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9 *Attorneys for Federal Defendants*

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

14 HOOPA VALLEY TRIBE,) CASE NO. 3:16-cv-04294-WHO
15)
16 Plaintiff,)
17)
18 v.) **STIPULATED REQUEST TO ENLARGE**
19) **TIME FOR FEDERAL DEFENDANTS’**
20 U.S. BUREAU OF RECLAMATION) **REPLY IN SUPPORT OF THEIR MOTION**
21) **TO DISMISS (DN 33) AND TO CONTINUE**
22 and) **THE HEARING DATE**
23)
24 NATIONAL MARINE FISHERIES)
25 SERVICE,)
26)
27 Defendants.)
28)

24 Pursuant to Local Rule 6-2, Plaintiff Hoopa Valley Tribe, Defendants U.S. Bureau of
25 Reclamation and National Marine Fisheries Service (“Federal Defendants”), and Defendant-
26 Intervenor Klamath Water Users Association, Sunnyside Irrigation District, and Ben DuVal
27 hereby agree and stipulate to Federal Defendants’ request to enlarge the time for Federal
28

1 Defendants to file a reply in support of their motion to dismiss or, in the alternative, to stay (DN
2 33), and also to continue the hearing on said motion. Currently, Federal Defendants' reply is due
3 by November 2, 2016 (DN 43), and the hearing is scheduled for December 7, 2016 (DN 46).

4 Good cause exists for enlarging the time for Federal Defendants' reply given the
5 complexity of the issues involved and the workload of undersigned counsel for Federal
6 Defendants. In particular, on October 19, 2016, Plaintiff filed a 25-page opposition to Federal
7 Defendants' motion (DN 44), accompanied by a seven-page declaration (DN 44-1), and a notice
8 of errata or, in the alternative, amendment of plaintiff's first amended complaint (DN 45).
9 Undersigned counsel for Federal Defendants was on work-related travel on October 25-26 and is
10 lead counsel in several other matters that have required significant time commitments since
11 October 19. Given this, the current deadline of November 2 does not afford sufficient time in
12 which to adequately prepare Federal Defendants' reply and secure the necessary internal review
13 of the brief, both within the Defendant agencies as well as the Department of Justice.

14 Federal Defendants previously requested a one-week extension of the original deadline
15 for their reply (i.e., from October 26 to November 2) so as to not potentially interfere with the
16 then-scheduled hearing date of November 16 (DN 41 & 43); however, the hearing date has since
17 been continued to December 7 (DN 46). In light of this, extending the deadline for Federal
18 Defendants' reply by an additional two weeks (i.e., from November 2 to November 16) will not
19 interfere with the December 7 hearing date on Federal Defendants' motion.

20 In fact, good cause exists to further continue the hearing date on Federal Defendants'
21 motion from December 7 to January 11, 2017 because undersigned counsel for Federal
22 Defendants will be out of the office on paternity leave for the month of December.

23 WHEREFORE, the parties hereby stipulate to Federal Defendants' request to extend the
24 time for them to file their reply brief in support of their motion to dismiss up to, and including,
25 November 16, 2016, and to continue the hearing on Federal Defendants' motion to January 11,
26 2017 at 2 p.m.

27 Dated: October 28, 2016

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: October 28, 2016


WILLIAM H. ORRICK
United States District Judge