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 14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA
 16 OAKLAND DIVISION

17	KLAMATH RIVERKEEPER,)	CASE NO. 15-02670 JSW
18)	
19	Plaintiff,)	JOINT STIPULATION EXTENDING TIME TO
20	v.)	ANSWER OR RESPOND TO COMPLAINT AND
21	NATIONAL MARINE FISHERIES SERVICE,)	TO CONTINUE RULE 26(f) CONFERENCE AND
22	<i>et al.</i> ,)	PROPOSED ORDER
23	Defendants.)	AND SETTING CASE MANAGEMENT CONFERENCE
24)	ON NOVEMBER 13, 2015
25)	
26)	
27)	
28)	

JOINT STIPULATION EXTENDING TIME
 15-02670 JSW

1 **JOINT STIPULATION**

2 WHEREAS, the above-named Federal Defendants (“Defendants”) were served with the
3 underlying Complaint filed by Plaintiff Ecological Rights Foundation (“Plaintiff”) on June 20, 2015;

4 WHEREAS, on July 21, 2015, Plaintiff and Defendants (the “Parties”) filed a Stipulation
5 agreeing to an extension permitting Defendants to file an answer or other response to the Complaint on
6 or before August 24, 2015;

7 WHEREAS, Defendants produced a large volume of documents on July 31, 2015 and August 10,
8 2015 in response to Plaintiff’s April 29 and follow-up May 25, 2015 FOIA requests;

9 WHEREAS, Plaintiff is now in the process of reviewing those documents and needs additional
10 time to confirm details that will allow it to better conduct a conference of the parties as required under
11 Rule 26(f) such as: assessing whether the production is complete; whether any documents were
12 improperly withheld; whether Defendants performed adequate searches; and whether Defendants set
13 proper cut off dates for searches;

14 WHEREAS, after such time, the Parties will be better prepared to assess what position they
15 should take on settlement; whether they should stipulate or otherwise agree to narrow the issues in the
16 matter; and whether there are any other issues ripe for the Court’s review in this matter;

17 WHEREAS, this Court has set a Rule 26(f) Scheduling Conference for September 11, 2015 at
18 11:00 a.m.;

19 WHEREAS, the Scheduling Conference triggers the Parties’ duty to hold a Rule 26 Conference
20 of Counsel, exchange Initial Disclosures, and develop a plan for proceeding in this matter by August 21,
21 2015, and submit a Rule 26(f) Report by September 4, 2015;

22 WHEREAS, in light of the above-stated reasons, the Parties request a 60-day continuance of the
23 Rule 26(f) Scheduling Conference set for September 11, 2015, and the foregoing related dates, in a
24 further effort to preserve the resources of the Parties and the Court – no prior extensions have been
25 sought by either party with respect to these dates;

26 IT IS HEREBY STIPULATED by and between the Parties, through their undersigned counsel of
27 record, and subject to the Court’s approval, that:

- 28 1. Defendants will file an answer or other response to the Complaint on or before October

1 5, 2015;

2 2. The Rule 26(f) Scheduling Conference is continued by 60 days to November 11, 2015 at
3 11:00 a.m., or at a date convenient to the Court thereafter.

4 a. The Parties shall hold a Rule 26 Conference of Counsel and exchange Initial
5 Disclosures on or before October 21, 2015; and

6 b. The Parties shall file the Joint Scheduling Report on or before November 4, 2015.

7 3. All other deadlines not specifically referenced herein, and all other terms of the Court's
8 Order setting the Rule 26(f) Scheduling Conference, remain unchanged.

9
10 IT IS SO STIPULATED.

11
12 DATED: August 21, 2015

By: /s/ Page Perry
PAGE PERRY
Attorney for Plaintiff

14 By: MELINDA HAAG
15 United States Attorney

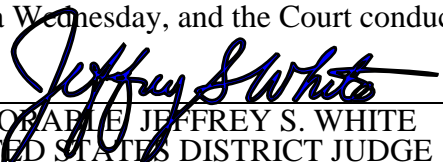
16 /s/ Sabita J. Soneji
17 SABITA J. SONEJI
18 Assistant United States Attorney
19 Attorneys for Federal Defendants

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21 **PURSUANT TO STIPULATION, ~~IT IS SO ORDERED:~~**

22 IT IS HEREBY ORDERED that the parties shall appear for a case management conference on Friday,
23 November 13, 2015, at 11:00 a.m., and their joint case management statement shall be due on November 6,
24 2015. The Court notes that the parties' proposed date is a Wednesday, and the Court conducts case
25 management conferences on Fridays.

DATED:

26 August 24, 2015

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HONORABLE JEFFREY S. WHITE
UNITED STATES DISTRICT JUDGE

CERTIFICATION

Pursuant to Civil L.R. 5-1(i)(3), the undersigned hereby attests that Page Perry has concurred in the filing of this document.

Dated: August 21, 2015

MELINDA HAAG
United States Attorney

/s/ Sabita J. Soneji
SABITA J. SONEJI
Assistant United States Attorney
Attorney for Federal Defendants

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