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 RESOURCE RENEWAL INSTITUTE,
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 and WESTERN WATERSHEDS PROJECT
 13

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

17 RESOURCE RENEWAL INSTITUTE,
 CENTER FOR BIOLOGICAL
 18 DIVERSITY, and WESTERN
 WATERSHEDS PROJECT,

19 Plaintiffs,

20 v.

21 NATIONAL PARK SERVICE, a federal
 22 agency, and CICELY MULDOON, in her
 official capacity as Superintendent of Point
 23 Reyes National Seashore,

24 Defendants.
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Case No. 4:16-cv-00688-SBA (KAW)

**STIPULATION AND [PROPOSED] ORDER
 TO STAY CLAIMS**

Judge: Hon. Sandra Brown Armstrong

Date Filed: February 10, 2016

Trial Date: None set

1 Plaintiffs RESOURCE RENEWAL INSTITUTE, CENTER FOR BIOLOGICAL DIVERSITY,
2 and WESTERN WATERSHEDS PROJECT, and Defendants NATIONAL PARK SERVICE, and
3 CICELY MULDOON IN HER OFFICIAL CAPACITY AS SUPERINTENDENT OF POINT REYES
4 NATIONAL SEASHORE (collectively, the “Parties”), through their undersigned counsel hereby jointly
5 stipulate and respectfully request that the Court: (1) stay Claims Two and Three under the terms
6 described below; and (2) order that, if and when stay is lifted, Defendants shall file an answer within 21
7 days of reinstatement or amendment of these Claims, whichever is later. The Parties jointly declare in
8 support of these stipulated requests:

9 WHEREAS, the Court issued an Order on Friday, July 15, 2016, denying Defendants’ Motion
10 to Dismiss, and granting Defendants’ Alternative Motion for a More Definite Statement, ECF No. 49;

11 WHEREAS, Plaintiffs intend to file a First Amended Complaint (“FAC”) no later than August
12 5, 2016, pursuant to the Court’s Order;

13 WHEREAS, Plaintiffs intend to file a Motion for Preliminary Injunctive Relief on August 12,
14 2016, under Claim One, and the Parties have stipulated to, and the Court has ordered, a briefing schedule
15 for submission of the Motion as to Claims Two and Three, ECF No. 54;

16 WHEREAS, the Court issued an Order on July 22, 2016, stating the Court’s intention to refer
17 this action to a magistrate judge for a mandatory settlement conference to be scheduled on an expedited
18 basis, and ordering the Parties to file a list of preferred magistrate judges by July 27, 2016;

19 WHEREAS, the Parties believe that staying Claims Two and Three will conserve judicial
20 resources, save the Parties’ time and expense, and would avoid proceedings on Claims Two and Three
21 which may be unnecessary;

22 WHEREAS the Parties’ Stipulated stay on Claims Two and Three will not alter the date of any
23 existing deadline or event set by Court order, including the deadline for Defendants’ production of the
24 Administrative Records on July 29, 2016, and August 26, 2016, ECF No. 34;

25 NOW THEREFORE, the Parties through their respective attorneys stipulate and jointly request
26 that the Court stay Claims Two and Three on the following terms:

27 1. The stay of Claims Two and Three shall go into effect on August 6, 2016, after Plaintiffs
28 have filed a FAC to provide a more definite statement on Claims Two and Three, except that the entry

1 of the stay shall not apply to or stay Defendants' production of the administrative record on Claims Two
2 and Three, on the terms ordered by the Court, ECF No. 34, or any further proceedings as to the
3 sufficiency of that record;

4 2. Nothing in this Stipulation shall have any effect on Claim One;

5 3. Plaintiffs, in their sole discretion, but after notice to, and meeting and conferring with,
6 Defendants, may (1) seek leave to lift the stay and reinstate either or both of Claims Two and Three, and
7 if necessary, (2) seek leave to further amend or supplement the FAC if the ranching authorizations
8 identified in the FAC have been superseded; and,

9 4. In the event the stay is lifted, Defendants shall file an Answer within 21 days of (1) an
10 order reinstating Claims Two and Three, or (2) the filing of a Supplemental and/or Amended complaint
11 other than the FAC, as set forth in Paragraph 3, whichever is later.

12 SO STIPULATED AND AGREED.

13 Dated: July 26, 2016

KEKER & VAN NEST LLP

14 By: /s/ Jeffrey R. Chanin

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1 Dated: July 26, 2016

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4 By: /s/ Joe Mathews

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16 Attorneys for Defendants
NATIONAL PARK SERVICE, and
17 CICELY MULDOON IN HER OFFICIAL
18 CAPACITY AS SUPERINTENDENT OF
POINT REYES NATIONAL SEASHORE

19 **CERTIFICATION OF CONCURRENCE FROM OTHER PARTIES**


20 I, Michael T. Pyle, am the ECF user whose ID and password are being used to file this
21 Stipulation. In compliance with N.D. Cal. Civ. L.R. 5-1(i)(3), I hereby attest that each of the signatories
22 has concurred in the filing of this document and has authorized the use of his or her electronic signature.

23 Dated: July 26, 2016

/s/ Michael T. Pyle
MICHAEL T. PYLE

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. July 27, 2016.



THE HONORABLE SAUNDRA BROWN ARMSTRONG
UNITED STATES DISTRICT JUDGE

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