

ADRMOP,CLOSED,REFDIS,REFSET-LB

**U.S. District Court
California Northern District (Oakland)
CIVIL DOCKET FOR CASE #: 4:15-cv-03292-SBA**

Californians For Renewable Energy et al v. United States
Environmental Protection Agency et al
Assigned to: Hon. Sandra Brown Armstrong
Referred to: Magistrate Judge Elizabeth D. Laporte
Magistrate Judge Laurel Beeler (Settlement)
Cause: 05:551 Administrative Procedure Act

Date Filed: 07/15/2015
Date Terminated: 06/13/2018
Jury Demand: None
Nature of Suit: 899 Other Statutes:
Administrative Procedures Act/Review or
Appeal of Agency Decision
Jurisdiction: U.S. Government Defendant

Plaintiff

Californians For Renewable Energy

represented by **Heather Mudford Lewis**

Earthjustice
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San Francisco, CA 94111
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TERMINATED: 07/08/2019
ATTORNEY TO BE NOTICED

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ATTORNEY TO BE NOTICED

Marianne Leslie Engelman Lado
Environmental Justice Clinic
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Email: igutierrez@earthjustice.org
ATTORNEY TO BE NOTICED

Plaintiff

**Ashurst Bar/Smith Community
Organization**

represented by **Heather Mudford Lewis**
(See above for address)
TERMINATED: 07/08/2019
ATTORNEY TO BE NOTICED

Jonathan James Smith
(See above for address)
ATTORNEY TO BE NOTICED

Marianne Leslie Engelman Lado
(See above for address)
ATTORNEY TO BE NOTICED

Suzanne Novak
(See above for address)
TERMINATED: 07/08/2019
PRO HAC VICE

Irene V. Gutierrez
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

**Citizens for Alternatives to Radioactive
Dumping**

represented by **Heather Mudford Lewis**
(See above for address)
TERMINATED: 07/08/2019
ATTORNEY TO BE NOTICED

Jonathan James Smith
(See above for address)
ATTORNEY TO BE NOTICED

Marianne Leslie Engelman Lado
(See above for address)
ATTORNEY TO BE NOTICED

Suzanne Novak
(See above for address)
TERMINATED: 07/08/2019
PRO HAC VICE

Irene V. Gutierrez
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

**Maurice and Jane Sugar Law Center
for Economic and Social Justice**
TERMINATED: 01/07/2016

represented by **Heather Mudford Lewis**
(See above for address)
TERMINATED: 07/08/2019
ATTORNEY TO BE NOTICED

Jonathan James Smith
(See above for address)
ATTORNEY TO BE NOTICED

Marianne Leslie Engelman Lado
(See above for address)
ATTORNEY TO BE NOTICED

Irene V. Gutierrez
(See above for address)

ATTORNEY TO BE NOTICED

Plaintiff

Sierra Club

represented by **Heather Mudford Lewis**
(See above for address)
TERMINATED: 07/08/2019
ATTORNEY TO BE NOTICED

Jonathan James Smith
(See above for address)
ATTORNEY TO BE NOTICED

Marianne Leslie Engelman Lado
(See above for address)
ATTORNEY TO BE NOTICED

Suzanne Novak
(See above for address)
TERMINATED: 07/08/2019
PRO HAC VICE

Irene V. Gutierrez
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ATTORNEY TO BE NOTICED

Plaintiff

Michael Boyd

represented by **Heather Mudford Lewis**
(See above for address)
TERMINATED: 07/08/2019
ATTORNEY TO BE NOTICED

Jonathan James Smith
(See above for address)
ATTORNEY TO BE NOTICED

Marianne Leslie Engelman Lado
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Suzanne Novak
(See above for address)
TERMINATED: 07/08/2019
PRO HAC VICE

Irene V. Gutierrez
(See above for address)
ATTORNEY TO BE NOTICED

Plaintiff

Saint Francis Prayer Center

represented by **Heather Mudford Lewis**
(See above for address)
TERMINATED: 07/08/2019
ATTORNEY TO BE NOTICED

Jonathan James Smith
(See above for address)
ATTORNEY TO BE NOTICED

Marianne Leslie Engelman Lado
(See above for address)
ATTORNEY TO BE NOTICED

Suzanne Novak

(See above for address)
 TERMINATED: 07/08/2019
 PRO HAC VICE

V.

Defendant

**United States Environmental
 Protection Agency**

represented by **Michael Andrew Zee**
 United States Department of Justice
 Civil Division, Federal Programs Branch
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ATTORNEY TO BE NOTICED

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 Email: stuart.j.robinson@usdoj.gov
ATTORNEY TO BE NOTICED

Defendant

Gina McCarthy
*in her official capacity as Administrator
 of the Environmental Protection Agency*

represented by **Michael Andrew Zee**
 (See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Stuart Justin Robinson
 (See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
07/15/2015	<u>1</u>	COMPLAINT for Declaratory and Injunctive Relief against All Defendants (Filing fee \$ 400, receipt number 0971-9679469.). Filed by Michael E Boyd, Maurice and Jane Sugar Law Center for Economic and Social Justice, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Ashurst Bar/Smith Community Organization, Sierra Club. (Attachments: # <u>1</u> Exhibit Ex. 1 – Sugar Law Center Complaint, # <u>2</u> Exhibit Ex. 2 – 2013-05 EPA Title VI Complaint Listing, # <u>3</u> Exhibit Ex. 3 – 1999 Sugar Law Center Letter to EPA, # <u>4</u> Exhibit Ex. 4 – 2000 Sugar Law Center Letter to EPA, # <u>5</u> Exhibit Ex. 5 – CARE Complaint, # <u>6</u> Exhibit Ex. 6 – CARE Amended Complaint, # <u>7</u> Exhibit Ex. 7 – CARE DOJ Complaint, # <u>8</u> Exhibit Ex. 8 – Los Medanos ECHO Facility Report, # <u>9</u> Exhibit Ex. 9 – Sierra Club Complaint, # <u>10</u> Exhibit Ex. 10 – EPA Acceptance of Sierra Club Complaint, # <u>11</u> Exhibit Ex. 11 – EPA ExxonMobil Refinery Settlement, # <u>12</u> Exhibit Ex. 12 –

