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10 Attorneys for Federal Defendants

11 **UNITED STATES DISTRICT COURT**
 12 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 13 **SAN FRANCISCO DIVISION**
 14

15 HOOPA VALLEY TRIBE,)
 16)
 Plaintiff,)
 17)
 v.)
 18)
 U.S. BUREAU OF RECLAMATION, et al.,)
 19)
 Defendants,)
 20)
 and)
 21)
 22 KLAMATH WATER USERS)
 23 ASSOCIATION, et al.,)
 24)
 Defendant-Intervenors.)

Case No. 3:16-cv-04294-WHO
**STIPULATED REQUEST TO EXTEND
 FEDERAL DEFENDANTS'
 RESPONSIVE PLEADING DEADLINE
 AND THE CASE MANAGEMENT
 CONFERENCE DEADLINE**

1 Pursuant to Civil Local Rule 6-2, Plaintiff, Federal Defendants, and Defendant-
2 Intervenors hereby jointly request by stipulation to: (1) extend the deadline for the parties to
3 have a Case Management Conference, see ECF No. 42; (2) extend the deadline for Federal
4 Defendants to answer or otherwise respond to Plaintiff's Second Amended Complaint, ECF
5 No. 87; and (3) establish case management deadlines relating to the Rule 26(f) Report,
6 completing initial disclosures, filing a Case Management Statement, and participating in an
7 ADR Phone Conference. The parties request that the Court establish the following deadlines:

- 8 • April 3, 2017 – Deadline for Federal Defendants to answer or otherwise respond to
9 Plaintiff's Second Amended Complaint, ECF No. 87.
- 10 • April 21, 2017 – Last day to: file Rule 26(f) Report¹, complete initial disclosures or
11 state objection in Rule 26(f) report, and file Case Management Statement per Standing
12 Order re Contents of Joint Case Management Statement
- 13 • April 28, 2017 – Deadline to participate in ADR Phone Conference
- 14 • May 2, 2017 – If necessary, Initial Case Management Conference

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16 There is good cause to establish the above schedule, given that similar deadlines have
17 already been established in the related case, Yurok Tribe v. U.S. Bureau of Reclamation, 3:16-
18 cv-06863-WHO, and because the parties may need additional time to decide how to proceed
19 with this case following the Court's February 8, 2017 Order. See ECF No. 102. The Court has
20 previously granted the following requests for extension of time in this case: (1) Stipulation re:
21 Case Management Scheduling Order, ECF Nos. 29, 42; (2) Stipulation to Enlarge Time for
22 Federal Defendants' Reply In Support of Their Motion to Dismiss, ECF Nos. 43, 54; and (3)
23 Request to Extend Time to Respond to Plaintiff's Motion for Partial Summary Judgment, ECF
24 No. 82. The parties do not believe that granting this stipulation will adversely affect any existing
25 deadlines in the case.

26
27 ¹ Federal Defendants preserve for the record their objection to this case being subject to initial disclosures and all
28 other discovery related deadlines on the grounds that this is an action for review on an administrative record. See
Fed. R. Civ. P. 26(a)(1)(A); (a)(1)(B)(i); (f)(1).

1 For the foregoing reasons, the parties respectfully request entry of this agreed-upon
2 stipulation.

3
4 Dated: February 17, 2017

5 Respectfully submitted,

6 JEFFREY H. WOOD, Acting Assistant Attorney General
7 SETH M. BARSKY, Chief
8 S. JAY GOVINDAN, Assistant Chief
9 ROBERT P. WILLIAMS, Sr. Trial Attorney

10 /s/ Kaitlyn Poirier
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3 Attorneys for Plaintiff Hoopa Valley Tribe
4

5 SOMACH SIMMONS & DUNN, PC

6 /s/ Paul S. Simmons
7 Paul S. Simmons

8 Attorneys for Defendant-Intervenors Klamath Water Users
9 Association, Sunnyside Irrigation District, and Ben DuVal

10 CLYDE SNOW & SESSIONS, P.C.

11 /s/ Reagan L.B. Desmond
12 Reagan L. B. Desmond

13 Attorneys for Defendant-Intervenor Klamath Drainage District

14 WANGER JONES HELSLEY PC

15 /s/ John P. Kinsey
16 John P. Kinsey

17 Attorneys for Defendant-Intervenors Klamath Irrigation
18 District and Pine Grove Irrigation District

19
20 **ATTESTATION PURSUANT TO CIVIL L.R. 5-1(i)(3)**

21 I, Kaitlyn Poirier, attest that concurrence in the filing of the document has been obtained
22 from each of the other Signatories indicated with a “conformed” signature (/s/) within this e-
23 filed document.
24

25 I declare under penalty of perjury under the laws of the United States of America that
26 the foregoing is true and correct to the best of my knowledge.

27 Dated: February 17, 2017
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/s/ Kaitlyn Poirier
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Attorneys for Federal Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated this 22nd day of February, 2017.

A handwritten signature in black ink, appearing to read "W. H. Orrick", is written over a horizontal line.

HON. WILLIAM H. ORRICK
United States District Judge

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