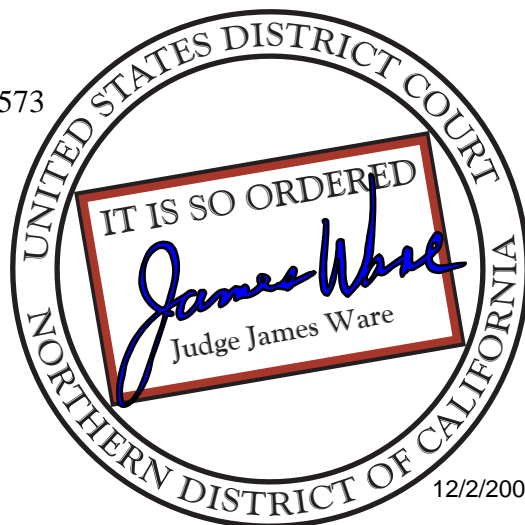


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13 Attorneys for Defendants

14 **IN THE UNITED STATES DISTRICT COURT**
 15 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 16 **SAN JOSE DIVISION**

17 _____)
 18 THE OTTER PROJECT and)
 19 ENVIRONMENTAL DEFENSE CENTER,)

20 Plaintiffs,)

21 v.)

22 KEN SALAZAR, Secretary of the United)
 23 States Department of the Interior, SAM)
 24 HAMILTON, Director of the U.S. Fish &)
 25 Wildlife Service, UNITED STATES)
 26 DEPARTMENT OF THE INTERIOR,)
 27 UNITED STATES FISH & WILDLIFE)
 28 SERVICE,)

29 Defendants.)

No. C 09-4610 JW

**STIPULATION EXTENDING TIME TO
 ANSWER OR OTHERWISE RESPOND
 TO COMPLAINT UP TO AND
 INCLUDING DECEMBER 21, 2009**

30 Pursuant to Civil L.R. 6-1(a) this Stipulation is entered into by and between Plaintiffs,
 31 The Otter Project and Environmental Defense Center, and Defendants, Ken Salazar, Secretary of
 32 the United States Department of the Interior, Sam Hamilton, Director of the U.S. Fish & Wildlife

33 Stipulation Extending Time to
34 Respond to Complaint

1 Service, the United States Department of the Interior, and the United States Fish & Wildlife
2 Service:

3 WHEREAS, the above-captioned Complaint for Declaratory and Injunctive Relief was
4 filed on September 30, 2009;

5 WHEREAS, the United States Attorney for the Northern District of California was
6 served with the Summons and Complaint on October 9, 2009, see Doc. No. 10;

7 WHEREAS, Defendants' Answer or other response to the Complaint, pursuant to Fed. R.
8 Civ. P. 12(a)(3), would therefore be due December 11, 2009;

9 WHEREAS, Defendants need additional time to determine and prepare their response to
10 the Complaint;

11 NOW, THEREFORE, Plaintiffs and Defendants stipulate as follows:

- 12 1. Defendants shall answer or otherwise respond to the Complaint by December 21, 2009.

13
14 November 20, 2009

Respectfully Submitted,

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16
17 /s/ Brian Segee (by LEF, as authorized on
11/20/09)

18 Brian Segee (Cal. Bar No. 200795)
19 Environmental Defense Center
20 906 Garden Street
21 Santa Barbara, CA 93101
22 Tel: (805) 963-1622 x. 113
23 Fax: (805) 962-3152
24 email: bsegee@edcnet.org

25 Attorney for Plaintiffs

26
27
28 IGNACIA S. MORENO, Asst. Attorney General
JEAN E. WILLIAMS, Section Chief

/s/ Lawson E. Fite
LAWSON E. FITE, Trial Attorney

Stipulation Extending Time to
Respond to Complaint

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Attorneys for Federal Defendants

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION

4 _____)
5 THE OTTER PROJECT, et al.,)

6 Plaintiffs,)

7 v.)

8 KEN SALAZAR, et al.,)

9 Defendants.)
10 _____)

No. C 09-4610 PVT

CERTIFICATE OF SERVICE

11
12 I hereby certify that on November 20, 2009, I electronically filed the foregoing
13 STIPULATION EXTENDING TIME TO RESPOND TO COMPLAINT with the Clerk of the
14 Court using the CM/ECF system, which will send notification of such to the attorneys of record.

15 /s/ Lawson E. Fite

16 LAWSON E. FITE
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