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 8 *Attorneys for Defendants Richard W. Corey in his
 official and personal capacity as Executive Officer
 9 of the California Air Resources Board, Mary D.
 Nichols in her official and personal capacity as
 10 Chairman of the California Air Resources Board,
 and Matt Rodriguez in his official capacity as
 11 Secretary of the California Environmental
 Protection Agency*

12 IN THE UNITED STATES DISTRICT COURT
 13 FOR THE EASTERN DISTRICT OF CALIFORNIA
 14

15 **OWNER-OPERATOR INDEPENDENT
 16 DRIVERS ASSOCIATION, INC., DALE L.
 CURTICE, JR. d/b/a CURTICE
 17 TRUCKING, INC., NELSON
 GREENWADE, SR. d/b/a DREAM TEAM
 18 EXPRESS LLC, LANCE HENNING d/b/a
 LANCE HENNING TRUCKING, LEO T.
 19 JOLIN, BARRY VUN CANNON d/b/a
 NACO LLC, JOHNNY WEST, RICHARD
 20 M. HUNTER, and RUSSELL A. SHORT,**

21 Plaintiffs,

22 v.

23 **RICHARD W. COREY in his official and
 24 personal capacity as Executive Officer of the
 California Air Resources Board; MARY D.
 25 NICHOLS in her official and personal
 capacity as Chairman of the California Air
 26 Resources Board; MATT RODRIGUEZ in
 his official capacity as Secretary of the
 27 California Environmental Protection
 Agency,**

28 Defendants.

1:13-CV-01998-LJO-SAB

**STIPULATION AND [Proposed] ORDER
 EXTENDING TIME FOR DEFENDANTS
 TO RESPOND TO COMPLAINT**

Judge: The Honorable Lawrence J. O'Neill

Trial Date: None Set

Action Filed: December 6, 2013

1 Plaintiffs OWNER-OPERATOR INDEPENDENT DRIVERS ASSOCIATION, INC.,
2 DALE L. CURTICE, JR. d/b/a CURTICE TRUCKING, INC., NELSON GREENWADE, SR.
3 d/b/a DREAM TEAM EXPRESS LLC, LANCE HENNING d/b/a LANCE HENNING
4 TRUCKING, LEO T. JOLIN, BARRY VUN CANNON d/b/a NACO LLC, JOHNNY WEST,
5 RICHARD M. HUNTER, and RUSSELL A. SHORT, and defendants RICHARD W. COREY in
6 his official and personal capacity as Executive Officer of the California Air Resources Board,
7 MARY D. NICHOLS in her official and personal capacity as Chairman of the California Air
8 Resources Board, and MATT RODRIQUEZ in his official capacity as Secretary of the California
9 Environmental Protection Agency (collectively Defendants), by and through their counsel, enter
10 into this stipulation based on the following facts:

11 1. On December 6, 2013, Plaintiffs filed their Complaint for Declaratory and Injunctive
12 Relief in this action. The Complaint was served on Defendants on December 9, 2013.

13 2. Plaintiffs granted Defendants a twenty-day extension of time to respond to Plaintiffs'
14 Complaint. The parties filed their Stipulation Extending Time for Defendants to respond to
15 Complaint on December 30, 2013.

16 3. The parties have been discussing the possibility of entering into a stipulation that
17 would affect the Defendants' response in this matter.

18 4. Plaintiffs agree that Defendants' time to respond to Plaintiffs Complaint be extended
19 by seven days, to and including January 27, 2014, to enable the parties to determine whether a
20 stipulation can be reached, and provide Defendants with sufficient time to answer or otherwise
21 respond to Plaintiffs' Complaint.

22 **STIPULATION**

23 THEREFORE, the parties to this action, through their respective attorneys, stipulate:

24 1. Defendants' time to respond to this Complaint is extended by an additional seven
25 days, to and including January 27, 2014, for a total extension time of twenty-eight days.

1 Dated: January 13, 2014

KAMALA D. HARRIS
Attorney General of California
RANDY L. BARROW
Supervising Deputy Attorney General

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5 /s/ Nicholas Stern
NICHOLAS STERN
Deputy Attorney General
6 *Attorneys for Defendants Richard W. Corey*
7 *in his official and personal capacity as*
8 *Executive Officer of the California Air*
9 *Resources Board, Mary D. Nichols in her*
10 *official and personal capacity as Chairman*
11 *of the California Air Resources Board, and*
12 *Matt Rodriguez in his official capacity as*
13 *Secretary of the California Environmental*
14 *Protection Agency*

15 Dated: January 13, 2014

LAW OFFICES OF BRIAN C. LEIGHTON

16 /s/ BRIAN C. LEIGHTON
BRIAN C. LEIGHTON
17 *Attorney for Owner-Operator Independent*
18 *Drivers Association, Inc., Dale L. Curtice,*
19 *Jr. d/b/a Curtice Trucking, Inc., Nelson*
20 *Greenwade, Sr. d/b/a Dream Team Express*
21 *LLC, Lance Henning d/b/a Lance Henning*
22 *Trucking, Leo T. Jolin, Barry Van Cannon*
23 *d/b/a Naco LLC, Johnny West, Richard M.*
24 *Hunter, and Russell A. Short*

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ORDER

Based on the foregoing Stipulation, IT IS ORDERED that:

Defendants time to answer or otherwise respond to Plaintiffs' Complaint for Declaratory and Injunctive Relief is extended to January 27, 2014.

IT IS SO ORDERED.

Dated: _____

Hon. Lawrence J. O'Neill
United States District Judge

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Stipulation and Proposed Order Extending Time to Respond to Complaint.doc