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UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

CENTER FOR BIOLOGICAL DIVERSITY,
et al.,

Plaintiffs

v.

UNITED STATES BUREAU OF LAND
MANAGEMENT, et al.,

Defendants

Case No.: 2:14-cv-00226-APG-VCF

**Order Granting in Part Stipulation,
Denying Motion for Fees Without
Prejudice, and Setting Briefing Schedule**

[ECF Nos. 156, 173]

Plaintiffs filed a motion for attorney's fees on January 22, 2018. ECF No. 156. No opposition has been filed because the parties have been working toward an agreement on the fee amount. The parties recently filed their fifth stipulation for an extension of time because they continue to make progress in their settlement negotiations. ECF No. 173. They request briefing be stayed another 45 days, until November 1, 2018. *Id.* at 3.

I grant that request in part. On or before November 1, 2018, the parties shall file either a stipulated amount of attorney's fees and costs or a joint report regarding the status of negotiations. Given how long the motion for fees has been pending, and in light of the fact that negotiations may have changed the parties' positions in terms of the fee motion, I deny the fee motion without prejudice to re-file it if settlement negotiations fail. To the extent any deadline applies to filing a fee motion, it is tolled throughout the time the motion for fees has been pending through November 16, 2018, unless otherwise modified by the court.

IT IS THEREFORE ORDERED that the motion for attorney's fees (**ECF No. 156**) is **DENIED** without prejudice to re-file it if settlement negotiations fail.

1 IT IS FURTHER ORDERED that the fifth stipulation and joint motion to stay briefing
2 **(ECF No. 173) is GRANTED.** On or before November 1, 2018, the parties shall file either a
3 stipulated amount of attorney's fees and costs or a joint report regarding the status of
4 negotiations.

5 IT IS FURTHER ORDERED that any deadline that applies to filing the fee motion is
6 tolled throughout the time the motion for fees has been pending through November 16, 2018,
7 unless otherwise modified by the court.

8 DATED this 17th day of September, 2018.

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12 ANDREW P. GORDON
13 UNITED STATES DISTRICT JUDGE
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