		Beaumont Refinery ECHO Facility Report, # <u>13</u> Exhibit Ex. 13 – CARD Complaint, # <u>14</u> Exhibit Ex. 14 – EPA Acceptance of CARD Complaint, # <u>15</u> Exhibit Ex. 15 – CARD Amended Complaint, # <u>16</u> Exhibit Ex. 16 – EPA Letter to CARD, # <u>17</u> Exhibit Ex. 17 – Letter from Unnamed Individual, # <u>18</u> Exhibit Ex. 18 – Ashurst/Bar Smith Complaint, # <u>19</u> Exhibit Ex. 19 – ADEM Letter to EPA, # <u>20</u> Exhibit Ex. 20 – EPA Acceptance of Ashurst/Bar Smith Complaint, # <u>21</u> Exhibit Ex. 21 – ADEM Response to EPA Acceptance, # <u>22</u> Exhibit Ex. 22 – ADEM Response to EPA Request for Information, # <u>23</u> Exhibit Ex. 23 – EPA Partial Dismissal, # <u>24</u> Civil Cover Sheet)(Gutierrez, Irene) (Filed on 7/15/2015) (Entered: 07/15/2015)
07/15/2015	<u>2</u>	Certificate of Interested Entities by Ashurst Bar/Smith Community Organization, Michael E Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Economic and Social Justice, Sierra Club. (Gutierrez, Irene) (Filed on 7/15/2015) Modified on 7/16/2015 (cjlS, COURT STAFF). (Entered: 07/15/2015)
07/15/2015	<u>3</u>	MOTION for leave to appear in Pro Hac Vice Re: Jonathan J. Smith (Filing fee \$305, receipt number 0971–9679663) filed by Ashurst Bar/Smith Community Organization, Michael E Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Economic and Social Justice, Sierra Club. (Attachments: # <u>1</u> Exhibit Pro Hac Vice Oath – Jonathan J. Smith, # <u>2</u> Exhibit Certificate of Good Standing – Jonathan J. Smith)(Smith, Jonathan) (Filed on 7/15/2015) Modified on 7/15/2015 (cjlS, COURT STAFF). (Entered: 07/15/2015)
07/15/2015	<u>4</u>	Proposed Summons. (Gutierrez, Irene) (Filed on 7/15/2015) (Entered: 07/15/2015)
07/15/2015	<u>5</u>	Case assigned to Magistrate Judge Kandis A. Westmore. Counsel for plaintiff or the removing party is responsible for serving the Complaint or Notice of Removal, Summons and the assigned judge's standing orders and all other new case documents upon the opposing parties. For information, visit <i>E–Filing A New Civil Case</i> at http://cand.uscourts.gov/ecf/caseopening . Standing orders can be downloaded from the court's web page at www.cand.uscourts.gov/judges . Upon receipt, the summons will be issued and returned electronically. Counsel is required to send chambers a copy of the initiating documents pursuant to L.R. 5–1(e)(7). A scheduling order will be sent by Notice of Electronic Filing (NEF) within two business days. (cjlS, COURT STAFF) (Filed on 7/15/2015) (Entered: 07/15/2015)
07/15/2015	<u>6</u>	Initial Case Management Scheduling Order with ADR Deadlines: Case Management Statement due by 10/6/2015. Case Management Conference set for 10/13/2015 01:30 PM in Courtroom 4, 3rd Floor, Oakland. (cjlS, COURT STAFF) (Filed on 7/15/2015) (Entered: 07/15/2015)
07/15/2015	<u>7</u>	Summons Issued as to Gina McCarthy, United States Environmental Protection Agency. (cjlS, COURT STAFF) (Filed on 7/15/2015) (Entered: 07/15/2015)
07/15/2015		Electronic filing error. Names of Interested Parties were not entered. Please re–file in its entirety Re: <u>2</u> Certificate of Interested Entities filed by Ashurst Bar/Smith Community Organization, Citizens for Alternatives to Radioactive Dumping, Sierra Club, Michael E Boyd, Maurice and Jane Sugar Law Center for Economic and Social Justice, Californians For Renewable Energy. (cjlS, COURT STAFF) (Filed on 7/15/2015) (Entered: 07/15/2015)
07/15/2015	<u>8</u>	Certificate of Interested Entities by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Economic and Social Justice, Sierra Club identifying Other Affiliate Center on Race, Poverty & the Environment, Other Affiliate American Lung Association of Michigan, Other Affiliate Conservative Use of Resources and the Environment, Other Affiliate Joe Hawkins, Other Affiliate Magil Duran, Other Affiliate Michigan Environmental Council, Other Affiliate National Association for the Advancement of Colored People Flint Branch, Other Affiliate National Lawyers Guild Toxics Committee, Other Affiliate Noel Marquez, Other Affiliate United for Action, Other Affiliate Water Information Network for Maurice and Jane Sugar Law Center for Economic and Social Justice; Other Affiliate Center on Race, Poverty & the Environment, Other Affiliate American

		Lung Association of Michigan, Other Affiliate Conservative Use of Resources and the Environment, Other Affiliate Joe Hawkins, Other Affiliate Magil Duran, Other Affiliate Noel Marquez, Other Affiliate Water Information Network, Other Affiliate Alabama Department of Environmental Management for Ashurst Bar/Smith Community Organization; Other Affiliate Bay Area Air Quality Management District, Other Affiliate Center on Race, Poverty & the Environment, Other Affiliate American Lung Association of Michigan, Other Affiliate Conservative Use of Resources and the Environment, Other Affiliate Joe Hawkins, Other Affiliate Magil Duran, Other Affiliate Noel Marquez, Other Affiliate Water Information Network, Other Affiliate California Air Resources Board, Other Affiliate Pittsburg Unified School District for Californians For Renewable Energy; Other Affiliate Center on Race, Poverty & the Environment, Other Affiliate American Lung Association of Michigan, Other Affiliate Conservative Use of Resources and the Environment, Other Affiliate Joe Hawkins, Other Affiliate Magil Duran, Other Affiliate Noel Marquez, Other Affiliate Water Information Network, Other Affiliate New Mexico Environment Department for Citizens for Alternatives to Radioactive Dumping; Other Affiliate Center on Race, Poverty & the Environment, Other Affiliate American Lung Association of Michigan, Other Affiliate Conservative Use of Resources and the Environment, Other Affiliate Joe Hawkins, Other Affiliate Magil Duran, Other Affiliate Noel Marquez, Other Affiliate People Against Contaminated Environments, Other Affiliate Water Information Network, Other Affiliate Texas Commission on Environmental Quality for Sierra Club; Other Affiliate Bay Area Air Quality Management District, Other Affiliate Center on Race, Poverty & the Environment, Other Affiliate American Lung Association of Michigan, Other Affiliate Conservative Use of Resources and the Environment, Other Affiliate Joe Hawkins, Other Affiliate Magil Duran, Other Affiliate Noel Marquez, Other Affiliate Water Information Network, Other Affiliate California Air Resources Board for Michael Boyd. re <u>1</u> Complaint,,,,, <i>Certificate of Interested Parties</i> (Gutierrez, Irene) (Filed on 7/15/2015) (Entered: 07/15/2015)
07/16/2015	<u>9</u>	NOTICE of Appearance by Irene V. Gutierrez (Gutierrez, Irene) (Filed on 7/16/2015) (Entered: 07/16/2015)
07/16/2015	<u>10</u>	NOTICE of Appearance by Jonathan James Smith (Smith, Jonathan) (Filed on 7/16/2015) (Entered: 07/16/2015)
07/20/2015	<u>11</u>	Order by Magistrate Judge Kandis A. Westmore denying <u>3</u> Motion for Pro Hac Vice.(kawlc2S, COURT STAFF) (Filed on 7/20/2015) (Entered: 07/20/2015)
07/23/2015	<u>12</u>	MOTION for leave to appear in Pro Hac Vice Re: Marianne L. Engelman Lado (Filing fee \$305, receipt number 0971-9700893) filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Economic and Social Justice, Sierra Club. (Attachments: # <u>1</u> Exhibit Oath, # <u>2</u> Exhibit Certificate of Good Standing)(Engelman Lado, Marianne) (Filed on 7/23/2015) Modified on 7/24/2015 (cjlS, COURT STAFF). (Entered: 07/23/2015)
07/23/2015	<u>13</u>	Order by Magistrate Judge Kandis A. Westmore granting <u>12</u> Motion for Pro Hac Vice.(kawlc2S, COURT STAFF) (Filed on 7/23/2015) (Entered: 07/23/2015)
07/23/2015	<u>14</u>	NOTICE of Appearance by Marianne Leslie Engelman Lado (Engelman Lado, Marianne) (Filed on 7/23/2015) (Entered: 07/23/2015)
07/27/2015	<u>15</u>	SUMMONS Returned Executed by Michael Boyd, Maurice and Jane Sugar Law Center for Economic and Social Justice, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Ashurst Bar/Smith Community Organization, Sierra Club. Gina McCarthy served on 7/27/2015, answer due 9/25/2015. <i>Served Summons upon Gina McCarthy by Federal Express with Proof of Delivery</i> (Engelman Lado, Marianne) (Filed on 7/27/2015) Modified on 8/18/2015 (cjlS, COURT STAFF). (Entered: 07/27/2015)
07/27/2015	<u>16</u>	SUMMONS Returned Executed by Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Ashurst Bar/Smith Community Organization, Sierra Club. <i>Served Summons Upon Attorney General Loretta Lynch by Federal Express with Proof of Delivery</i> (Engelman Lado, Marianne) (Filed on 7/27/2015) (Entered: 07/27/2015)

