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IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

CENTER FOR BIOLOGICAL DIVERSITY, et al.,)	Case No.: 3:15-cv-05754-JST
)	
Plaintiffs,)	
)	
vs.)	[PROPOSED] STIPULATED ORDER
)	REGARDING REMEDY
U.S. FISH & WILDLIFE SERVICE, et al.,)	
)	
Defendants,)	
)	
and)	
)	
SISKIYOU COUNTY, et al.,)	
)	
Defendant Intervenors.)	

WHEREAS, this Court ordered the parties to file a proposed stipulated order setting a deadline of October 1, 2018 for a revised 12-month finding for the coastal marten in accordance with section 4(b)(3)(B) of the Endangered Species Act (“ESA”), 16 U.S.C. § 1533(b)(3)(B);

WHEREAS, Defendants’ and Defendant-Intervenors’ understanding is that this stipulated order shall have no effect on Defendants’ and Defendant-Intervenors’ right to timely appeal this Court’s March 28, 2017, Order Re: Summary Judgment (ECF Doc. 64);

WHEREAS, Defendants’ understanding is that this stipulated order shall not be interpreted as, or constitute a commitment or requirement that Defendants are obligated to spend funds in violation of the Anti-Deficiency Act, 31 U.S.C. § 1341, or any other law or regulation;

1 NOW THEREFORE, it is hereby STIPULATED AND ORDERED:

2 The United States Fish and Wildlife Service's April 7, 2015, finding that the coastal marten
3 does not warrant listing as a threatened or endangered species under the ESA is hereby set aside and
4 remanded for reconsideration consistent with the Court's March 28, 2017, Order Re: Summary
5 Judgment (ECF Doc. 64). By no later than October 1, 2018, Defendants shall submit for publication
6 in the Federal Register a revised 12-month finding for the coastal marten in accordance with section
7 4(b)(3)(B) of the ESA, 16 U.S.C. § 1533(b)(3)(B).

8 IT IS SO STIPULATED.

9 STACEY P. GEIS (CA Bar No. 181444)
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10 Dated: May 3, 2017

11 /s/ Gregory C. Loarie
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18 MEREDITH L. FLAX, Assistant Chief

19 Dated: May 3, 2017

20 /s/ Nicole M. Smith
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25 *Attorneys for Federal Defendants*

26 Dated: May 3, 2017

27 /s/ Lawson E. Fite
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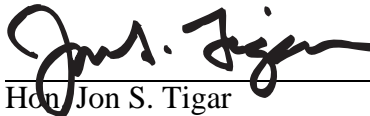
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Attorneys for Defendant-Intervenors

IT IS SO ORDERED.

Dated: May 3, 2017



Hon. Jon S. Tigar
United States District Court Judge