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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
OAKLAND DIVISION**

CENTER FOR BIOLOGICAL DIVERSITY, et al.,

Plaintiffs,

v.

DIRK KEMPTHORNE, Secretary of the Interior, et al.,

Defendants,

and

ALASKA OIL AND GAS ASSOCIATION,

Defendant-Intervenors,

and

ARCTIC SLOPE REGIONAL CORP.,

Defendant-Intervenors.

Civ. No. 08-1339 CW

**STIPULATION AND ORDER  
TO EXTEND DEADLINE FOR  
ADMINISTRATIVE RECORD  
AND MODIFY BRIEFING  
SCHEDULE**

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The parties hereby notify the Court that they have reached an agreement in principle to resolve Plaintiffs' Third Claim for Relief (Failure to Designate Critical Habitat for the Polar Bear) and Seventh Claim for Relief (Failure to Promulgate List of Measures for Nonlethal Deterrence of Polar Bears). The parties are currently negotiating the terms of a stipulated settlement agreement that will resolve those claims.

In consideration of the settlement of those claims, and in light of the difficulties that Federal Defendants have encountered in preparing the administrative record, as detailed in the

Stip. Extend Admin. Record Deadline  
and Modify Briefing Sched.  
Case No. 08-1339 CW

1 Declaration of Thomas O. Melius, Dkt. No. 192-2 (Sept. 16, 2008), the parties hereby request that  
2 the Court extend the deadline for the administrative record from September 29, 2008 to  
3 November 17, 2008. Upon approval of this Stipulation by the Court, Federal Defendants will  
4 withdraw their pending motion for an extension of the deadline for the administrative record, Dkt.  
5 No. 192.

6 The parties further request that the Court modify the remainder of the briefing schedule as  
7 follows:  
8

|    |                    |   |
|----|--------------------|---|
| 9  | January 15, 2009:  | Plaintiffs file motion for summary judgment                     |
| 10 | February 12, 2009: | Federal Defendants file opposition and any cross-motion         |
| 11 | February 19, 2009: | Defendant-Intervenors file oppositions and any<br>cross-motions |
| 12 | February 26, 2009: | Plaintiffs file reply and opposition to any cross-motion        |
| 13 | March 5, 2009:     | Federal Defendants and Defendant-Intervenors file replies       |
| 14 | April 2, 2009:     | Hearing on cross-motions.                                       |

15 Respectfully submitted,

16 Dated: September 23, 2008

17 /s/ Brendan Cummings (by KBF with permission)  
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27 United States Department of Justice  
28 Environment & Natural Resources Division  
JEAN E. WILLIAMS, Chief  
LISA LYNNE RUSSELL, Assistant Chief

Stip. Extend Admin. Record Deadline  
and Modify Briefing Sched.  
Case No. 08-1339 CW

1 Dated: September 23, 2008

/s/ Kristen Byrnes Floom  
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8 Attorneys for Federal Defendants

9 Dated: September 23, 2008

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15 Attorneys for Intervenor-Defendant Alaska Oil and  
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17 Dated: September 23, 2008

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24 Attorneys for Intervenor-Defendant Arctic Slope  
Regional Corporation

27 Stip. Extend Admin. Record Deadline  
and Modify Briefing Sched.  
28 Case No. 08-1339 CW

**ORDER**

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**IT IS SO ORDERED.**

**DATED this 25th day of September, 2008**



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**Honorable Claudia Wilken  
United States District Court Judge**

Stip. Extend Admin. Record Deadline  
and Modify Briefing Sched.  
Case No. 08-1339 CW