07/27/2015	<u>17</u>	SUMMONS Returned Executed by Michael Boyd, Maurice and Jane Sugar Law Center for Economic and Social Justice, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Ashurst Bar/Smith Community Organization, Sierra Club. <i>Served Summons upon Civil Process Clerk at US Attorney's Office by Federal Express with Proof of Delivery</i> (Engelman Lado, Marianne) (Filed on 7/27/2015) (Entered: 07/27/2015)
07/29/2015	<u>18</u>	SUMMONS Returned Executed by Michael Boyd, Maurice and Jane Sugar Law Center for Economic and Social Justice, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Ashurst Bar/Smith Community Organization, Sierra Club. United States Environmental Protection Agency served on 7/29/2015, answer due 9/28/2015. <i>Served Summons upon U.S. EPA by Federal Express with Proof of Delivery</i> (Engelman Lado, Marianne) (Filed on 7/29/2015) Modified on 8/18/2015 (cjlS, COURT STAFF). (Entered: 07/29/2015)
07/29/2015	<u>19</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Economic and Social Justice, Sierra Club.. (Gutierrez, Irene) (Filed on 7/29/2015) (Entered: 07/29/2015)
08/21/2015	<u>20</u>	NOTICE of Appearance by Michael Andrew Zee (Zee, Michael) (Filed on 8/21/2015) (Entered: 08/21/2015)
09/02/2015	<u>21</u>	CONSENT/DECLINATION to Proceed Before a US Magistrate Judge by Gina McCarthy, United States Environmental Protection Agency.. (Zee, Michael) (Filed on 9/2/2015) (Entered: 09/02/2015)
09/03/2015	<u>22</u>	CLERK'S NOTICE OF IMPENDING REASSIGNMENT TO A U.S. DISTRICT COURT JUDGE: The Clerk of this Court will now randomly reassign this case to a District Judge because either (1) a party has not consented to the jurisdiction of a Magistrate Judge, or (2) time is of the essence in deciding a pending judicial action for which the necessary consents to Magistrate Judge jurisdiction have not been secured. You will be informed by separate notice of the district judge to whom this case is reassigned. ALL HEARING DATES PRESENTLY SCHEDULED BEFORE THE CURRENT MAGISTRATE JUDGE ARE VACATED AND SHOULD BE RE-NOTICED FOR HEARING BEFORE THE JUDGE TO WHOM THIS CASE IS REASSIGNED. <i>This is a text only docket entry; there is no document associated with this notice.</i> (sisS, COURT STAFF) (Filed on 9/3/2015) (Entered: 09/03/2015)
09/03/2015	<u>23</u>	ORDER REASSIGNING CASE. Case reassigned to Judge Hon. Sandra Brown Armstrong for all further proceedings. Magistrate Judge Kandis A. Westmore no longer assigned to the case. Signed by the Executive Committee on September 3, 2015. (cjlS, COURT STAFF) (Filed on 9/3/2015) (Entered: 09/03/2015)
09/04/2015	<u>24</u>	CASE MANAGEMENT SCHEDULING ORDER FOR REASSIGNED CIVIL CASES; Joint Case Management Statement due by 10/8/2015. Telephonic Case Management Conference set for 10/15/2015 03:00 PM. (jebS, COURT STAFF) (Filed on 9/4/2015) Modified on 9/4/2015 (jebS, COURT STAFF). Modified on 9/8/2015 (jlmS, COURT STAFF). (Entered: 09/04/2015)
09/15/2015	<u>25</u>	STIPULATION WITH PROPOSED ORDER TO STAY PROCEEDINGS PENDING SETTLEMENT NEGOTIATIONS, filed by Gina McCarthy, United States Environmental Protection Agency, Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Economic and Social Justice, Sierra Club. (Zee, Michael) (Filed on 9/15/2015) Modified on 9/16/2015 (jlmS, COURT STAFF). (Entered: 09/15/2015)
09/15/2015	<u>26</u>	Order by Hon. Sandra Brown Armstrong granting <u>25</u> Stipulation to Stay Proceedings Pending Settlement Negotiations. (jebS, COURT STAFF) (Filed on 9/15/2015) (Entered: 09/15/2015)

09/15/2015	<u>27</u>	CLERK'S NOTICE. Notice is hereby given that the Initial Case Management Conference, previously set for Thursday, October 15, 2015, at 3:00 p.m. is continued to Thursday, December 10, 2015, at 2:30 p.m. by telephonic appearance. The parties shall meet and confer prior to the conference and shall prepare a Joint Case Management Conference Statement which shall be filed no later than seven (7) days prior to the Case Management Conference that complies with the Standing Order For All Judges Of The Northern District Of California and the Standing Order of this Court. Plaintiffs shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 879-3550 at the above indicated date and time. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> Joint Case Management Statement due by 12/3/2015. Telephonic Case Management Conference set for 12/10/2015 02:30 PM. (jebS, COURT STAFF) (Filed on 9/15/2015) (Entered: 09/15/2015)
11/09/2015	<u>28</u>	JOINT STATUS REPORT and Stipulated Request to Extend Stay 30 Days, filed by Gina McCarthy, United States Environmental Protection Agency, Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Economic and Social Justice, Sierra Club. (Zee, Michael) (Filed on 11/9/2015) Modified on 11/10/2015 (jlmS, COURT STAFF). (Entered: 11/09/2015)
11/09/2015	<u>29</u>	ORDER Granting Stipulated Request to Extend Stay Pending Settlement Negotiations. Signed by Judge Sandra Brown Armstrong on 11/09/2015. (tmiS, COURT STAFF) (Filed on 11/9/2015) (Entered: 11/09/2015)
11/09/2015	<u>30</u>	CLERK'S NOTICE CONTINUING CASE MANAGEMENT CONFERENCE. The Telephonic Case Management Conference, previously set for Thursday, 12/10/2015, is continued to Thursday, 1/28/2016, at 2:30 PM. The parties shall meet and confer prior to the conference and shall prepare a joint Case Management Conference Statement which shall be filed no later than seven (7) days prior to the Case Management Conference that complies with the Standing Order For All Judges Of The Northern District Of California and the Standing Order of this Court. Plaintiffs shall be responsible for filing the statement as well as for arranging the conference call. All parties shall be on the line and shall call (510) 879-3550 at the above indicated date and time. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (tmiS, COURT STAFF) (Filed on 11/9/2015) (Entered: 11/09/2015)
12/09/2015	<u>31</u>	STATUS REPORT and Stipulated Request to Set Deadline to File Amended Complaint, filed by Gina McCarthy, United States Environmental Protection Agency, Ashurst Bar/Smith Community Organization, Michael Boyd, Californian For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Ecomonic and Social Justice, Sierra Club. (Zee, Michael) (Filed on 12/9/2015) Modified on 12/10/2015 (jlmS, COURT STAFF). (Entered: 12/09/2015)
12/16/2015	<u>32</u>	JOINT STATUS REPORT AND STIPULATION WITH PROPOSED ORDER to Set Deadline to File Amended Complaint, filed by Gina McCarthy, United States Environmental Protection Agency, Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Economic and Social Justice, Sierra Club. (Zee, Michael) (Filed on 12/16/2015) Modified on 12/17/2015 (jlmS, COURT STAFF). (Entered: 12/16/2015)
12/16/2015	<u>33</u>	Order by Hon. Sandra Brown Armstrong granting <u>32</u> Stipulation to Set Deadline to File Amended Complaint.(tmiS, COURT STAFF) (Filed on 12/16/2015) (Entered: 12/16/2015)
01/07/2016	<u>34</u>	AMENDED COMPLAINT for Declaratory and Injunctive Relief against All Defendants. Filed by Michael Boyd, Citizens for Alternatives to Radioactive Dumping, Ashurst Bar/Smith Community Organization, Californians For Renewable Energy, Sierra Club, Saint Francis Prayer Center. (Attachments: # <u>1</u> Exhibit Ex. 1 – Prayer Center Complaint, # <u>2</u> Exhibit Ex. 2 – EPA Acceptance of Prayer Center Complaint, # <u>3</u> Exhibit Ex. 3 – Genesee Sugar Law Letter Aug. 1995, # <u>4</u> Exhibit Ex. 4 – Genesee Sugar Law Letter June 2000, # <u>5</u> Exhibit Ex. 5 – CARE Complaint, # <u>6</u> Exhibit Ex. 6 – Complaints Filed With EPA Under Title VI, # <u>7</u> Exhibit Ex. 7 – CARE Am.

