

1 Alegría De La Cruz (SBN 229713)  
 2 Brent Newell (SBN 210312)  
 3 CENTER ON RACE POVERTY & THE ENVIRONMENT  
 47 Kearny Street, Suite 804  
 3 San Francisco, CA 94108  
 Telephone: 415/346-4179  
 4 Fax: 415/346-8723  
 Email: adelacruz@crpe-ej.org

5 Attorneys for Plaintiff  
 6 Association of Irrigated Residents

7 **UNITED STATES DISTRICT COURT**  
 8 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 9 **SAN FRANCISCO DIVISION**

11 ASSOCIATION OF IRRITATED RESIDENTS, )  
 12 an unincorporated association, )

13 Plaintiff, )

14 v. )

15 UNITED STATES ENVIRONMENTAL )  
 PROTECTION AGENCY, LISA JACKSON, )  
 16 in her official capacity as Administrator of )  
 the United States Environmental )  
 Protection Agency, and LAURA YOSHII, )  
 17 in her official capacity as Acting )  
 Regional Administrator for Region IX )  
 18 of the United States Environmental )  
 Protection Agency, )

19 )  
 20 Defendants.

Case No. 09-cv-01890-CW

**STIPULATION TO EXTEND TIME TO  
 FILE A BILL AND A MOTION FOR  
 COSTS**

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 STIPULATION TO EXTEND TIME  
 TO FILE A BILL AND MOTION FOR COSTS

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4 WHEREAS, on April 30, 2009, Plaintiff Association of Irritated Residents filed the  
5 above-captioned matter against the United States Environmental Protection Agency (“EPA”),  
6 alleging that EPA has failed to undertake certain nondiscretionary duties under the Clean Air  
7 Act, 42 U.S.C. §§ 7401-7671q, and that such alleged failures are actionable under section  
8 304(a)(2) of the Clean Air Act, 42 U.S.C. § 7604(a)(2);  
9

10 WHEREAS, the parties have agreed to a private settlement of this action, thereby  
11 reducing litigation expenses and preserving the Court’s resources;

12 WHEREAS, on December 30, 2009, the Court entered a Consent Decree in the above-  
13 captioned matter;

14 WHEREAS, in that Consent Decree, the deadline to file a bill of costs pursuant to local  
15 rule 54-1 and a motion for costs of litigation, including reasonable attorneys’ fees, was set for 60  
16 days after the entry of the Consent Decree;

17 WHEREAS, the parties are currently negotiating fees and believe they can resolve  
18 informally the issue of fees and costs without a motion;

19 WHEREAS, any final settlement of this case must be approved by authorized officials at  
20 the United States Department of Justice and EPA, a process that can take several weeks;

21 WHEREAS, the only other requested extension of time was to facilitate settlement  
22 discussions;

23 WHEREAS, the parties believe that the requested extension will not adversely affect the  
24 schedule of this case;

25 NOW THEREFORE, pursuant to Local Rules 6-2 and 7-12, the parties, by and through  
26 their undersigned counsel, hereby stipulate to the following:  
27

28  
STIPULATION TO EXTEND TIME  
TO FILE A BILL AND MOTION FOR COSTS

1 1. AIR's time to file a Bill of Costs and Motion for Costs and Fees is extended by 60 days  
2 to April 29, 2010.

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4 COUNSEL FOR PLAINTIFF:

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7 Dated: 2/24/10

/s/ Alegría De La Cruz

8 \_\_\_\_\_  
9 ALEGRÍA DE LA CRUZ  
10 BRENT NEWELL  
11 Center On Race, Poverty & the Environment  
12 47 Kearny Street, Suite 804  
13 San Francisco, CA 94108  
14 Phone: (415) 346-4179  
15 Email: adelacruz@crpe-ej.org  
16 Counsel for Plaintiff Association of Irrigated  
17 Residents

18  
19 COUNSEL FOR DEFENDANTS:

20 Dated: 2/24/10

21 IGNACIA S. MORENO  
22 Assistant Attorney General  
23 Environment & Natural Resources Division

24 /s/ Rochelle L. Russell

25 ROCHELLE L. RUSSELL  
26 Attorney, Environmental Defense Section  
27 United States Department of Justice  
28 301 Howard Street, Suite 1050

STIPULATION TO EXTEND TIME  
TO FILE A BILL AND MOTION FOR COSTS

San Francisco, CA 94105  
Phone: (415) 744-6566  
Email: [rochelle.russell@usdoj.gov](mailto:rochelle.russell@usdoj.gov)  
Counsel for Defendants

**PURSUANT TO STIPULATION, IT IS SO ORDERED.**

Dated: 3/22/2010



A handwritten signature in black ink, appearing to read "Claudia Wilken", is written over a horizontal line.

CLAUDIA WILKEN

UNITED STATES DISTRICT JUDGE