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10	UNITED STATES DISTRICT COURT		
11	NORTHERN DISTRICT OF CALIFORNIA		
12	CALIFORNIA ENVIRONMENTAL PROTECTION ASSOCIATION, a	CASE NO: 3:15-cv-04880 KAW	
13	private corporation,	EXPEDITED MOTION FOR RELIEF	
14	Plaintiff, v.	FROM CASE MANAGEMENT SCHEDULE; DECLARATION OF	
15	SONOMA SOIL BUILDERS, LLC	JERRY BERNHAUT; [PROPOSED] ORDER	
16	and DOES 1-10, inclusive,	[Civil L. R. 16-2(d)]	
17	Defendants.	Case Mgmt Conf.: January 26, 2016	
18			
19	Plaintiff CALIFORNIA ENVIRONMENTAL PROTECTION ASSOCIATION hereby		
20	moves for relief from the Order Setting Initial Case Management Conference and ADR		
21	Deadlines issued by this Court on October 26, 2015, (Dkt #4) in that Plaintiff moves to extend		
22	all deadlines set in said Order for period of sixty (60) days.		
23			
24	Dated: November 13, 2015	LAW OFFICE OF JERRY BERNHAUT	
25		By: /s/ Jerry Bernhaut	
26		Jerry Bernhaut Attorney for Plaintiff	
27		CALIFORNIA ENVIRONMENTAL	
28		PROTECTION ASSOCIATION	
	3:15-cv-04880 KAW Expedited Motion For Relief from Case Mgmt Schedu	l Ile	

DECLARATION OF JERRY BERNHAUT

1. I am co-counsel for Plaintiff California Environmental Protection Association ("CEPA") herein, have personal knowledge of all matters stated herein, and, if called as a witness, could and would testify competently thereto.

5 2. This action is a complaint for injunctive relief, civil penalties, restitution and
6 remediation brought against Defendant for current and ongoing violations of the Clean Water
7 Act ("CWA"), 33 U.S.C. §1251 *et seq*. The action was filed on October 23, 2015. Attached as
8 Exhibit A to the initial Complaint is the April 30, 2015 Supplemental Notice of Violations and
9 Intent to File Suit served on Defendant. No appearance has been filed on behalf of named
10 Defendant.

3. On November 5, 2015, CEPA served named Defendant with a Second
 Supplemental CWA 60-day notice encompassing additional violations of the CWA. The notice
 was also served on Shiloh Oaks Company LLC, known to CEPA to be the owner of the real
 property which is the subject of this litigation. Following the expiration of the 60-day hold period
 (January 9, 2016) CEPA will amend its current Complaint to include the allegations set forth in
 the November 5, 2015 Second Supplemental Notice and to add additional parties.

4. As the current scheduling Order sets a deadline to meet and confer under FRCP
26(f) by January 6, 2016 and an Initial Case Management Conference on January 26, 2016, I am
requesting all deadlines be extended for a period of sixty (60) days to allow CEPA the
opportunity to file and serve an amended Complaint, and for named defendants to file a
responsive pleading within the statutory time allowed.

5. The sixty (60) day continuance requested will not hinder or harm any proceedings
in this matter.

I declare under penalty of perjury under the laws of the State of California that the
 foregoing is true and correct and that this declaration was executed in Santa Rosa, California on
 November 13, 2015.

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/s/ Jerry Bernhaut JERRY BERNHAUT

3:15-cv-04880 KAW Expedited Motion For Relief from Case Mgmt Schedule

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1	(PROPOSED) ORDER		
2	[PROPOSED] ORDER		
2	GOOD CAUSE APPEARING, it is hereby,		
3 4	ORDERED , that the deadlines set forth in Order Setting Initial Case Management		
5	Conference and ADR Deadlines be extended as follows:		
6			
7	Last day to: • meet and confer re: initial disclosures, early - March 1, 2016 settlement, ADR process selection, and discovery plan		
8 9	•file ADR Certification signed by Parties and Counsel		
9	•file either Stipulation to ADR Process or Notice of Need for ADR Phone Conference		
11	Last day to file Rule 26(f) Report, complete initial - March 15, 2016		
12	disclosures and File Case Management Statement April 5, 2016		
13	Initial Case Management Conference - March 22, 2016 1:30 p.m 1301 Clay Street, Oakland CA 94612		
14			
15 16	Dated: 11/13/15 Kandis Westmole		
17	KANNIS A. WESTMORE UNITED STATES MAGISTRATE JUDGE		
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	3:15-cv-04880 KAW 3 Expedited Motion For Relief from Case Mgmt Schedule		