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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

CENTER FOR BIOLOGICAL DIVERSITY,)
)
Plaintiff,)
)
v.)
)
U.S. FISH AND WILDLIFE SERVICE, and)
KEN SALAZAR, in his capacity as Secretary of)
the Interior,)
)
Defendants.)
_____)

No. 09-cv-3711-PJH

**STIPULATION ON EXTENSION
OF TIME TO RESPOND TO OR
ANSWER PLAINTIFF’S
COMPLAINT**

Please be advised that the Plaintiff Center for Biological Diversity (“Plaintiff”) and the Defendants, the U.S. Fish and Wildlife Service and Ken Salazar (“Defendants”), through their respective undersigned counsel, submit the following stipulation regarding the deadline for responding to or answering Plaintiff’s Complaint for Declaratory and Injunctive Relief (Dock. No. 1) (“Complaint”), and state:

WHEREAS, Plaintiff served the Complaint concerning the Defendants’ Endangered Species Act listing decision regarding the Sacramento splittail on August 17, 2009;

WHEREAS, the deadline for responding to or answering the Complaint is October 16, 2009;

WHEREAS, the Defendants request an extension of time of 30 days to explore the possibility with Plaintiff of settling this matter;

NOW, THEREFORE, IT IS STIPULATED BY AND BETWEEN THE PLAINTIFF AND DEFENDANTS AS FOLLOWS:

1. Defendants' new deadline for responding to or answering the Complaint is November 16, 2009.

Respectfully submitted this 16th day of October, 2009.

JOHN C. CRUDEN
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/s/ J. Brett Grosko
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/s/ Lisa Belenky (with permission)
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Counsel for Plaintiff

Counsel for Federal Defendants

10/19/09

IT IS SO ORDERED

UNITED STATES



CERTIFICATE OF SERVICE

I hereby certify that I have caused the foregoing to be served upon counsel of record, as indicated below, through the Court's electronic service system (ECF/CM):

Lisa Belenky, Esq.

E-mail: lbelenky@biologicaldiversity.org

Justin Augustine, Esq.

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Dated: October 16, 2009.

/s/ J. Brett Grosko

Attorney for Defendants