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11 OUR CHILDREN 'S EARTH FOUNDATION and  
 12 ECOLOGICAL RIGHTS FOUNDATION

13 IN THE UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA

15 OUR CHILDREN 'S EARTH FOUNDATION,  
 16 non-profit corporation, and ECOLOGICAL  
 17 RIGHTS FOUNDATION, a non-profit corporation,

18 Plaintiffs,

19 v.

20 U.S. ENVIRONMENTAL PROTECTION  
 21 AGENCY, BOB PERCIASEPE, Acting  
 22 Administrator, JARED BLUMENTHAL, Regional  
 23 Administrator U.S. Environmental Protection  
 24 Agency Region 9, NATIONAL MARINE  
 25 FISHERIES SERVICE, REBECCA BLANK, as  
 26 Acting Secretary of Commerce, RODNEY  
 27 MCINNIS, as Regional Administrator of the  
 28 National Marine Fisheries Service Southwest  
 Region, U.S. DEPARTMENT OF THE  
 INTERIOR, KEN SALAZAR, as Secretary of the  
 Department of the Interior, REN LOHOEFENER  
 as Regional Administrator of the United States Fish  
 and Wildlife Service Pacific Southwest Region,

Defendants.

Civil Case No.: 4:13-cv-2857-JSW-KAW

ORDER REQUIRING RESPONSE TO  
~~PROPOSED~~ ORDER ON PLAINTIFFS'  
 OBJECTION TO DEFENDANTS'  
 REPLY EVIDENCE IN SUPPORT OF  
 DEFENDANTS' MOTION FOR *DE*  
*NOVO* DETERMINATION OF  
 DISPOSITIVE MATTER REFERRED TO  
 A MAGISTRATE JUDGE

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Judge: Jeffrey S. White

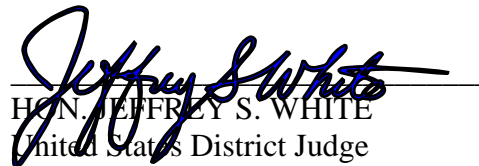
1 **~~PROPOSED~~ ORDER**

2 Having considered Plaintiffs' OBJECTION TO REPLY EVIDENCE, Exhibit 1 to DEFENDANTS'  
3 REPLY IN SUPPORT OF DEFENDANTS' MOTION FOR DE NOVO DETERMINATION OF  
4 DISPOSITIVE MATTER REFERRED TO MAGISTRATE ("Reply Motion") (Dkt. 95-1) ~~is hereby~~  
5 ~~stricken from the Record.~~ Defendants shall file a response to the objection by 3:00 p.m. on March 11, 2016. At  
6 that time the Court will determine whether it will strike the evidence, permit a  
surreply or take some other action.

7 ~~[Alternatively] Having considered Plaintiffs OBJECTION TO REPLY EVIDENCE above, Plaintiffs are~~  
8 ~~hereby granted a Surreply to address Defendants' submission of new evidence in conjunction with their~~  
9 ~~Reply Motion. Plaintiffs shall have \_\_\_ days to submit a \_\_\_ page surreply that addresses Defendants'~~  
10 ~~newly submitted evidence.~~

11 IT IS SO ORDERED.

12 Dated: March 8, 2016

  
HON. JEFFREY S. WHITE  
United States District Judge