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9 Attorneys for Plaintiff  
 10 Association of Irrigated Residents

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

14 ASSOCIATION OF IRRITATED )  
 15 RESIDENTS, )  
 an unincorporated association, )  
 16 Plaintiff, )  
 17 )  
 18 v. )  
 19 )  
 20 UNITED STATES ENVIRONMENTAL )  
 PROTECTION AGENCY, LISA P. )  
 21 JACKSON, in her official capacity as )  
 Administrator of the United States )  
 22 Environmental Protection Agency, and )  
 LAURA YOSHII, in her official capacity as )  
 23 Regional Administrator for Region IX of the )  
 United States Environmental Protection )  
 24 Agency, )  
 25 Defendants. )

Case No. 4:08-CV-05650 CW  
**STIPULATION AND ~~PROPOSED~~**  
**ORDER TO EXTEND TIME TO FILE**  
**BILL OF COSTS AND MOTION FOR**  
**ATTORNEY’S FEES**

26 \_\_\_\_\_ )  
 27 )  
 28 )

1 WHEREAS, on December 18, 2008, the Association of Irrigated Residents filed the  
2 complaint in the above-captioned matter against the United States Environmental Protection  
3 Agency; Lisa Jackson in her official capacity as Administrator of the United States  
4 Environmental Protection Agency; and Laura Yoshii, in her official capacity as Acting Regional  
5 Administrator for Region IX of the United States Environmental Protection Agency (collectively,  
6 “EPA” or “Defendants”), alleging that EPA has failed to undertake certain nondiscretionary  
7 duties under section 304(a)(2) of the Clean Air Act, 42 U.S.C. § 7604(a)(2);

8 WHEREAS, this Court entered a Consent Decree on August 19, 2009 (Document #24);

9 WHEREAS, paragraph 10 of the Consent Decree allows AIR to file a bill of costs  
10 pursuant to Local Rule 54-1 and a motion for costs of litigation, including reasonable attorneys’  
11 fees, pursuant to 42 U.S.C. § 7604(d) and Local Rule 54-6, within 60 days after entry of the  
12 Consent Decree;

13 WHEREAS, AIR and EPA have made significant progress towards settling the amount of  
14 costs and attorneys’ fees and require additional time to complete a settlement prior to the October  
15 18, 2009 deadline for AIR to file a bill of costs and motion for attorneys’ fees;

16 WHEREAS, AIR and EPA seek to conserve litigant and judicial resources and believe  
17 that a 60-day extension will allow the parties to resolve costs and fees without placing a burden  
18 on the Court;

19 NOW THEREFORE, pursuant to Local Rules 6-2 and 7-12, the parties, by and through  
20 their undersigned counsel, hereby stipulate to the entry of an order that:

21 1. Continues the deadline for AIR to file a bill of costs pursuant to Local Rule 54-1  
22 and a motion for costs of litigation, including reasonable attorneys’ fees, pursuant to Local Rule  
23 54-6, for an additional 60 days from October 18, 2009 to December 17, 2009.

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**COUNSEL FOR PLAINTIFFS:**

Dated: October 9, 2009

/s/ Brent Newell  
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*Counsel for Plaintiff Association of Irrigated Residents*

**COUNSEL FOR DEFENDANTS:**

Dated: October 9, 2009

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Environment & Natural Resources Division

/s/ Rochelle L. Russell  
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*Counsel for Defendants*

IT IS SO ORDERED.

10/15/09

Dated: \_\_\_\_\_



\_\_\_\_\_  
Hon. Claudia Wilken  
United States District Court Judge