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11 *Attorneys for Defendants*

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

16 FOOD & WATER WATCH, INC, et al.,

Case No.: 17-cv-02162-EMC

17 Plaintiffs,

18 v.

19 U.S. Environmental Protection Agency,
 20 et al.,

21 Defendants.

22 **STIPULATION TO EXTEND DEADLINE FOR DEFENDANTS**
 23 **TO RESPOND TO THE COMPLAINT AND TO ESTABLISH**
 24 **BRIEFING SCHEDULE FOR MOTION TO DISMISS**
 25 **AND [~~PROPOSED~~] ORDER**

26 Defendants United States Environmental Protection Agency, et al., (“EPA”), and
 27 Plaintiffs Food & Water Watch, et al., hereby stipulate to and request that the Court enter
 28 the attached Order extending the time for EPA to respond to Plaintiffs’ Complaint and
 establishing a briefing schedule for EPA’s motion to dismiss.

1. Pursuant to Fed. R. Civ. Proc. 12(a)(2), EPA’s response to Plaintiffs’
 Complaint is currently due September 11, 2017.

CASE No. 17-cv-02162-EMC

STIPULATION TO EXTEND DEADLINE FOR DEFENDANTS TO RESPOND TO COMPLAINT AND
 TO ESTABLISH BRIEFING SCHEDULE FOR MOTION TO DISMISS AND [PROPOSED] ORDER

1 2. EPA has informed Plaintiffs that, on the due date for the Response, it intends
2 to file a motion to dismiss the Complaint pursuant to Fed. R. Civ. Proc. 12(b).

3 3. Due to existing scheduling commitments, Counsel for Plaintiffs has asked EPA
4 for an extension in Plaintiffs' time to respond to EPA's motion.

5 4. After conferring, the parties have agreed to a two-week extension of EPA's
6 time to respond to the Complaint and to the briefing schedule described below.

7 5. This extension will not significantly delay resolution of the case.

8 6. Accordingly, the parties jointly stipulate and request that the Court enter the
9 attached order providing the following schedule:

10 EPA's Response to Complaint – September 25, 2017

11 Plaintiffs' Response to Motion to Dismiss – October 25, 2017

12 EPA's Reply on Motion to Dismiss – November 8, 2017.

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14 Dated: August 31, 2017

Respectfully submitted,

15 JEFFREY H. WOOD
16 Acting Assistant Attorney General

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~~[PROPOSED]~~ ORDER

Before the Court is the parties' Stipulation to Extend Deadline for Defendants to Respond to the Complaint and to Establish Briefing Schedule for Motion to Dismiss And [Proposed] Order.. Upon due consideration, and for good cause shown, the parties' request is hereby GRANTED. It is further ordered that the following schedule will govern Defendants' Response to the Complaint and briefing on Defendants' intended Motion to Dismiss:

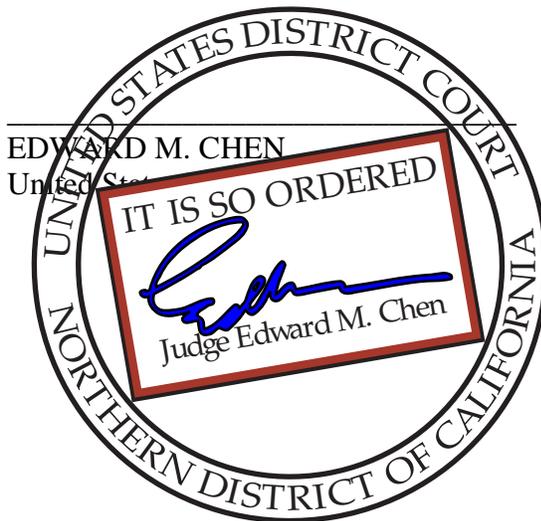
Defendants' Response to Complaint – September 25, 2017

Plaintiffs' Response to Motion to Dismiss – October 25, 2017

Defendants' Reply on Motion to Dismiss – November 8, 2017

PURSUANT TO STIPULATION IT IS SO ORDERED.

DATED this 5th day of September, 2017.



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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served by Notice of Electronic Filing this 31st day of August, 2017, upon all ECF registered counsel of record using the Court’s CM/ECF system.

/s/ Norman L. Rave, Jr.
Norman L. Rave, Jr., Trial Attorney