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

18 SIERRA CLUB,) CASE NO. 17-cv-05273-KAW
19 Plaintiff,)
20 v.) STIPULATION AND ~~PROPOSED~~ ORDER
) VACATING SETTLEMENT CONFERENCE AND
21 U.S. DEPARTMENT OF HOMELAND) CONTINUING CASE MANAGEMENT
) CONFERENCE
22 SECURITY and U.S. CUSTOMS AND)
23 BORDER PROTECTION,)
24 Defendants.)

25 Plaintiff Sierra Club (“Plaintiff”) and Defendants United States Department of Homeland
26 Security and U.S. Customs and Border Protection (“Defendants”), by and through their respective
27 counsel, make the following representations and stipulate and agree as follows:
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1 This case is currently set for a mandatory settlement conference before Magistrate Judge Maria-
2 Elena James on April 3, 2018. Dkt. No. 24. The case is also currently set for a further case
3 management conference on April 24, 2018 before Magistrate Judge Kandis A. Westmore. Dkt. No. 23.

4 On March 26, 2018, the parties agreed that Defendants will conduct new searches for documents
5 responsive to Plaintiff's Freedom of Information Act requests using search terms agreeable to both
6 parties. The parties further agreed to the following production schedule: Defendants will begin with the
7 2013 request and agrees to produce 1,000 pages per month for six months with respect to this request.
8 Defendants will make their first production of 1,000 pages by May 31 or sooner. After six months,
9 Defendants will continue to produce responsive non-exempt documents at a rate of 750 pages per
10 month until the 2013 search is complete. Once the 2013 request has been completed, Defendants will
11 produce documents responsive to the remaining requests at a rate of 750 pages per month until
12 completed. If Defendants receive an unreasonably high volume of documents responsive to any of the
13 requests, it will contact Plaintiff, through the parties' respective counsel, and discuss further limitations
14 to the search parameters.

15 Based on the foregoing, the parties stipulate and agree that there is no need for the April 3, 2018
16 settlement conference. The parties respectfully request that the settlement conference be vacated. The
17 parties may request that the Court set a new settlement conference after Defendants' productions have
18 been completed, should it be necessary. The parties further respectfully request that the April 24, 2018
19 case management conference be continued until July 17, 2018.

20 Respectfully submitted,

21 Dated: March 27, 2018

SIERRA CLUB ENVIRONMENTAL LAW PROGRAM

22 /s/ Andrea Issod

ANDREA ISSOD

Attorneys for Plaintiff

23
24 Respectfully submitted,

25 Dated: March 27, 2018

ALEX G. TSE

Acting United States Attorney

26 /s/ Ann Marie Reding

ANN MARIE REDING

Assistant United States Attorney

27 Attorneys for Defendants
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1 **PROPOSED ORDER**

2 Pursuant to the stipulation by the parties, the Court hereby vacates the April 3, 2018 settlement
3 conference before Magistrate Judge Maria-Elena James, and all related dates. The Court also continues
4 the April 24, 2018 case management conference to July 17, 2018 at 1:30 p.m. before Magistrate Judge
5 Kandis A. Westmore. The parties shall file a joint case management conference statement on or before
6 July 10, 2018.

7 IT IS SO ORDERED.

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9 Dated: 3/29/18

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11 _____
12 THE HONORABLE KANDIS A. WESTMORE
13 UNITED STATES MAGISTRATE JUDGE
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