		Complaint, # <u>8</u> Exhibit Ex. 8 – Boyd Whistleblower Complaint, # <u>9</u> Exhibit Ex. 9 – ECHO Detailed Facility Report – Los Medanos Energy Center, # <u>10</u> Exhibit Ex. 10 – Sierra Club Complaint, # <u>11</u> Exhibit Ex. 11 – EPA Partial Acceptance – Sierra Club Complaint, # <u>12</u> Exhibit Ex. 12 – EPA – ExxonMobil Refinery Settlement, # <u>13</u> Exhibit Ex. 13 – ECHO Detailed Facility Report – ExxonMobil Beaumont Refinery, # <u>14</u> Exhibit Ex. 14 – CARD Complaint, # <u>15</u> Exhibit Ex. 15 – EPA OCR Acceptance of CARD Complaint, # <u>16</u> Exhibit Ex. 16 – CARD Am. Complaint, # <u>17</u> Exhibit Ex. 17 – EPA OCR Req. for More Information to CARD, # <u>18</u> Exhibit Ex. 18 – Ashurst/Bar Smith Complaint (Redacted), # <u>19</u> Exhibit Ex. 19 – Ashurst/Bar Smith Am. Complaint (Redacted), # <u>20</u> Exhibit Ex. 20 – ADEM Response to EPA Notice, # <u>21</u> Exhibit Ex. 21 – EPA Acceptance of Ashurst/Bar Smith Complaint (Redacted), # <u>22</u> Exhibit Ex. 22 – EPA Info Request to ADEM, # <u>23</u> Exhibit Ex. 23 – ADEM Response to EPA Info Request, # <u>24</u> Exhibit Ex. 24 – EPA Partial Dismissal Tallassee (Redacted), # <u>25</u> Exhibit Ex. 25 – Deloitte Report re EPA OCR, # <u>26</u> Exhibit Ex. 26 – CPI, "Environmental Racism Persists, and the EPA is One Reason Why", # <u>27</u> Exhibit Ex. 27 – CPI, "Decades of Inaction")(Engelman Lado, Marianne) (Filed on 1/7/2016) (Entered: 01/07/2016)
01/20/2016	<u>35</u>	ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options, filed by Gina McCarthy, United States Environmental Protection Agency (Zee, Michael) (Filed on 1/20/2016) Modified on 1/21/2016 (jlmS, COURT STAFF). (Entered: 01/20/2016)
01/21/2016	<u>36</u>	ADR Certification (ADR L.R. 3–5 b) of discussion of ADR options, filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians for Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club (Engelman Lado, Marianne) (Filed on 1/21/2016) Modified on 1/22/2016 (jlmS, COURT STAFF). (Entered: 01/21/2016)
01/21/2016	<u>37</u>	JOINT CASE MANAGEMENT STATEMENT filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club, Gina McCarthy, United States Environmental Protection Agency. (Engelman Lado, Marianne) (Filed on 1/21/2016) Modified on 1/22/2016 (jlmS, COURT STAFF). (Entered: 01/21/2016)
01/21/2016	<u>38</u>	NOTICE of need for ADR Phone Conference (ADR L.R. 3–5 d), filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club, Gina McCarthy, United States Environmental Protection Agency (Engelman Lado, Marianne) (Filed on 1/21/2016) Modified on 1/22/2016 (jlmS, COURT STAFF). (Entered: 01/21/2016)
01/22/2016	<u>39</u>	ADR Clerk's Notice Setting ADR Phone Conference on January 27, 2016 at 1:30 PM Pacific time. Please note that you must be logged into an ECF account of counsel of record in order to view this document. (cmf, COURT STAFF) (Filed on 1/22/2016) (Entered: 01/22/2016)
01/25/2016	<u>40</u>	STIPULATION WITH PROPOSED ORDER to Extend Response Deadline and Set Briefing Schedule for Cross–Motions, filed by Gina McCarthy, United States Environmental Protection Agency, Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Declaration of M. Andrew Zee)(Zee, Michael) (Filed on 1/25/2016) Modified on 1/26/2016 (jlmS, COURT STAFF). (Entered: 01/25/2016)
01/26/2016	<u>41</u>	STIPULATION AND ORDER TO EXTEND RESPONSE DEADLINE TO PLAINTIFFS AMENDED COMPLAINT AND TO SET BRIEFING SCHEDULE FOR CROSS–MOTIONS by Hon. Sandra Brown Armstrong granting <u>40</u> Stipulation. EPAs deadline to respond to the Amended Complaint and file motion for dispositive relief: January 29, 2016. (jebS, COURT STAFF) (Filed on 1/26/2016) (Entered: 01/26/2016)
01/27/2016		ADR Remark: ADR Phone Conference held on 1/27/2016 with Tamara Lange. (cmf, COURT STAFF) (Filed on 1/27/2016) (Entered: 01/27/2016)
01/28/2016	<u>42</u>	Minute Entry for proceedings held before Hon. Sandra Brown Armstrong: Initial Case Management Conference held on 1/28/2016. Total Time in Court 20

		Minutes. Not Reported or Recorded. (jebS, COURT STAFF) (Date Filed: 1/28/2016) (Entered: 01/29/2016)
01/28/2016	<u>43</u>	Amended Minute Entry for proceedings held before Hon. Saundra Brown Armstrong: Further Case Management Conference held on 1/28/2016. Total Time in Court 20 Minutes. Not Reported or Recorded. (jebS, COURT STAFF) (Date Filed: 1/28/2016) (Entered: 01/29/2016)
02/19/2016	<u>44</u>	ORDER OF REFERENCE FOR MANDATORY SETTLEMENT CONFERENCE. Signed by Judge Saundra Brown Armstrong on 2/18/16. (jebS, COURT STAFF) (Filed on 2/19/2016) Modified on 2/22/2016 (jlmS, COURT STAFF). (Entered: 02/19/2016)
02/19/2016		CASE REFERRED to Magistrate Judge Laurel Beeler for Settlement (ahm, COURT STAFF) (Filed on 2/19/2016) (Entered: 02/19/2016)
02/22/2016	<u>45</u>	NOTICE AND ORDER REGARDING SETTLEMENT CONFERENCE before Magistrate Judge Laurel Beeler. Settlement Conference set for 4/1/2016 at 10:00 AM in Courtroom C, 15th Floor, San Francisco. Signed by Magistrate Judge Laurel Beeler on 2/22/2016. (lsS, COURT STAFF) (Filed on 2/22/2016) (Entered: 02/22/2016)
02/25/2016	46	CLERK'S NOTICE: After consultation with counsel, the court resets the Settlement Conference to 3/23/2016 at 9:00 AM in Courtroom C, 15th Floor, San Francisco. Settlement Conference Statements due 7 days prior to the conference. The Settlement Order issued on February 22, 2016, ECF No. 45 remains in affect. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (lsS, COURT STAFF) (Filed on 2/25/2016) (Entered: 02/25/2016)
03/09/2016	<u>47</u>	MOTION to Appear by Telephone at Settlement Conference, filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Engelman Lado, Marianne) (Filed on 3/9/2016) Modified on 3/10/2016 (jlmS, COURT STAFF). (Entered: 03/09/2016)
03/14/2016	<u>48</u>	ORDER GRANTING REQUEST FOR TELEPHONIC APPEARANCE AT SETTLEMENT CONFERENCE by Magistrate Judge Laurel Beeler: Granting <u>47</u> Motion to Appear by Telephone.(lsS, COURT STAFF) (Filed on 3/14/2016) (Entered: 03/14/2016)
03/22/2016	49	ORDER RE SETTLEMENT CONFERENCE ATTENDANCE. The court just now received the plaintiffs' addendum dated March 21, 2016, about who should attend the settlement conference from the EPA. The court is not a fan of telephone participation and thinks (from prior and extensive settlement negotiations with the government) that in-person attendance is the key to negotiating injunctive relief. That said, the court trusts that all parties will ensure that all persons necessary for an effective settlement conference will attend the conference (even if by telephone or Skype) as opposed to being merely available by telephone. To facilitate participation, the parties should have separate conference call numbers available (and the court appreciates that at least some clients are attending via CourtCall). The court also reminds the parties that it has a previously scheduled matter from (likely) 11:15 a.m. to 1:45 p.m. Given that this is a negotiation, the parties should expect to continue their negotiation in the court's absence. (Beeler, Laurel) (Filed on 3/22/2016) (Entered: 03/22/2016)
03/23/2016	50	Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference held on 3/23/2016. Total Time in Court 9:20 a.m.-7:20 p.m. (10 hours). Not Reported. Plaintiff Attorney Marianne Lado; Jonathan Smith with Phyllis Gosa; Micheal Boyd; and Debra Reed. Neil Carmen; Phil Schmitter; and Ron Smith appeared via CourtCall Defendant Attorney Michael Zee with Mary O'lone. The Court sets a further counsel-only settlement conference for Thursday, March 31, 2016, at 1 p.m. PST. Counsel to call into chambers on one line at 415-522-4660. If this time is inconvenient, counsel may reset the time by calling courtroom deputy Lashanda Scott at 415-522-3140 or by emailing lbpo@cand.uscourts.gov. The Court might be able to accommodate an earlier time (such as noon) but will not know until Friday, March 25. This is a text only Minute Entry (ndrS, COURT STAFF) (Date Filed: 3/23/2016) (Entered: 03/23/2016)

