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18 UNITED STATES DISTRICT COURT
19 FOR THE EASTERN DISTRICT OF CALIFORNIA
20 SACRAMENTO DIVISION
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CONSERVATION CONGRESS,

Plaintiff,

v.

UNITED STATES FOREST SERVICE, and
UNITED STATES FISH AND WILDLIFE
SERVICE,

Defendants,

and

TRINITY RIVER LUMBER COMPANY, a
California Corporation,

Defendant-Intervenor.

No. 2:13-cv-01977-JAM-KJN

**STIPULATION AND ORDER MODIFYING
BRIEFING AND HEARING SCHEDULE**

Pursuant to L.R. 143 and 144, the undersigned parties hereby stipulate to the following adjustments to the briefing and hearing schedule in this case, which would extend certain deadlines and the hearing date:

Deadline	Current date	New date
Plaintiff's Motion for Summary Judgment (not to exceed 30 pages)	July 6, 2016	July 29, 2016
Federal Defendants' Opposition and Cross-Motion for Summary Judgment (30 pages)	August 10, 2016	September 9, 2016
Defendant-Intervenor's Opposition and Cross-Motion for Summary Judgment (20 pages)	August 17, 2016	September 16, 2016
Plaintiff's Combined Opposition/Reply (30 pages)	September 1, 2016	October 3, 2016
Federal Defendants' Reply (15	September 15, 2016	October 19, 2016

pages)		
Defendant-Intervenor's Reply (10 pages)	September 15, 2016	October 19, 2016
Hearing	November 1, 2016 at 1:30 p.m.	December 13, 2016 at 1:30 p.m.

The changes are requested in order to accommodate paternity leave for defendant-intervenor's counsel, which would otherwise conflict with preparation and filing of defendant-intervenor's opening brief, and to give additional time to the other parties for preparation of their briefs. In the event the Court wishes to maintain the current hearing date, the parties do not object; however, the parties have suggested a later hearing date in order to maintain the existing length of time between completion of briefing and the hearing, and because not all parties are available on November 15, the next available hearing date after November 1. Additionally, in the event that the Court approves this stipulation the parties agree that the current suspension on implementation of the Smokey Project shall remain in place until February 13, 2017 or until the Court issues an order resolving the parties' cross-motions for summary judgment, whichever is earlier. Trinity reserves its appellate rights regarding previous orders relating to the suspension but does not intend to seek further modification of the suspension from this Court or any other Court prior to completion of summary-judgment proceedings in this case.

The parties have not jointly requested a previous continuance of the briefing schedule. Plaintiff previously requested *ex parte*, and obtained, a 60-day continuance of the merits briefing schedule. See Dkt. 89, 93.

Accordingly, the parties request the Court approve this Stipulation, and enter the proposed changes to the briefing and hearing schedule.

Respectfully submitted this 24th day of May, 2016.

/s/ Steven Sugarman (by LEF as authorized
5/23/2016)

JOHN C. CRUDEN
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/s/ Andrea Gelatt (by LEF as authorized
5/24/2016)

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Attorneys for Federal Defendants

The Court having considered the Stipulation of the parties, **IT IS SO ORDERED**

Dated: 5/24/2016

/s/ John A. Mendez

Hon. John A. Mendez
United States District Court Judge