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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

**SECOND 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 original deadline for responding to or answering the Complaint was October 16, 2009;

WHEREAS, on October 16, 2009, the parties requested an extension of time of 30 days to explore the possibility of settling this matter;

WHEREAS, on October 19, 2009, the Court granted the parties' first stipulation on extension of the time to respond to or answer the Plaintiff's Complaint, setting a new deadline for responding to or answering the Complaint of November 16, 2009;

WHEREAS, since that time, the parties have had initial discussions and seek an additional three week extension to allow those discussions to continue without litigation;

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 December 7, 2009.

Respectfully submitted this 12th day of November, 2009.

JOHN C. CRUDEN  
Acting Assistant Attorney General  
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/s/ J. Brett Grosko  
J. BRETT GROSKO  
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/s/ Lisa Belenky (with permission)  
LISA BELENKY (CA Bar. No. 203225)  
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*Counsel for Plaintiff*

*Counsel for Federal Defendants*

**IT IS SO ORDERED**

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

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UNITED STATES DISTRICT JUDGE