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13 UNITED STATES DISTRICT COURT
14 FOR THE NORTHERN DISTRICT OF CALIFORNIA
15 SAN FRANCISCO DIVISION

16 YUOK TRIBE, PACIFIC COAST
17 FEDERATION OF FISHERMEN'S
18 ASSOCIATIONS, and INSTITUTE FOR
19 FISHERIES RESOURCES,
20
21 Plaintiffs,
22
23 v.
24 U.S. BUREAU OF RECLAMATION and
25 NATIONAL MARINE FISHERIES SERVICE,
26
27 Defendants,
28
29 and
30 KLAMATH WATER USERS ASSOCIATION,
31 THE KLAMATH TRIBES, and KLAMATH
32 IRRIGATION DISTRICT,
33
34 Intervenor-Defendants

Case No. 3:19-cv-04405-WHO

(Related Case No. 3:16-cv-04294-WHO)
(Related Case No. 3:16-cv-06863-WHO)

**STIPULATION AND [PROPOSED]
ORDER TO ENLARGE TIME ON
KLAMATH IRRIGATION DISTRICT'S
MOTION TO STRIKE (DOC. 1039),
MOTION FOR STAY (DOC. 1040), RULE
56(d) REQUEST TO EXTEND HEARING ON
THE PENDING SUMMARY JUDGMENT
MOTIONS AND PERMIT DISCOVERY
(DOC. 1041-3), AND REQUEST FOR
JUDICIAL NOTICE (DOC. 1042)**

DATE: November 30, 2022
TIME: 2:00 p.m.
Courtroom 2, 17th Floor

Judge: Honorable William H. Orrick

1 UNITED STATES OF AMERICA,
2 Cross-Claimant,
3 YUROK TRIBE, PACIFIC COAST
4 FEDERATION OF FISHERMEN’S
5 ASSOCIATIONS, and INSTITUTE FOR
6 FISHERIES RESOURCES,
7 Joined as Cross-Claimants,
8 v.
9 KLAMATH WATER USERS ASSOCIATION
10 and OREGON WATER RESOURCES
11 DEPARTMENT,
12 Crossclaim-Defendants,
13 and
14 KLAMATH IRRIGATION DISTRICT,
15 Intervenor-Defendant.

16 KLAMATH WATER USERS ASSOCIATION,
17 Counterclaimant,
18 v.
19 UNITED STATES OF AMERICA,
20 Counterclaim-Defendant.

21 OREGON WATER RESOURCES
22 DEPARTMENT,
23 Counterclaimant,
24 v.
25 UNITED STATES OF AMERICA,
26 Counterclaim-Defendant.

27 Per Local Rule 6-2, Crossclaim Defendant Oregon Water Resources Department
28 (OWRD); Plaintiffs Yurok Tribe, Pacific Coast Federation of Fishermen’s Associations, and
Institute for Fisheries Resources (collectively, “Plaintiffs”); Defendant and Crossclaimant United
States of America (United States); Crossclaim Defendant Klamath Water Users’ Association
(KWUA); Intervenor Klamath Tribes; and Intervenor Klamath Irrigation District (KID) (all,

1 collectively, “the Parties”) submit this stipulation and proposed order to enlarge time on the
2 briefing schedule for responses to and replies in support of KID’s Motion to Strike (Doc. 1039),
3 Motion for Stay (Doc. 1040), Rule 56(d) Request to Extend Hearing on the Pending Summary
4 Judgment Motions and Permit Discovery (Doc. 1041-3), and Request for Judicial Notice
5 (collectively “KID’s Motions”). The parties request that briefing on KID’s Motions be placed
6 on the same schedule as briefing on the summary judgment motions and cross-motions filed in
7 connection with the First Cause of Action of the United States’ crossclaim and KWUA’s and
8 OWRD’s counterclaims, with responses to KID’s Motions due September 12, 2022 and KID’s
9 replies due October 27, 2022.

10 The reason for the requested extension is to coordinate briefing between the pending
11 summary judgment motions and KID’s Motions and to provide counsel additional time to
12 respond to KID’s Motions, while also preparing summary judgment responses and replies and
13 responses to KID’s motion to transfer this case, along with six other cases, filed July 29, 2022
14 with the United States Judicial Panel on Multidistrict Litigation. The requested extension will
15 not result in delay because KID’s Motions have been noticed for hearing on the same date as the
16 pending summary judgment motions – November 30, 2022.

17 The Parties previously stipulated to a two-week extension of the deadline for oppositions
18 to the United States’ and Plaintiffs’ motions for summary judgment and cross-motions for
19 summary judgment, ECF Nos. 1034, 1035, and subsequently to an additional four-day extension
20 for those opposition briefs and cross-motions. ECF Nos. 1036, 1037. The Parties also
21 previously stipulated to an extension of OWRD’s responsive-pleading deadline. ECF No. 990.
22 The Parties have not requested or received any other extensions of time since OWRD appeared
23 in this action.

24 Accordingly, the Parties stipulate as follows:

- 25 1. The deadline for all oppositions to KID’s Motions is extended from August 12,
26 2022 to September 12, 2022.
- 27 2. The deadline for KID’s replies in support of KID’s Motions will be October 27,
28 2022.

3. Counsel for the parties remain available for the November 30, 2022 hearing date.

IT IS SO STIPULATED.

DATED August 4, 2022

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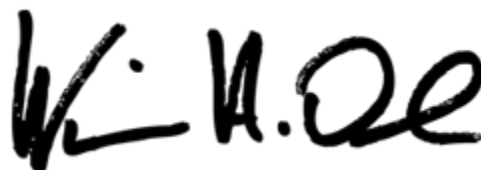
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18 I, Thomas K. Snodgrass, attest that each of the other signatories concurred in the filing of
19 this document on today's date.

20 s/ Thomas K. Snodgrass
21 THOMAS K. SNODGRASS

22
23 **ORDER**

24 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

25 DATED: August 4, 2022

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27 

28
29 Honorable William H. Orrick
30 United States District Court Judge