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**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
OAKLAND DIVISION**

CENTER FOR BIOLOGICAL DIVERSITY, et al.,

Plaintiffs,

v.

DIRK KEMPTHORNE, Secretary of the Interior, et al.,

Defendants,

and

ALASKA OIL AND GAS ASSOCIATION,

Defendant-Intervenors,

and

ARCTIC SLOPE REGIONAL CORP.,

Defendant-Intervenors.

Civ. No. 08-1339 CW

**STIPULATION AND ORDER
TO EXTEND DEADLINE FOR
ADMINISTRATIVE RECORD
AND MODIFY BRIEFING
SCHEDULE**

The parties hereby notify the Court that they have reached an agreement in principle to resolve Plaintiffs' Third Claim for Relief (Failure to Designate Critical Habitat for the Polar Bear) and Seventh Claim for Relief (Failure to Promulgate List of Measures for Nonlethal Deterrence of Polar Bears). The parties are currently negotiating the terms of a stipulated settlement agreement that will resolve those claims.

In consideration of the settlement of those claims, and in light of the difficulties that Federal Defendants have encountered in preparing the administrative record, as detailed in the

Stip. Extend Admin. Record Deadline
and Modify Briefing Sched.
Case No. 08-1339 CW

1 Declaration of Thomas O. Melius, Dkt. No. 192-2 (Sept. 16, 2008), the parties hereby request that
2 the Court extend the deadline for the administrative record from September 29, 2008 to
3 November 17, 2008. Upon approval of this Stipulation by the Court, Federal Defendants will
4 withdraw their pending motion for an extension of the deadline for the administrative record, Dkt.
5 No. 192.

6 The parties further request that the Court modify the remainder of the briefing schedule as
7 follows:
8

9	January 15, 2009:	Plaintiffs file motion for summary judgment
10	February 12, 2009:	Federal Defendants file opposition and any cross-motion
11	February 19, 2009:	Defendant-Intervenors file oppositions and any cross-motions
12	February 26, 2009:	Plaintiffs file reply and opposition to any cross-motion
13	March 5, 2009:	Federal Defendants and Defendant-Intervenors file replies
14	April 2, 2009:	Hearing on cross-motions.

15 Respectfully submitted,

16 Dated: September 23, 2008

17 /s/ Brendan Cummings (by KBF with permission)
18 Brendan Cummings
19 Center for Biological Diversity
20 P.O. Box 549
21 Joshua Tree, CA 92252
22 Telephone: 760-366-2232
23 Facsimile: 760-366-2669

24 Counsel for Plaintiffs

25 RONALD J. TENPAS
26 Assistant Attorney General
27 United States Department of Justice
28 Environment & Natural Resources Division
JEAN E. WILLIAMS, Chief
LISA LYNNE RUSSELL, Assistant Chief

Stip. Extend Admin. Record Deadline
and Modify Briefing Sched.
Case No. 08-1339 CW

1 Dated: September 23, 2008

/s/ Kristen Byrnes Floom
KRISTEN BYRNES FLOOM, Trial Attorney
DC Bar No. 469615
United States Department of Justice
Environment & Natural Resources Division
Wildlife and Marine Resources Section
Benjamin Franklin Station, P.O. Box 7369
Washington, DC 20044-7369
Telephone: (202) 305-0340
Facsimile: (202) 305-0275
Kristen.Floom@usdoj.gov

8 Attorneys for Federal Defendants

9 Dated: September 23, 2008

/s/ Jeffrey W. Leppo (by KBF with permission)
JEFFREY W. LEPPPO (*pro hac vice*)
SETH D. HILTON (SB # 181899)
STOEL RIVES LLP
600 University Street, Suite 3600
Seattle, WA 98101
Telephone: (206) 624-0900
Facsimile: (206) 386-7500

15 Attorneys for Intervenor-Defendant Alaska Oil and
Gas Association

17 Dated: September 23, 2008

/s/ Kevin M. Cuddy (by KBF with permission)
JEFFREY M. FELDMAN (*pro hac vice*)
KEVIN M. CUDDY (*pro hac vice*)
FELDMAN ORLANSKY & SANDERS
500 L Street, Suite 400
Anchorage, AK 99501
Telephone: (907) 272-3538
Facsimile: (907) 274-0819
Email: feldman@frozenlaw.com
cuddy@frozenlaw.com

24 Attorneys for Intervenor-Defendant Arctic Slope
Regional Corporation

27 Stip. Extend Admin. Record Deadline
and Modify Briefing Sched.
28 Case No. 08-1339 CW

ORDER

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IT IS SO ORDERED.

DATED this 25th day of September, 2008



**Honorable Claudia Wilken
United States District Court Judge**

Stip. Extend Admin. Record Deadline
and Modify Briefing Sched.
Case No. 08-1339 CW