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14 Attorneys for Defendants

15 **IN THE UNITED STATES DISTRICT COURT**
 16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 17 **SAN FRANCISCO DIVISION**

18 CENTER FOR BIOLOGICAL DIVERSITY
 19 and TURTLE ISLAND RESTORATION
 20 NETWORK,

21 Plaintiffs,

22 v.

23 DIRK KEMPTHORNE, Secretary of the
 24 United States Department of the Interior, and
 25 the UNITED STATES FISH AND
 26 WILDLIFE SERVICE,

27 Defendants.

No. C 07-5109 PJH

**STIPULATION AND PROPOSED
 ORDER CONTINUING INITIAL CASE
 MANAGEMENT CONFERENCE**

28 Pursuant to Civil L.R. 6-2 and 7-12, this Stipulation is entered into by and between Plaintiffs,
 Center for Biological Diversity and Turtle Island Restoration Network, and Defendants, Dirk
 Kempthorne, Secretary of the United States Department of the Interior, and H. Dale Hall, Director
 of the United States Fish and Wildlife Service.

WHEREAS, on October 4, 2007, Plaintiffs filed a Complaint for Declaratory and Injunctive
 Relief pursuant to the Administrative Procedure Act, 5 U.S.C. §§ 701-706, and the Marine Mammal

1 Protection Act, 16 U.S.C. §§ 1361-1421h;

2 WHEREAS, the Initial Case Management Conference in this matter is currently set for
3 February 14, 2008, at 2:30 p.m.;

4 WHEREAS, continuing discussions between the Parties as to settlement of this litigation
5 have proven productive;

6 WHEREAS, the Initial Case Management Conference has previously been continued, on
7 stipulation, for one 30-day period;

8 NOW, THEREFORE, the parties hereby Stipulate and Agree as follows:

- 9 1. A further 30-day continuance of the Initial Case Management Conference is necessary to
10 allow sufficient time for the settlement discussions to continue.
- 11 2. The Initial Case Management Conference shall be continued to March 20, 2008, at 2:30 p.m.

12
13 Dated: February 4, 2008

Respectfully Submitted,

14
15 /s/ Miyoko Sakashita

16 Miyoko Sakashita
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27 /s/ Lawson E. Fite

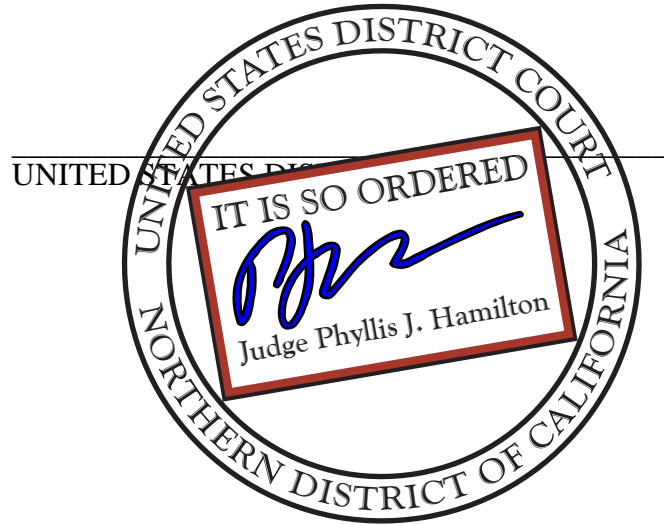
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PURSUANT TO STIPULATION, IT IS SO ORDERED.

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