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11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA (Oakland)

15 ANIMAL LEGAL DEFENSE FUND,
 16 Plaintiff,
 17 vs.
 18 HAALAND, ET AL.,
 19 Federal Defendants.

Case. No. 4:19-cv-06812-JST

**JOINT STIPULATION TO
 CONTINUE STAY OF
 PROCEEDINGS FOR 60 DAYS
 AND ~~PROPOSED~~ ORDER**

22 Pursuant to Civil Local Rule 7-12 and 16-2, Federal Defendants and
 23 Plaintiffs in the three related cases of *Center for Biological Diversity v. de la Vega*,
 24 No. 19-cv-05206, *California v. de la Vega*, No. 19-cv-06013, and *Animal Legal Def.*
 25 *Fund v. de la Vega*, No. 19-cv-06812, stipulate to continue a stay of proceedings for
 26 60 days. Intervenor-Defendants do not join in the stipulation, but do not oppose the
 27

1 request for relief. In support of the joint stipulation, the Federal Defendants and
2 Plaintiffs set forth the following reasons:

3 1. These related cases¹ challenge three Endangered Species Act (“ESA”) final
4 rules promulgated by the U.S. Fish and Wildlife Service within the U.S.
5 Department of the Interior, two of which were jointly promulgated with the
6 National Marine Fisheries Service within the National Oceanic and Atmospheric
7 Administration, U.S. Department of Commerce. *See* 84 Fed. Reg. 45020 (Section 4
8 revisions); 84 Fed. Reg. 44753 (Section 4(d) revisions); and 84 Fed. Reg. 44976
9 (Section 7(a)(2) revisions).
10

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12 2. On November 19, 2020, the Court entered an amended case management
13 order. ECF 111. In accordance with that order, plaintiffs filed their motions for
14 summary judgment on January 19, 2021. ECF 86; ECF 116; ECF 130.
15

16 3. On January 20, 2021, President Biden issued an Executive Order entitled
17 “Executive Order on Protecting Public Health and the Environment and Restoring
18 Science to Tackle the Climate Crisis.” In conformance with the Executive Order,
19 Federal Defendants are reviewing many rules promulgated in the last four years,
20 including the final rules at issue in this case.
21

22 4. On February 9, 2021, the Parties requested a stay of proceedings for 60 days
23 to give appropriate officials adequate time to review the final rules and determine
24

25
26 ¹ On January 27, 2021, the Court related *State of California v. Haaland*, 21-cv-
27 00440-JST (N.D. Cal.) with the above-related cases. ECF 136. Federal Defendants
and State-Plaintiffs in that case will be filing a similar stipulated motion.

1 how they would like to proceed with this litigation. ECF 88. On February 16, 2021,
2 the court granted the requested stay and vacated the existing deadlines. ECF 89.

3 5. Over the last 60 days, Federal Defendants have discussed internally how
4 they intend to proceed with the contested regulations. These discussions have been
5 aided by the recent confirmations of the Secretaries of the Interior and Commerce.
6 Based on those discussions, Federal Defendants informed Plaintiffs' counsel that
7 they need additional time to address the contested regulations and this litigation.
8 Federal Defendants intend to meet and confer with counsel for the parties
9 regarding these discussions and a path forward in this litigation within 21 days
10 from the date of filing this joint stipulation.
11

12
13 6. Plaintiffs have indicated that they do not oppose continuing a stay of
14 proceedings for an additional 60 days.
15

16 7. Granting this motion will not prejudice any party, will conserve the Parties'
17 resources, and will promote the interest of judicial economy.
18

19 For the foregoing reasons, the Parties respectfully request that the Court
20 continue the stay of proceedings in this case for an additional 60 days. Upon
21 expiration of the stay, and no later than June 18, 2021, the Parties will file a joint
22 status report proposing further proceedings.
23

24 DATED: April 16, 2021.

25
26 JEAN E. WILLIAMS,
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27 SETH M. BARSKY, Chief

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/s/ Coby Howell.

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Attorneys for Plaintiffs

1 * In compliance with Civil Local Rule 5-1(i), the filer of this document attests that
2 all signatories listed have concurred in the filing of this document.

3
4 ~~PROPOSED~~ ORDER

5 PURSUANT TO STIPULATION, IT IS SO ORDERED:

6
7 Dated April 19, 2021 :

8
9 
10 _____
11 The Honorable Jon S. Tigar

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17
18 **CERTIFICATE OF SERVICE**

19
20 I hereby certify that I electronically filed the foregoing with the Clerk of the Court
21 using the CM/ECF system, which will send notification of such to the attorneys of
22 record.

23
24
25 /s/ Coby Howell
26 COBY HOWELL, Senior Attorney
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