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SUNRIDGE-ANATOLIA, LLC
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17 UNITED STATES DISTRICT COURT
18 FOR THE NORTHERN OF CALIFORNIA

19 CALIFORNIA NATIVE PLANT SOCIETY,)
20 DEFENDERS OF WILDLIFE, and)
BUTTE ENVIRONMENTAL COUNCIL)
21)
Plaintiffs,)
22)
vs.)
23)
U.S. ENVIRONMENTAL PROTECTION)
24 AGENCY, U.S. FISH AND WILDLIFE SERVICE,)
and U.S. ARMY CORPS OF ENGINEERS,)
25)
Defendants.)
26)
27)
28)

No. 06-3604-MJJ
ORDER FOLLOWING JULY 24,
2007 CASE MANAGEMENT
CONFERENCE

1 Having held a further Case Management Conference on June 24, 2007, in which all
2 parties were represented by counsel, the Court enters the following case management order:

3 1. The Court will amend, the July 10, 2007 Order (“Order”) in response to Defendants’
4 objections to exclude the Montelena, North Douglas, and Sunridge Park projects from the
5 preliminary injunction because Plaintiffs’ Amended Motion for Preliminary Injunction did not
6 seek interim emergency relief with respect to these projects.
7

8 2. The Court will review the stipulation submitted by the parties with respect to the
9 Douglas Road 103 and Arista del Sol projects and determine whether to grant Plaintiffs’ and
10 Defendant-Intervenors’ joint motion to enter the stipulation as a court order.

11 3. The parties shall further meet and confer concerning the activities covered by the
12 injunction granted in the Court’s July 10, 2007 Order. If a dispute concerning the injunction
13 arises, Plaintiffs may file a motion (or motions) to enforce non-compliance with the Court’s July
14 10, 2007 Order.
15

16 4. The parties shall brief the issue of jurisdictional discovery with respect to the first
17 cause of action in the First Amended Complaint on the following schedule:

18	Plaintiffs’ Opening Brief	July 31, 2007
19	Defendants’ Opposition Brief	August 10, 2007
20	Plaintiffs’ Reply Brief	August 21, 2007
	Hearing	August 29, 2007 at 10:00 a.m.

21 The filing of this motion does not prejudice Plaintiffs’ right to request additional discovery
22 from the Court with respect to either the merits and relief. All Defendant-Intervenors shall file a
23 single, joint brief.
24

25 5. The Court will conduct a further Case Management Conference in this matter on
26 August 29, 2007 at 10:00 a.m. Prior to that conference, the parties shall further meet and confer
27 with regard to claims and issues and case scheduling or potential remand of the second and
28

1 fourth causes of action in the First Amended Complaint and shall advise the Court as to the
2 outcome of those discussions in the joint Case Management Conference Statement to be filed
3 August 24, 2007 (5 days before the CMC).

4 SO STIPULATED.

5 DATED: August 15, 2007

/s/ Deborah A. Sivas
Deborah A. Sivas
STANFORD ENVIRONMENTAL LAW CLINIC

7 Attorneys for Plaintiffs

8
9 /s/ Robert J. Uram
ROBERT J. URAM
10 SHEPPARD, MULLIN, RICHTER &
11 HAMPTON

12 Attorneys for Defendant-Intervenors
ARISTA DEL SOL, L.P. and SUNRIDGE-
13 ANATOLIA, LLC

14
15 /s/ Scott Birkey
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18 INVESTMENTS, LLC, DOUGLAS
19 GRANTLINE 103 INVESTORS, LLC,
20 GRANTLINE INVESTORS, LLC, and
CRESLEIGH HOMES

21
22 /s/ Carol L. Draper
CAROL L. DRAPER
23 UNITED STATES DEPARTMENT OF JUSTICE

24 Attorneys for Federal Defendants

1 Pursuant to ECF General Order 45X, I attest that Carol L. Draper, Robert J. Uram, and
2 Deborah A. Sivas have concurred in and authorized the filing of this document with this Court.

3 /s/ Scott Birkey
4 Scott Birkey

5
6 SO ORDERED.

7 Dated: 8/17/2007

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9 _____
10 Hon. Martin J. Jenkins
11 United States District Court
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