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20 UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA

21 Pacificans For A Scenic Coast, *et al.*,

22 Plaintiffs,

23 v.

24 California Department of Transportation, *et al.*,

25 Defendants.
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Civil Case No. 3:15-cv-02090-VC

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER REQUESTING
 CONTINUANCE OF THE CASE
 MANAGEMENT CONFERENCE
 AS MODIFIED BY THE COURT**

1 WHEREAS, Plaintiffs filed a First Amended Complaint on June 26, 2015 (Dkt. No. 21);

2 WHEREAS, the Federal Highway Administration, U.S. Army Corps of Engineers, and National
3 Park Service and the U.S. Fish & Wildlife Service (hereinafter, the “Federal Defendants”) were served
4 pursuant to Fed. R. Civ. P. 4(i)(1) on July 10, 2015;

5 WHEREAS, Federal Defendants’ responsive pleading is presently due on September 8, 2015,
6 and the Parties have agreed to extend the deadline for the Federal Defendants to serve a responsive
7 pleading up to and including September 11, 2015;

8 WHEREAS, the Federal Defendants intend to dismiss all claims brought against them under five
9 statutory bases against the Federal Highway Administration, U.S. Army Corps of Engineers, and
10 National Park Service;

11 WHEREAS, Plaintiffs and Federal Defendants accordingly agree that in order to present
12 meaningful briefs and oppositions that address the relevant issues more than 15 pages will be required
13 and respectfully request that the Court allow 25 pages for motions and oppositions for the Federal
14 Defendants’ Motion to Dismiss and Plaintiffs’ opposition thereto;

15 WHEREAS, the Initial Case Management Conference is currently set for August 11, 2015 and
16 the Joint Case Management Statement and Proposed Case Management Order is due August 4, 2015
17 (Dkt. No. 19);

18 WHEREAS, to promote judicial economy and conserve the Parties’ resources, the Parties request
19 that the hearing on all Defendants’ motions to dismiss and the Initial Case Management Conference be
20 scheduled on the same date;

21 WHEREAS, the Parties have agreed to reserve any issues concerning initial disclosures and
22 discovery until after the Court has ruled on the motion to dismiss and administrative record(s) have been
23 produced;

24 Pursuant to Civil L.R. 6-2, the Parties jointly stipulate and request that the Court order the
25 following:
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1 1. Federal Defendants' time to respond to Plaintiffs' First Amended Complaint for
2 Declaratory and Injunctive Relief (Dkt. No. 21) is extended to September 11, 2015. This extension will
3 not alter the date of any event or any deadline already fixed by Court order.

4 2. Opposition to the Federal Defendants' motion to dismiss shall be due October 2, 2015.
5 The Federal Defendants' reply shall be due October 16, 2015.

6 3. Federal Defendants' Motion to dismiss and Plaintiffs' opposition thereto shall be limited
7 to 25 pages.

8 4. The hearing on the motions to dismiss and the initial Case Management Conference will
9 be held on October 29, 2015, or such other date as the Court may find convenient. The Joint Case
10 Management Statement and Proposed Case Management Order shall be due seven days prior to the
11 scheduled hearing.

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13 Respectfully submitted,

14 Dated July 28, 2015

<p>16 <u>/s/ Christopher Sproul</u> 17 Christopher A. Sproul (Bar No. 126398) 18 Jodene Isaacs (Bar No. 226895) 19 ENVIRONMENTAL ADVOCATES 20 5135 Anza Street 21 San Francisco, California 94121 22 Tel: (415) 533-3376, (510) 847-3467 23 Fax: (415) 358-5695 24 csproul@enviroadvocates.com 25 jisaacs@enviroadvocates.com</p> <p>26 Brian Gaffney (Bar No. 168778) 27 LAW OFFICES OF BRIAN GAFFNEY APC 446 Old County Road, Suite 100-310 Pacifica, CA 94044 Tel: (650) 219-3187 Fax: (650) 733-7793 brian@gaffneylegal.com</p> <p>Patricia Weisselberg (Bar No. 253015)</p>	<p><u>/s/ Derek S. van Hoften</u> DEREK S. VAN HOFTEN JEANNE SCHERER DAVID GOSSAGE LUCILLE Y. BACA DEREK VAN HOFTEN STACY LAU</p> <p>Attorneys for Defendants CALIFORNIA DEPARTMENT OF TRANSPORTATION and Malcolm Dougherty</p> <p><u>/s/ Kevin D. Siegel</u> Kevin D. Siegel BURKE, WILLIAMS & SORENSEN, LLP</p> <p>Counsel for Defendant City of Pacifica</p>
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~~PROPOSED~~ ORDER AS MODIFIED BY THE COURT

Pursuant to STIPULATION:

1. Federal Defendant's time to respond to Plaintiffs' First Amended Complaint for Declaratory and Injunctive Relief (Dkt. No. 21) is extended to September 11, 2015.
2. Opposition to the Federal Defendants' motion to dismiss shall be due October 2, 2015. The Federal Defendants' reply shall be due October 16, 2015.
3. The hearing on Caltrans' and Federal Defendants' motions to dismiss ~~and the initial Case Management Conference~~ shall be set for October 29, 2015 at 10 a.m. in Courtroom 4, 17th Floor.
4. The Joint Case Management Statement and Proposed Case Management Order shall be due seven days prior to the scheduled hearing, which is now November 10, 2015, at 10:00 a.m.
5. ~~The Federal Defendants' Motion to dismiss and Plaintiffs' opposition thereto shall be limited to 25 pages.~~

IT IS SO ORDERED.

Dated: July 30, 2015.