		03/24/2016)
03/31/2016	51	<p>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Court held a further settlement conference. The parties agreed to the following process. The plaintiffs will provide a response to the government's March 30 letter no later than April 7. The government also will let the plaintiffs know by March 7 whether it is willing to give insight into the investigative status of the current complaints, not as part of a settlement agreement but for case-management and insight purposes. The parties could agree that the government could provide that information under a mediation/settlement-conference privilege. The government also will respond to the plaintiffs' April 7 letter no later than April 14, 2016. The parties then will confer by telephone before April 21, 2016 to discuss their respective perspectives. The court sets a further telephone call for April 21, 2016, at 1 p.m. Parties to call into chambers at 415-522-4660. The parties also may cc the court on their April 7 and April 14 letters by email to lbpo@cand.uscourts.gov. Finally, the parties may provide a brief update by email by 2 p.m. on April 20 (after their meet-and-confer) by email to the orders box. (Total Time: 1 hour and 20 Minutes) (Not Reported)</p> <p>Plaintiff Attorney: Marianne Lado and Jonathan Smith.</p> <p>Defendant Attorney: Andrew Zee.</p> <p>This is a text only Minute Entry. (lsS, COURT STAFF) (Date Filed: 3/31/2016) (Entered: 03/31/2016)</p>
03/31/2016		Set/Reset Hearing re 51 Settlement Conference: Telephonic Settlement Conference set for 4/21/2016 at 1:00 P.M. (lsS, COURT STAFF) (Filed on 3/31/2016) (Entered: 03/31/2016)
04/21/2016	52	<p>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement conference call held. Parties to exchange proposals by next Tuesday and then confer on the proposals. The latest draft must be sent to the court by 10:00 a.m. on Wednesday, April 27, 2016. The court sets a further call for April 27, 2016 at 11:00 a.m. Parties to call into chambers on one line. (Total Time: 1 Hour and 30 Minutes) (Not Reported)</p> <p>Plaintiff Attorney: Marion Engelman-Lado and Jonathan Smith.</p> <p>Defendant Attorney: Andrew Zee.</p> <p>This is a text only Minute Entry. (lsS, COURT STAFF) (Date Filed: 4/21/2016) (Entered: 04/21/2016)</p>
04/27/2016	53	<p>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference held on 4/27/2016. Counsel to confer and update the court within two business days regarding next steps. (Total Time: 50 Minutes) (Not Reported)</p> <p>Plaintiff Attorney: Marion Engelman-Lado and Jonathan Smith.</p> <p>Defendant Attorney: Andrew Zee.</p> <p>This is a text only Minute Entry. (lsS, COURT STAFF) (Date Filed: 4/27/2016) (Entered: 04/28/2016)</p>
06/07/2016	54	CLERK'S NOTICE: Telephonic Settlement Conference set for 6/7/2016 at 2:00 P.M. (Pacific Time). Counsel to set up a conference call line and phone in to chambers with all parties on one line (415-522-4660). <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (lsS, COURT STAFF) (Filed on 6/7/2016) (Entered: 06/07/2016)
06/08/2016	55	Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference call held on 6/8/2016. The case has not settled. The court remains available to help the parties should their positions change. The next step is a case-management conference. The court directed the parties to confer after

		<p>today's call about the contents of their CMC statement and any disputes that they need to raise before the trial judge. (Total Time: 45 Minutes) (Not Reported)</p> <p>Plaintiff Attorney: Marianne Engelman Lado and Jonathan Smith.</p> <p>Defendant Attorney: Michael Andrew Zee.</p> <p>This is a text only Minute Entry. (lsS, COURT STAFF) (Date Filed: 6/8/2016) (Entered: 06/08/2016)</p>
06/08/2016	<u>56</u>	<p>ORDER SETTING FURTHER CASE MANAGEMENT CONFERENCE. Joint Case Management Statement due by 6/15/2016. Further Case Management Conference set for 6/22/2016 02:30 PM. Signed by Judge Saundra Brown Armstrong on 6/8/16. (jjoS, COURT STAFF) (Filed on 6/8/2016) (Entered: 06/08/2016)</p>
06/09/2016	<u>57</u>	<p>NOTICE of Appearance of Matthew Lawrence as Counsel, filed by United States Environmental Protection Agency (Lawrence, Matthew) (Filed on 6/9/2016) Modified on 6/10/2016 (jlm, COURT STAFF). (Entered: 06/09/2016)</p>
06/10/2016		<p>Electronic filing error – Cases assigned to Judge Saundra Brown Armstrong should bear the initials "SBA" after the case number Re: <u>57</u> <i>Notice of Appearance</i>, filed by United States Environmental Protection Agency. Counsel need not re-file document, but should reference "SBA" after the case number in future filings. (jlm, COURT STAFF) (Filed on 6/10/2016) (Entered: 06/10/2016)</p>
06/15/2016	<u>58</u>	<p>UPDATED JOINT CASE MANAGEMENT STATEMENT filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club, United States Environmental Protection Agency, Gina McCarthy. (Engelman Lado, Marianne) (Filed on 6/15/2016) Modified on 6/16/2016 (kcS, COURT STAFF). (Entered: 06/15/2016)</p>
06/22/2016	<u>59</u>	<p>CLERK'S NOTICE CONTINUING FURTHER CASE MANAGEMENT CONFERENCE Further Case Management Conference set for 7/7/2016 02:30 PM. (jjoS, COURT STAFF) (Filed on 6/22/2016) (Entered: 06/22/2016)</p>
07/07/2016	<u>61</u>	<p>Minute Entry for proceedings held before Hon. Saundra Brown Armstrong: Further Case Management Conference held on 7/7/2016. Total Time in Court 15 minutes. Court Reporter Name Unreported. (jjoS, COURT STAFF) (Date Filed: 7/7/2016) Modified on 7/12/2016 (jlmS, COURT STAFF). (Entered: 07/11/2016)</p>
07/08/2016	<u>60</u>	<p>SECOND ORDER OF REFERENCE FOR MANDATORY SETTLEMENT CONFERENCE. Signed by Judge Saundra Brown Armstrong on 7/7/16. (jjoS, COURT STAFF) (Filed on 7/8/2016) (Entered: 07/08/2016)</p>
07/08/2016		<p>Set/Reset Hearing Further Telephonic Case Management Conference set for 11/2/2016 at 02:30 PM, per <u>60</u> <i>Order</i>. (jlmS, COURT STAFF) (Filed on 7/8/2016) (Entered: 07/11/2016)</p>
07/11/2016	<u>62</u>	<p>STIPULATION AND PROPOSED ORDER for Clarification of Second Order of Reference, filed by Gina McCarthy, United States Environmental Protection Agency, Californians for Renewable Energy. Responses due by 7/15/2016. (Zee, Michael) (Filed on 7/11/2016) Modified on 7/12/2016 (jlmS, COURT STAFF). (Entered: 07/11/2016)</p>
07/12/2016	<u>63</u>	<p>ORDER by Judge Saundra Brown Armstrong granting <u>62</u> Administrative Motion to suspend deadlines. (sisS, COURT STAFF) (Filed on 7/12/2016) (Entered: 07/12/2016)</p>
07/12/2016	64	<p>CLERK'S NOTICE: Further Settlement Conference set for 8/12/2016 at 10:00 AM in Courtroom C, 15th Floor, San Francisco. Updated Settlement Conference Statements due August 5, 2016. The Settlement Order issued on February 22, 2016, ECF No. 45 remains in affect. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (lsS, COURT STAFF) (Filed on 7/12/2016) (Entered: 07/12/2016)</p>
07/20/2016	65	<p>CLERK'S NOTICE RESETTING SETTLEMENT CONFERENCE: Settlement Conference reset for 8/15/2016 11:00 AM in Courtroom C, 15th Floor, San Francisco.</p>

