

1 HECTOR BALDERAS
 Attorney General of New Mexico
 2 BILL GRANTHAM (admitted pro hac vice)
 Assistant Attorney General
 3 New Mexico Office of the Attorney General
 4 201 Third Street NW, Suite 300
 Albuquerque, New Mexico 87102
 5 (505) 717-3520
 6 wgrantham@nmag.gov
 7 Attorneys for the State of New Mexico
 8

9 **UNITED STATES DISTRICT COURT**
 10 **NORTHERN DISTRICT OF CALIFORNIA**
 11 **OAKLAND DIVISION**

12 STATE OF CALIFORNIA, et al.,

13 Plaintiffs,

14 v.

15 UNITED STATES ENVIRONMENTAL
 PROTECTION AGENCY, et al.,

16 Defendants
 17

Case No. 4:18-cv-03237-HSG

**NEW MEXICO'S REQUEST TO APPEAR
 TELEPHONICALLY FOR CASE
 MANAGEMENT CONFERENCE AND
 MOTION TO DISMISS HEARING AND
 [PROPOSED] ORDER**

Conference: October 25, 2018

Time: 2:00 p.m.

Courtroom: 2, 4th Floor, Oakland Courthouse

18
 19 Pursuant to Civil L.R. 16-10(a), Plaintiff the State of New Mexico requests an
 20 order allowing counsel to appear telephonically for the Initial Case Management
 21 Conference (CMC) currently set for October 25, 2018 at 2:00 p.m. in Courtroom 2, 4th
 22 Floor (Dkt. No. 63) and the concurrently scheduled hearing on the motion to dismiss
 23 (Dkt. No. 28) (hearing). The Court previously granted such an order with respect to the
 24 CMC before it was rescheduled from October 2 to October 25. (Dkt. No. 60).

25 New Mexico is one of several State Plaintiffs in this matter (States). Counsel for
 26 the State of California plans to attend the CMC and hearing in person and is authorized to
 27 speak for New Mexico and all other States. Regardless, counsel for New Mexico would
 28

1 like to participate in the CMC and hearing and respectfully requests to appear by
2 telephone.

3 Counsel makes this request because counsel is not local and would like to save
4 costs—which are funded by taxpayer monies—that would be required to attend the CMC
5 and hearing in person; (2) the CMC is likely to be of short duration; (3) counsel for all
6 parties have discussed the relevant issues at length and do not believe there will be
7 significant disputes for the Court to resolve; (4) with respect to the motion to dismiss,
8 because New Mexico’s interests align entirely with California’s it is anticipated that
9 separate presentation by counsel for New Mexico will be minimal, if even necessary.

10 Therefore, New Mexico respectfully requests that the undersigned counsel be
11 allowed to appear and participate telephonically at the October 2, 2018 initial CMC.

12 Dated: October 18, 2018

Respectfully Submitted,

13
14 /s/ Bill Grantham
15 **BILL GRANTHAM**
16 (admitted pro hac vice)
17 Assistant Attorney General
18 201 Third Street NW, Suite 300
19 Albuquerque, New Mexico 87102
20 (505) 717-3520
21 wgrantham@nmag.gov

22
23
24
25
26
27
28
Attorney for New Mexico


1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

~~[PROPOSED]~~ ORDER

Before the Court is New Mexico’s Request to Appear Telephonically for the Initial Case Management Conference (“CMC”) for October 25, 2018 at 2:00 p.m. in Courtroom 2, 4th Floor (Dkt. No. 63) and the concurrent hearing on the motion to dismiss (Dkt. No. 28). Upon due consideration, and for good cause shown, New Mexico’s request is hereby **GRANTED**. Counsel shall contact CourtCall at (866) 582-6878 to make arrangements for the telephonic appearance.

IT IS SO ORDERED.

DATED this 22nd day of October, 2018.


HON. HAYWOOD S. GILLIAM, JR.
UNITED STATES DISTRICT JUDGE