



**Stipulated Schedule To Re-file Briefs**

- **November 16, 2012** – Defendant re-files motion to dismiss (Dkt. 9) and supplemental brief re: motion to dismiss (Dkt. 15) with revised citations and any additional argument related to newly raised facts.
- **December 21, 2012** – Plaintiffs re-file response to motion (Dkt. 19) with revised citations and any additional argument related to newly raised facts.
- **January 11, 2013** – Defendant re-files reply (Dkt. 29) with revised citations and any responses to argument related to newly raised facts.
- **February 1, 2013** – All parties simultaneously re-file remaining briefs with revised citations. *See* Dkt. 31-1 (Ex. A), 34, 36, 38, 39, 40, 41. The parties agree that these re-filed briefs will not raise any additional argument related to newly raised facts, cases, or other materials absent agreement of the parties or leave of the Court.

Respectfully submitted,

BEVERIDGE & DIAMOND, P.C.

Date: October 9, 2012

/s/ Lily N. Chinn  
Lily N. Chinn  
Ryan R. Tacorda  
456 Montgomery Street, Suite 1800  
San Francisco, CA 94104  
Tel: (415) 262-4000 / Fax: (415) 262-4040  
Email: [lchinn@bdlaw.com](mailto:lchinn@bdlaw.com)  
[rtacorda@bdlaw.com](mailto:rtacorda@bdlaw.com)

Katherine T. Gates  
Gus B. Bauman  
1350 I Street, N.W., Suite 700  
Washington, DC 20005  
Tel: (202) 789-6000 / Fax: (202) 789-6190  
Email: [kgates@bdlaw.com](mailto:kgates@bdlaw.com)  
[gbauman@bdlaw.com](mailto:gbauman@bdlaw.com)

KERSHAW, CUTTER & RATINOFF

William A. Kershaw  
Lyle W. Cook  
401 Watt Avenue  
Sacramento, CA 95864  
Tel: (916) 448-9800 / Fax: (916) 669-4499  
Email: [wkershaw@kcrlegal.com](mailto:wkershaw@kcrlegal.com)  
[lcook@kcrlegal.com](mailto:lcook@kcrlegal.com)

*Counsel for Plaintiffs*

Date: October 9, 2012

IGNACIA S. MORENO  
Assistant Attorney General

/s/ E. Barrett Atwood  
E. Barrett Atwood  
Trial Attorney  
United States Department of Justice  
Environment and Natural Resources Division  
Natural Resources Section  
301 Howard St., Suite 1050  
San Francisco, CA 94105  
Telephone: (415) 744-6480  
Fax: (415) 744-6476  
Email: [Barrett.Atwood@usdoj.gov](mailto:Barrett.Atwood@usdoj.gov)

*Counsel for the United States*