		<i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (afmS, COURT STAFF) (Filed on 7/20/2016) (Entered: 07/20/2016)
08/03/2016	<u>66</u>	Consent MOTION to Appear by Telephone <i>at Settlement Conference</i> filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Engelman Lado, Marianne) (Filed on 8/3/2016) (Entered: 08/03/2016)
08/04/2016	<u>67</u>	ORDER GRANTING REQUEST FOR TELEPHONIC APPEARANCE AT SETTLEMENT CONFERENCE by Magistrate Judge Laurel Beeler: Granting <u>66</u> Motion to Appear by Telephone. (ls, COURT STAFF) (Filed on 8/4/2016) (Entered: 08/04/2016)
08/15/2016	68	Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference held on 8/15/2016. The government will circulate a revised proposal as soon as is practicable and in any event, within 21 days. (Not Reported) Plaintiff Attorney: John Pilo (video conference), Jonathan J. Smith and Marianne Engelman Lado. Defendant Attorney: Andrew Zee and Mary O'Lone. Clients: Kurt Tempel, Michael Boyd, Deborah Read; Video Conference Appearances – Neil Carmen, Philip Schmitr, Phyllis Gosa and Ronald Smith. This is a text only Minute Entry. (lsS, COURT STAFF) (Date Filed: 8/15/2016) (Entered: 08/16/2016)
08/30/2016	69	Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: The court had further settlement conferences with the parties, who were unable to settle the case. The court suggests that the parties confer by September 9 to come up with a case-management schedule and submit it to Judge Armstrong. The court remains available to help if circumstances change. (Not Reported) Plaintiff Attorney: Marianne Engelman Lado and Jonathan Smith. Defendant Attorney: Michael Andrew Zee. This is a text only Minute Entry. (lsS, COURT STAFF) (Date Filed: 8/30/2016) (Entered: 08/30/2016)
08/30/2016	<u>70</u>	ORDER SETTING CASE MANAGEMENT CONFERENCE Joint Case Management Statement due by 9/9/2016. Further Case Management Conference set for 9/21/2016 02:30 PM. Signed by Judge Sandra Brown Armstrong on 8/30/16. (dtmS, COURT STAFF) (Filed on 8/30/2016) Modified on 8/31/2016 (dtmS, COURT STAFF). (Entered: 08/30/2016)
09/09/2016	<u>71</u>	JOINT CASE MANAGEMENT STATEMENT <i>Updated Joint Case Management Statement</i> filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Engelman Lado, Marianne) (Filed on 9/9/2016) (Entered: 09/09/2016)
09/21/2016	<u>72</u>	Minute Entry for proceedings held before Hon. Sandra Brown Armstrong: Further Case Management Conference held on 9/21/2016. Parties shall meet and confer by 9/26/16, regarding consenting to the jurisdiction of a magistrate judge. Further Telephonic Case Management Conference set for 9/28/2016 02:45 PM.Total Time in Court 11 minutes. Court Reporter Name Not reported. (sisS, COURT STAFF) (Date Filed: 9/21/2016) (Entered: 09/21/2016)
09/28/2016	<u>73</u>	Minute Entry for proceedings held before Hon. Sandra Brown Armstrong: Court to issue Pretrial Scheduling Order and briefing schedule. Further Case Management Conference held on 9/28/2016. Total Time in Court 30 minutes. Court Reporter Name Not reported. (sisS, COURT STAFF) (Date Filed: 9/28/2016) Modified on 9/30/2016 (jlmS, COURT STAFF). (Entered: 09/29/2016)

09/28/2016	<u>74</u>	ORDER SETTING BRIEFING SCHEDULE: Defendant's dispositive motion to be filed by 10/19/16. Opposition and cross-motion due by 11/9/2016. Reply and opposition to cross-motion due by 12/1/2016. Plaintiff's reply in support of cross-motion due by 12/15/16. Motion Hearing set for 1/11/2017 01:00 PM before Hon. Saundra Brown Armstrong. Signed by Judge Saundra Brown Armstrong on 9/28/16. (sisS, COURT STAFF) (Filed on 9/28/2016) (Entered: 09/29/2016)
10/05/2016	<u>75</u>	SCHEDULING ORDER: Deadline to amend the pleadings is 10/12/2016. Discovery cut-off by 3/31/2017. All dispositive motions shall be heard on or before 6/14/2017 at 01:00 PM. Signed by Judge Saundra Brown Armstrong on 10/5/2016. (ig, COURT STAFF) (Filed on 10/5/2016) (Entered: 10/05/2016)
10/11/2016	<u>76</u>	STIPULATION WITH PROPOSED ORDER to Extend the Deadline to File Amended Complaint and to Modify Briefing Schedule and Scheduling Order re <u>75</u> Order, filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Declaration Declaration of Marianne Engelman Lado in Support of Stipulation)(Engelman Lado, Marianne) (Filed on 10/11/2016) Modified on 10/12/2016 (jlmS, COURT STAFF). (Entered: 10/11/2016)
10/12/2016	<u>77</u>	STIPULATION AND ORDER TO EXTEND THE DEADLINE TO FILE AMENDED COMPLAINT AND TO MODIFY BRIEFING SCHEDULE AND SCHEDULING ORDER by Hon. Saundra Brown Armstrong.(dtmS, COURT STAFF) (Filed on 10/12/2016) (Entered: 10/12/2016)
10/14/2016	<u>78</u>	MOTION for Leave to File <i>Second Amended Complaint</i> filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Economic and Social Justice, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Exhibit Exhibit 1 to Motion, # <u>2</u> Exhibit Exhibit 2 to Motion, # <u>3</u> Exhibit 3 to Motion (Amended Complaint + 34 exhibits))(Engelman Lado, Marianne) (Filed on 10/14/2016) (Entered: 10/14/2016)
10/14/2016		Set/Reset Deadlines as to <u>78</u> MOTION for Leave to File Second Amended Complaint. Responses due by 10/28/2016. Replies due by 11/4/2016. Motion Hearing set for 12/14/2016 01:00 PM in Courtroom 210, 2nd Floor, Bankruptcy Court, Oakland before Hon. Saundra Brown Armstrong. (dtmS, COURT STAFF) (Filed on 10/14/2016) (Entered: 10/14/2016)
10/28/2016	<u>79</u>	RESPONSE (re <u>78</u> MOTION for Leave to File <i>Second Amended Complaint</i>) filed by Gina McCarthy, United States Environmental Protection Agency. (Zee, Michael) (Filed on 10/28/2016) (Entered: 10/28/2016)
11/04/2016	<u>80</u>	REPLY (re <u>78</u> MOTION for Leave to File Second Amended Complaint), filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Declaration Ex. 1 – Declaration of Michael E. Boyd)(Engelman Lado, Marianne) (Filed on 11/4/2016) Modified on 11/7/2016 (jlmS, COURT STAFF). (Entered: 11/04/2016)
11/10/2016	<u>81</u>	ORDER REFERRING CASE to Magistrate Judge for Discovery purposes. Signed by Judge Saundra B Armstrong on 11/10/16. (dtmS, COURT STAFF) (Filed on 11/10/2016) (Entered: 11/10/2016)
11/14/2016		CASE REFERRED to Magistrate Judge Elizabeth D. Laporte for Discovery (ahm, COURT STAFF) (Filed on 11/14/2016) (Entered: 11/14/2016)
11/15/2016	<u>82</u>	ORDER Re Discovery Procedures by Magistrate Judge Elizabeth D. Laporte. (shyS, COURT STAFF) (Filed on 11/15/2016) (Entered: 11/15/2016)
11/28/2016	83	CLERK'S NOTICE. You are hereby notified that the 12/14/16 hearing re <u>78</u> Motion for Leave to File is vacated. The motion will be decided on the pleadings. (<i>This is a text-only entry generated by the court. There is no document associated with this entry.</i>) (dtmS, COURT STAFF) (Filed on 11/28/2016) (Entered: 11/28/2016)
01/17/2017	<u>84</u>	NOTICE of Change In Counsel as to Heather Mudford Lewis, filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar

