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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	YUROK TRIBE, et al.,	)	Case No. 3:16-cv-06863-WHO
16	Plaintiffs,	)	
17		)	<b>STIPULATED REQUEST TO EXTEND</b>
18	v.	)	<b>CASE MANAGEMENT DEADLINES</b>
19	U.S. BUREAU OF RECLAMATION, et al.,	)	
20	Defendants,	)	
21	and	)	
22	KLAMATH WATER USERS	)	
23	ASSOCIATION, et al.,	)	
24	Defendant-Intervenors.	)	

1 3:16-cv-06863-WHO

Joint Motion to Extend Case Management Deadlines

1 Pursuant to Civil Local Rule 6-2, Plaintiffs, Federal Defendants, and Defendant-  
2 Intervenor hereby jointly request by stipulation that the deadlines established in the Order  
3 Setting Initial Case Management Conference and ADR Deadlines, ECF No. 5, be extended. The  
4 parties stipulate to the following extended deadlines:

- 5
- 6 • April 7, 2017 – Last day to: meet and confer re: initial disclosures<sup>1</sup>, early settlement,  
7 ADR process selection, and discovery plan; file ADR Certification signed by Parties and  
8 Counsel; and file either Stipulation to ADR Process or Notice of Need for ADR Phone  
9 Conference.
- 10
- 11 • April 21, 2017 – Last day to: file Rule 26(f) Report, complete initial disclosures or state  
12 objection in Rule 26(f) Report, and file Case Management Statement per Standing Order  
13 re Contents of Joint Case Management Statement
- 14
- 15 • May 2, 2017 – If necessary, Initial Case Management Conference

16 There is good cause to establish the above schedule, given that such deadlines are  
17 currently stayed in the related case, Hoopa Valley Tribe v. U.S. Bureau of Reclamation, 3:16-cv-  
18 04294-WHO, and because the parties may need additional time to decide how to proceed with  
19 this case following the Court's resolution of Federal Defendants' Motion to Strike and Limit the  
20 Scope of Review to the Administrative Record; Plaintiffs' Motion for Partial Summary  
21 Judgment; and Federal Defendants' Motion to Dismiss in the Hoopa Valley Tribe case. The  
22 parties have separately stipulated to an extension of time for Federal Defendants and Defendant-  
23 Intervenor to answer or otherwise respond to Plaintiffs' Complaint (the parties have stipulated  
24  
25

26 \_\_\_\_\_  
27 <sup>1</sup> Federal Defendants' reserve their rights to dispute whether this case is subject to initial disclosures and all other  
28 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 to a deadline of April 3, 2017, ECF No. 59). Other than Federal Defendants' Administrative  
2 Motion Requesting an Extension of Time to Respond to Plaintiffs' Motion for Partial Summary  
3 Judgment, ECF No. 19, there have been no other requests for extension of time by any party, and  
4 the parties do not believe that granting this stipulation will adversely affect any existing  
5 deadlines in the case.  
6

7 For the foregoing reasons, the parties respectfully request entry of this agreed-upon  
8 stipulation.  
9

10 Dated: February 1, 2017

11 Respectfully submitted,

12 JEFFREY H. WOOD, Acting Assistant Attorney General  
13 SETH M. BARSKY, Chief  
14 S. JAY GOVINDAN, Assistant Chief  
15 ROBERT P. WILLIAMS, Sr. Trial Attorney

16 /s/ Kaitlyn Poirier  
17 KAITLYN POIRIER, Trial Attorney  
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12 *Fishermen's Associations*, Institute for Fisheries Resources, and  
13 Klamath Riverkeeper

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21 Attorney for Plaintiff Yurok Tribe

22 SOMACH SIMMONS & DUNN, PC

23 /s/ Paul S. Simmons  
24 Paul S. Simmons

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

27 CLYDE SNOW & SESSIONS, P.C.

28 /s/ Reagan L. B. Desmond  
Reagan L. B. Desmond

Attorneys for Defendant-Intervenor Klamath Drainage District

WANGER JONES HELSLEY PC

/s/ John P. Kinsey

1 John P. Kinsey

2 Attorneys for Defendant-Intervenors Klamath Irrigation District  
3 and Pine Grove Irrigation District  
4

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

6 I, Kaitlyn Poirier, attest that concurrence in the filing of the document has been obtained  
7 from each of the other Signatories indicated with a “conformed” signature (/s/) within this e-filed  
8 document.  
9

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

12 Dated: February 1, 2017

13 /s/ Kaitlyn Poirier  
14 KAITLYN POIRIER, Trial Attorney  
15 U.S. Department of Justice  
16 Environment and Natural Resources Division  
17 Wildlife and Marine Resources Section  
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**CERTIFICATE OF SERVICE**

I hereby certify that a true and correct copy of the above was electronically filed with the Clerk of Court using CM/ECF. Copies of this document will be served upon interested counsel via the Notices of Electronic Filing that are generated by CM/ECF.

Dated: February 1, 2017

/s/ Kaitlyn Poirier  
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Attorneys for Federal Defendants

ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated this 3<sup>rd</sup> day of February, 2017.



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HON. WILLIAM H. ORRICK  
United States District Judge

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