [PROPOSED] ORDER** (modified)

Date: April 21, 2016

Time: 9:30 a.m.

Location: Courtroom 5, 17th Floor

24 Pursuant to Civil L.R. 6-2, the parties respectfully request an order allowing all  
 25 counsel to appear telephonically for the Initial Case Management Conference (“CMC”)  
 26 set for April 21, 2016 at 9:30 a.m. in Courtroom 5, 17th Floor (Dkt. No. 42) or  
 27 alternatively, rescheduling the CMC to April 28, 2016.

28 WHEREAS, the Parties stipulated to and requested an order continuing the Case  
 Management Conference until April 14, 2016, a date that all counsel are available (Dkt.  
 No. 39);

1           WHEREAS, the Court granted the request to continue, but reset the Case  
2 Management Conference to April 21, 2016 (Dkt. No. 40);

3           WHEREAS, lead counsel for Intervenor-Defendant San Joaquin Valley Unified  
4 Air Pollution Control District is not available to appear personally on April 21, 2016  
5 because that date coincides with the District’s Governing Board meeting, which occurs  
6 every third Thursday of every month, and that counsel must attend. However, counsel  
7 could appear telephonically on that date;

8           WHEREAS, lead counsel for Defendants, the United States Environmental  
9 Protection Agency and Gina McCarthy, in her official capacity as Administrator of the  
10 United States Environmental Protection Agency (collectively “EPA”), is also not  
11 available to appear personally on April 21, 2016, because of a pre-planned vacation, but  
12 could also appear telephonically;

13           WHEREAS, counsel for Defendant-Intervenor South Coast Air Quality  
14 Management District is located in Diamond Bar, California and would have to travel to  
15 the CMC;

16           WHEREAS, counsel for Plaintiff Sierra Club consents to this request and joins in  
17 the request to also appear by telephone or alternatively, rescheduling the CMC to April  
18 28, 2016; and

19           WHEREAS, the Parties therefore request that they be allowed to appear and  
20 participate in the initial CMC by telephone to obviate the need to reschedule the CMC or  
21 alternatively, to rescheduling the CMC to April 28, 2016;

22           NOW THEREFORE, the parties stipulate to and respectfully request that the  
23 Court enter an order allowing the parties to appear and participate telephonically at the  
24 April 21, 2016 initial CMC or, alternatively to reschedule the CMC to April 28, 2016.

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1 Respectfully submitted,

2 Date: March 23, 2016

3  
4 /s/ Paul Cort (email auth. 3/16/16)  
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/s/ Lauren Nevitt (email auth. 3/17/16)  
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~~[PROPOSED]~~ ORDER

Before the Court is a Joint Request to Appear Telephonically for the Initial Case Management Conference set for April 21, 2016 at ~~9:30~~<sup>10:15</sup> a.m. in Courtroom 5, 17th Floor (Dkt. No. 42). Upon due consideration, and for good cause shown, the Parties' request is hereby **GRANTED**.

It is further ordered that counsel will be called at the following numbers to participate in the hearing. Counsel will be available from 9:30 a.m. Pacific time until the call occurs.

EPA's counsel will be called at (202) 514-0375.

Sierra Club's counsel will be called at (415) 217-2126 and (415) 217-2077. San Joaquin Valley Unified Air Pollution Control District's counsel will be called at (559) 230-6035.

South Coast Air Quality Management District's counsel will be called at (909) 396-3458.

Plaintiff Sierra Club's counsel Paul Cort is directed to set up the conference call for 10:15 a.m. with Courtcall (888) 582-6878 and inform the Court the dial in information by 4/18/16. An updated joint CMC statement shall be filed by

4/14/16.

IT IS SO ORDERED.

DATED this 31st day of March, 2016.

EDWARD M. CHEN  
United States District Judge