		Law Center for Economic and Social Justice, Saint Francis Prayer Center, Sierra Club (Lewis, Heather) (Filed on 1/17/2017) Modified on 1/18/2017 (jlmS, COURT STAFF). (Entered: 01/17/2017)
01/17/2017	<u>85</u>	NOTICE of Change of Address as to Marianne Leslie Engelman Lado, filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club (Engelman Lado, Marianne) (Filed on 1/17/2017) Modified on 1/18/2017 (jlmS, COURT STAFF). (Entered: 01/17/2017)
01/17/2017	<u>86</u>	Order by Hon. Sandra Brown Armstrong granting in part and denying in part <u>78</u> Motion for Leave to File Second Amended Complaint. Amended Pleadings due by 1/19/2017.(dtmS, COURT STAFF) (Filed on 1/17/2017) (Entered: 01/17/2017)
01/19/2017	<u>87</u>	MOTION for leave to appear in Pro Hac Vice for Suzanne Novak (Filing fee \$ 310, receipt number 0971-11085344.) Filing fee previously paid on 01/19/2017 filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Affidavit Oath per L.R. 11-3(a) in Support of Application for Admission Pro Hac Vice, # <u>2</u> Exhibit Certificate of Good Standing, # <u>3</u> Certificate/Proof of Service Certificate of Service)(Novak, Suzanne) (Filed on 1/19/2017) Modified on 1/20/2017 (jlmS, COURT STAFF). (Entered: 01/19/2017)
01/19/2017	<u>88</u>	Order by Hon. Sandra Brown Armstrong granting <u>87</u> Motion for Pro Hac Vice by Suzanne Novak.(dtmS, COURT STAFF) (Filed on 1/19/2017) (Entered: 01/19/2017)
01/19/2017	<u>89</u>	NOTICE of Appearance of Suzanne Novak as Counsel, filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club (Novak, Suzanne) (Filed on 1/19/2017) Modified on 1/20/2017 (jlmS, COURT STAFF). (Entered: 01/19/2017)
01/19/2017	<u>90</u>	SECOND AMENDED COMPLAINT against Gina McCarthy, United States Environmental Protection Agency. Filed by Michael Boyd, Saint Francis Prayer Center, Citizens for Alternatives to Radioactive Dumping, Ashurst Bar/Smith Community Organization, Californians For Renewable Energy, Sierra Club. (Attachments: # <u>1</u> Exhibit Ex. 1 – Prayer Center Complaint w/ Attachments, # <u>2</u> Exhibit Ex. 2 – EPA Acceptance of Prayer Center Complaint, # <u>3</u> Exhibit Ex. 3 – Sugar Law Center Letter, # <u>4</u> Exhibit Ex. 4 – 2000 Sugar Law Center Letter to EPA, # <u>5</u> Exhibit Ex. 5 – CARE Complaint (Original), # <u>6</u> Exhibit Ex. 6 – Mar. 2016 List of EPA OCR Complaints, # <u>7</u> Exhibit Ex. 7 – CARE Amended Complaint, # <u>8</u> Exhibit Ex. 8 – Boyd Whistleblower Complaint, # <u>9</u> Exhibit Ex. 9 – ECHO Report, Los Medanos Energy Center, # <u>10</u> Exhibit Ex. 10 – Sierra Club Complaint, # <u>11</u> Exhibit Ex. 11 – EPA Partial Acceptance of Sierra Club Complaint, # <u>12</u> Exhibit Ex. 12 – ExxonMobil Refinery Settlement Info, # <u>13</u> Exhibit Ex. 13 – ECHO Report, Beaumont Refinery, # <u>14</u> Exhibit Ex. 14 – CARD Complaint, # <u>15</u> Exhibit Ex. 15 – EPA Acceptance of CARD Complaint, # <u>16</u> Exhibit Ex. 16 – CARD Amended Complaint, # <u>17</u> Exhibit Ex. 17 – EPA OCR Letter to CARD for More Information, # <u>18</u> Exhibit Ex. 18 – Ashurst Bar/Smith Complaint (Redacted), # <u>19</u> Exhibit Ex. 19 – Ashurst Bar/Smith Amended Complaint (Redacted), # <u>20</u> Exhibit Ex. 20 – ADEM Response to EPA Notice, # <u>21</u> Exhibit Ex. 21 – EPA Acceptance of Ashurst Bar/Smith Complaint, # <u>22</u> Exhibit Ex. 22 – EPA Info Request to ADEM, # <u>23</u> Exhibit Ex. 23 – ADEM Response to EPA Info Request, # <u>24</u> Exhibit Ex. 24 – EPA Partial Dismissal Tallassee (Redacted), # <u>25</u> Exhibit Ex. 25 – Deloitte EPA OCR Report, # <u>26</u> Exhibit Ex. 26 – CPI Article, Environmental Racism Persists and the EPA is eOne Reason Why, # <u>27</u> Exhibit Ex. 27 – CPI, "Decades of Inaction")(Novak, Suzanne) (Filed on 1/19/2017) Modified on 1/20/2017 (jlmS, COURT STAFF). (Entered: 01/19/2017)
01/19/2017	<u>91</u>	***ERRONEOUS ENTRY, PLEASE REFER TO DOCUMENT NO. <u>92</u>*** NOTICE Regarding Filing of Plaintiffs' Second Amended Complaint re <u>90</u> <i>Second Amended Complaint</i> , filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club (Novak, Suzanne) (Filed on

