

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA
SACRAMENTO DIVISION**

CONSERVATION CONGRESS,	)	No. 2:13-CV-01977-JAM-DB
	)	
Plaintiff,	)	
	)	FOURTH
v.	)	JOINT STIPULATION AND ORDER
	)	TO STAY PLAINTIFF’S MOTION
UNITED STATES FOREST SERVICE and	)	FOR ATTORNEY FEES AND
UNITED STATES FISH AND WILDLIFE	)	COSTS
SERVICE,	)	
	)	Hon. John A. Mendez
Federal Defendants,	)	
	)	
and	)	
	)	
TRINITY RIVER LUMBER CO.,	)	
	)	
Defendant-Intervenor.	)	
	)	

The parties now jointly stipulate to an additional 30 day stay on the briefing of Plaintiff's motion for attorney fees and costs. In support of this stipulation, the parties represent to the Court that they have negotiated in good faith with respect to the appropriate amount of attorney fees and costs to be paid in this action. On November 20, 2019, the undersigned counsel reached agreement as to the appropriate amount to be recommended to deciding officials at the U.S. Department of Justice and U.S. Department of Agriculture.

At the time that the undersigned counsel reached agreement on November 20, 2019, counsel for Plaintiff Conservation Congress had authority to settle the fee and cost issue for the agreed upon amount. However, counsel for the Federal Defendants requires additional authorizations from both the Department of Justice and the Department of Agriculture to settle this matter for the agreed upon amount, as the procedure for securing this approval is lengthy.

Counsel for Federal Defendants has recommended that the agreed upon amount be approved as a fair and final settlement of the fee and cost issue in this matter and is working diligently to expedite the approval process as quickly as she is able.

The undersigned counsel for the Federal Defendant has conferred with the Department of Justice and the Department of Agriculture, and given the intervening holidays and the realities of the approval process, she expects a final decision on the settlement by no later than January 15, 2020.

For these reasons, and for good cause shown, the parties stipulate as follows and request that the Court approve this stipulation:

1. Briefing on Plaintiff's motion for attorney's fees and costs is stayed until January 15, 2020.
2. If the parties have not resolved the issue of fees and costs by January 15, 2020, they shall jointly inform the Court and shall propose to the Court a schedule for briefing Plaintiff's Motion for Attorney Fees and Costs pursuant to Local Rule 293.

Respectfully submitted this 5th day of December, 2019.

/s/ Steven Sugarman
STEVEN SUGARMAN, NM 5717
(pro hac vice)
347 County Road 55A
Cerrillos, NM 87010
(505) 672-5082
stevensugarman@hotmail.com

JAMES J. TUCHTON, Cal. 150908
6439 E. Maplewood Ave.
Centennial, CO 80111
(720) 301-3843
jtutchtonlo@gmail.com

Attorneys for Plaintiff

JEAN E. WILLIAMS
Deputy Assistant Attorney General
United States Department of Justice
Environment & Natural Resources Division

/s/Hayley A. Carpenter (with permission on
December 4, 2019)

HAYLEY A. CARPENTER, CA Bar No.
312611
Trial Attorney
Natural Resources Section
PO Box 7611
Washington, DC 20044-7611
(202) 305-0242
hayley.carpenter@usdoj.gov

SETH M. BARSKY, Chief
S. JAY GOVINDAN, Assistant Chief

Wildlife & Marine Resources Section
PO Box 7611
Washington, DC 20044-7611
Attorneys for Federal Defendants

ORDER

The Court having considered the stipulation of the parties, IT IS SO ORDERED.

Dated: December 6, 2019

/s/ John A. Mendez
Hon. John A. Mendez
United States District Court Judge