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Attorney for Plaintiffs Earth Island Institute and  
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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
SACRAMENTO DIVISION

SIERRA NEVADA FOREST PROTECTION  
CAMPAIGN, PLUMAS FOREST PROJECT,  
EARTH ISLAND INSTITUTE, and CENTER  
FOR BIOLOGICAL DIVERSITY, non-profit  
organizations,

Plaintiffs,

VS.

UNITED STATES FOREST SERVICE; JACK BLACKWELL, in his official capacity as Regional Forester, Region 5, United States Forest Service; and JAMES M. PEÑA, in his official capacity as Forest Supervisor, Plumas National Forest,

Defendants,

and

QUINCY LIBRARY GROUP, an unincorporated)  
citizens group; and PLUMAS COUNTY, )

**Intervenors/Defendants.**

Case No. Civ. S-04-2023 MCE/GGH

STIPULATION AND JOINT REQUEST  
REGARDING RESOLUTION OF PLAINTIFFS'  
MOTION FOR INJUNCTION PENDING  
APPEAL

Date: June 20, 2005

Time: 9:00 a.m.

Judge: Hon. Morrison C. England, Jr.

1 Pursuant to L.R. 83-143, the parties in the above-captioned case submit the following  
2 stipulation regarding Plaintiffs' Motion for Injunction Pending Appeal. The parties hereby stipulate  
3 as follows:

4 1. On May 9, 2005, the Court issued a Memorandum and Order granting the United  
5 Forest Service's Motion for Summary Judgment, denying plaintiffs' Motion for Summary Judgment,  
6 and denying plaintiffs' request for a permanent injunction enjoining the implementation of the  
7 Meadow Valley Project. The Court entered a final judgment, and the case was closed.

8 2. On May 10, 2005, the Forest Service notified plaintiffs that four timber sale contracts  
9 implementing the Meadow Valley Project would be advertised on May 11, 2005. The  
10 advertisements indicate that the Forest Service will receive bids for two of the timber sale contracts  
11 on June 14, 2005, and bids for the other two contracts on June 16, 2005.

12 3. On May 12, 2005, plaintiffs filed a Notice of Appeal of the Court's May 9, 2005  
13 Memorandum and Order and Judgment and simultaneously filed a Motion for Injunction Pending  
14 Appeal. Pursuant to Local Rule 78-230(b), plaintiffs noticed their Motion for Injunction Pending  
15 Appeal on the motion calendar for a hearing on June 20, 2005.

16 4. The Forest Service and intervenor/defendant Quincy Library Group agree to file their  
17 opposition to plaintiffs' Motion for Injunction Pending Appeal by May 18, 2005. Plaintiffs hereby  
18 waive the right to file a reply.

19 5. Although plaintiffs have noticed their motion for a hearing, the parties respectfully  
20 request that the Court decide plaintiffs' May 12, 2005 Motion for Injunction Pending Appeal without  
21 a hearing before this Court.

22 The parties jointly submit the above stipulation and respectfully request that the Court  
23 approve it.

24 ///

25 ///

26 ///

27 ///

1 DATED: May 12, 2005

Respectfully submitted,

2 /s/ George M. Torgun  
MICHAEL R. SHERWOOD  
3 GEORGE M. TORGUN  
Earthjustice  
4 426 17th Street, 5th Floor  
Oakland, CA 94612

5 Attorneys for Plaintiffs Sierra Nevada Forest Protection  
6 Campaign and Plumas Forest Project

7 /s/ Rachel M. Fazio (as authorized on May 12, 2005)  
RACHEL M. FAZIO  
8 John Muir Project  
P.O. Box 697  
9 Cedar Ridge, CA 95924

10 Attorney for Plaintiffs Earth Island Institute  
and Center for Biological Diversity

11 DATED: May 12, 2005

/s/ Brian C. Toth (as authorized on May 12, 2005)  
12 BRIAN C. TOTH  
Trial Attorney  
13 General Litigation Section  
Environment & Natural Resources Division  
14 U.S. Department of Justice  
P.O. Box 663  
15 Washington, DC 20044-0663

16 Attorney for Defendants

17 DATED: May 12, 2005

/s/ Michael B. Jackson (as authorized on May 12, 2005)  
18 MICHAEL B. JACKSON  
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19 P.O. Box 207  
Quincy, CA 95971  
20 (530) 283-1007

21 Attorney for Proposed Intervenor/Defendants Quincy Library  
Group and Plumas County

22  
23 **IT IS SO ORDERED.**

24 DATED:

25  
26 HON. MORRISON C. ENGLAND  
UNITED STATES DISTRICT JUDGE  
27  
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