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20	PLAINTIFFS' AND FEDERAL DEFENDANTS'	Case No. 2:09-cv-2523-LKK-JFM
28	STIPULATION AND [PROPOSED] ORDER REGARDING THE DEADLINE FOR MOTION FOR ATTORNEYS' FEES AND COSTS	
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1 IN THE UNITED STATES DISTRICT COURT 2 FOR THE EASTERN DISTRICT OF CALIFORNIA 3 CENTER FOR SIERRA NEVADA Case No. 2:09-cv-2523-LKK-JFM 4 CONSERVATION, CENTER FOR BIOLOGICAL DIVERSITY, and FOREST 5 ISSUES GROUP, non-profit corporations, 6 Plaintiffs, PLAINTIFFS' AND FEDERAL DEFENDANTS' vs. 7 STIPULATION AND ORDER REGARDING THE DEADLINE FOR MOTION FOR ATTORNEYS' 8 RAMIRO VILLALVAZO, in his official FEES AND COSTS capacity as Forest Supervisor for the 9 Eldorado National Forest, UNITED STATES FOREST SERVICE, 10 Federal Defendants, 11 and 12 CALIFORNIA ASSOC. OF 4 WHEEL 13 DRIVE CLUBS, et al., 14 Defendant-Intervenors. 15 16 17 Whereas by order dated January 2, 2013, the Court stayed briefing on Plaintiffs' petition for costs 18 and attorneys' fees until February 26, 2013, by which time the Parties were to advise the Court on the 19 status of the their settlement discussions. Dkt. No. 132; 20 Whereas Plaintiffs and Federal Defendants have continued to engage in substantive good-faith 21 discussions attempting to negotiate a settlement of the issue of costs and attorneys' fees; 22 Whereas as a result of these discussions, the Plaintiffs and Federal Defendants have made 23 24 substantive progress toward reaching a settlement; 25 Whereas Plaintiffs and Federal Defendants desire more time to explore settlement of the costs and 26

PLAINTIFFS' AND FEDERAL DEFENDANTS' STIPULATION AND [PROPOSED] ORDER REGARDING THE DEADLINE FOR MOTION FOR ATTORNEYS' FEES AND COSTS

attorneys' fees;

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1 Whereas Defendant-Intervenors have not participated in the negotiations, and thus have not 2 formed a position, but have been consulted regarding this stipulation and do not oppose any request that 3 the primary parties continue negotiations; 4 Accordingly, Plaintiffs and Federal Defendants stipulate and agree, and request that the Court 5 enter an order staying through April 26, 2013, the deadline for Plaintiffs to file a motion for attorneys' 6 fees and costs, at which time the Parties will advise the Court on the status of the their settlement 7 discussions. If no agreement appears forthcoming, the Parties will submit a proposed schedule for 8 briefing the fee petition. By entering into this Stipulation, Federal Defendants do not waive any defenses 9 as to whether Plaintiffs are entitled to any attorneys' fees, costs or expenses in this case. 10 11 Respectfully submitted on February 26, 2013. 12 IGNACIA S. MORENO 13 **Assistant Attorney General Environment and Natural Resources Division** 14 /s/ David A. Bahr (with permission) /s/ J. Brett Grosko 15 Jason A. Hill David A. Bahr 16 Bahr Law Offices, P.C. John P. Tustin 17 1035 1/2 Monroe Street **Trial Attorneys** Eugene, OR 97402 Natural Resources Section 18 J. Brett Grosko Lisa T. Belenky 19 Center for Biological Diversity Trial Attorney 351 California St., Suite 600 Wildlife and Marine Resources Section 20 San Francisco, CA 94104 Attorneys for Federal Defendants 21 Erik Schlenker-Goodrich Western Environmental Law Center 22 P.O. Box 1507 23 Taos, NM 87571 24 Attorneys for Plaintiffs 25 26 27 PLAINTIFFS' AND FEDERAL DEFENDANTS' Case No. 2:09-cv-2523-LKK-JFM 28

STIPULATION AND [PROPOSED] ORDER REGARDING THE DEADLINE FOR MOTION FOR ATTORNEYS' FEES AND COSTS

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1	ORDER		
2	This matter having come before the Court upon Plaintiffs' and Federal Defendants' stipulation		
3	and proposed order regarding the deadline for motion for attorneys' fees and costs, and the Court being		
4	fully advised in the premises and good cause appearing;		
5			
6	IT IS HEREBY ORDERED that briefing on Plaintiffs' application for fees and costs is stayed		
7	until April 26, 2013, at which time the Parties will advise the Court on the status of the their settlement		
8	discussions. If no agreement appears forthcoming, the Parties will submit a proposed schedule for		
9	briefing the fee petition.		
10	Dated this 27th of February, 2013.		
11			
12	a Landon K Karalt		
13	LAWRENCE K. KARLTON		
14	SENIOR JUDGE UNITED STATES DISTRICT COURT		
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