		1/19/2017) Modified on 1/19/2017 (jlmS, COURT STAFF). (Entered: 01/19/2017)
01/19/2017	<u>92</u>	NOTICE Regarding Filing of Plaintiffs' Second Amended Complaint re <u>90</u> <i>Second Amended Complaint</i> , filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club (Novak, Suzanne) (Filed on 1/19/2017) Modified on 1/19/2017 (jlmS, COURT STAFF). (Entered: 01/19/2017)
01/26/2017	<u>93</u>	MOTION to Dismiss <i>and, In the Alternative, Motion for Summary Judgment</i> filed by Gina McCarthy, United States Environmental Protection Agency. Motion Hearing set for 5/10/2017 01:00 PM before Hon. Saundra Brown Armstrong. Responses due by 2/16/2017. Replies due by 3/12/2017. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B, # <u>3</u> Exhibit C, # <u>4</u> Exhibit D, # <u>5</u> Proposed Order)(Zee, Michael) (Filed on 1/26/2017) (Entered: 01/26/2017)
02/10/2017	<u>94</u>	MOTION for Extension of Time to File and Page Limits, filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Declaration Declaration in Support of Motion for Enlargement of Time and Page Limits)(Novak, Suzanne) (Filed on 2/10/2017) Modified on 2/13/2017 (jlmS, COURT STAFF). (Entered: 02/10/2017)
02/13/2017	<u>95</u>	STIPULATION WITH PROPOSED ORDER FOR STAY OF DISCOVERY, filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club, Gina McCarthy, United States Environmental Protection Agency. (Novak, Suzanne) (Filed on 2/13/2017) Modified on 2/14/2017 (jlmS, COURT STAFF). (Entered: 02/13/2017)
02/14/2017	<u>96</u>	Order by Hon. Saundra Brown Armstrong granting <u>95</u> Stipulation for Stay of Discovery.(dtmS, COURT STAFF) (Filed on 2/14/2017) (Entered: 02/14/2017)
02/14/2017	<u>97</u>	Order by Hon. Saundra Brown Armstrong granting <u>94</u> Motion for Enlargement of Time and Page Limits.(dtmS, COURT STAFF) (Filed on 2/14/2017) (Entered: 02/14/2017)
03/13/2017	<u>98</u>	MOTION for Summary Judgment <i>and Opposition to Defendants' Motions (1) to Dismiss and, in the Alternative, (2) for Summary Judgment</i> filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. Motion Hearing set for 6/14/2017 01:00 PM in Courtroom 210, 2nd Floor, Bankruptcy Court, Oakland before Hon. Saundra Brown Armstrong. Responses due by 4/17/2017. Replies due by 5/5/2017. (Attachments: # <u>1</u> Declaration of Michael E. Boyd (with Exs. 1-5), # <u>2</u> Declaration of Neil Carman (with Exs. 1-2), # <u>3</u> Declaration of Leslie Fields, # <u>4</u> Declaration of Mrs. Phyllis D. Gosa (with Exs. 1-3), # <u>5</u> Declaration of Aaron Isherwood (with Ex. 1), # <u>6</u> Declaration of Suzanne Novak (with Exs. 1-7), # <u>7</u> Declaration of Deborah W. Reade (with Exs. 1-4), # <u>8</u> Declaration of Father Philip Schmitter (with Exs. 1-4), # <u>9</u> Declaration of Mr. Ronald C. Smith, # <u>10</u> Proposed Order Granting Plaintiffs' Motion for Summary Judgment and Denying Defendants' Motions (1) to Dismiss and, in the Alternative, (2) for Summary Judgment)(Novak, Suzanne) (Filed on 3/13/2017) (Entered: 03/13/2017)
03/13/2017	<u>99</u>	Request for Judicial Notice re <u>98</u> MOTION for Summary Judgment <i>and Opposition to Defendants' Motions (1) to Dismiss and, in the Alternative, (2) for Summary Judgment</i> , Declaration of Suzanne Novak filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Related document(s) <u>98</u>) (Novak, Suzanne) (Filed on 3/13/2017) (Entered: 03/13/2017)
04/17/2017	<u>100</u>	REPLY (re <u>93</u> MOTION to Dismiss <i>and, In the Alternative, Motion for Summary Judgment</i>) <i>and Opposition to Plaintiffs' Motion for Summary Judgment</i> filed by Gina McCarthy, United States Environmental Protection Agency. (Attachments: # <u>1</u> Exhibit A, # <u>2</u> Exhibit B)(Zee, Michael) (Filed on 4/17/2017) (Entered: 04/17/2017)
04/27/2017		Set/Reset Deadlines as to <u>93</u> MOTION to Dismiss <i>and, In the Alternative, Motion for Summary Judgment</i> . Motion Hearing set for 6/14/2017 01:00 PM before Hon. Saundra Brown Armstrong. (dtmS, COURT STAFF) (Filed on 4/27/2017) (Entered: 04/27/2017)

		04/27/2017)
05/01/2017	<u>101</u>	NOTICE by Gina McCarthy, United States Environmental Protection Agency of <i>Resolution of Title VI Complaint Submitted By Ashurst Bar/Smith Community Organization</i> (Attachments: # <u>1</u> Exhibit A)(Zee, Michael) (Filed on 5/1/2017) (Entered: 05/01/2017)
05/05/2017	<u>102</u>	REPLY (re <u>98</u> MOTION for Summary Judgment <i>and Opposition to Defendants' Motions (1) to Dismiss and, in the Alternative, (2) for Summary Judgment</i>) filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Declaration Declaration of Marianne Engelman Lado with Exhibits 1-4)(Novak, Suzanne) (Filed on 5/5/2017) (Entered: 05/05/2017)
05/19/2017	103	CLERK'S NOTICE Continuing Motion Hearing. The hearing set for 6/14/17 re <u>93</u> Motion to Dismiss and <u>98</u> Motion for Summary Judgment is continued to 8/9/17 at 1:00 pm. (<i>This is a text-only entry generated by the court. There is no document associated with this entry.</i>) (dtmS, COURT STAFF) (Filed on 5/19/2017) (Entered: 05/19/2017)
05/19/2017		Set/Reset Deadlines as to <u>98</u> MOTION for Summary Judgment, <u>93</u> MOTION to Dismiss. Motion Hearing set for 8/9/2017 01:00 PM before Hon. Sandra Brown Armstrong. (dtmS, COURT STAFF) (Filed on 5/19/2017) (Entered: 05/19/2017)
05/22/2017	<u>104</u>	Request for Judicial Notice re <u>98</u> MOTION for Summary Judgment <i>and Opposition to Defendants' Motions (1) to Dismiss and, in the Alternative, (2) for Summary Judgment</i> filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Declaration of Marianne L. Engelman Lado)(Related document(s) <u>98</u>) (Novak, Suzanne) (Filed on 5/22/2017) (Entered: 05/22/2017)
05/24/2017	<u>105</u>	NOTICE of Appearance by Stuart Justin Robinson (Robinson, Stuart) (Filed on 5/24/2017) (Entered: 05/24/2017)
05/24/2017	<u>106</u>	NOTICE by Gina McCarthy, United States Environmental Protection Agency of <i>Resolution of Title VI Complaint Submitted by Sierra Club Lone Star Chapter</i> (Robinson, Stuart) (Filed on 5/24/2017) (Entered: 05/24/2017)
05/24/2017	<u>107</u>	Request for Judicial Notice re <u>98</u> MOTION for Summary Judgment <i>and Opposition to Defendants' Motions (1) to Dismiss and, in the Alternative, (2) for Summary Judgment</i> filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Declaration of Jonathan Smith)(Related document(s) <u>98</u>) (Novak, Suzanne) (Filed on 5/24/2017) (Entered: 05/24/2017)
05/26/2017	<u>108</u>	MOTION to Strike <u>106</u> Notice (Other) <i>Plaintiffs' Motion to Strike Defendants' Unauthorized Notice</i> filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. Motion Hearing set for 8/9/2017 01:00 PM in Courtroom 210, 2nd Floor, Bankruptcy Court, Oakland before Hon. Sandra Brown Armstrong. Responses due by 6/9/2017. Replies due by 6/16/2017. (Attachments: # <u>1</u> Declaration Declaration of Suzanne Novak in Support of Motion to Strike Defendants' Unauthorized Notice)(Novak, Suzanne) (Filed on 5/26/2017) (Entered: 05/26/2017)
06/09/2017	<u>109</u>	OPPOSITION/RESPONSE (re <u>108</u> MOTION to Strike) filed by Gina McCarthy, United States Environmental Protection Agency. (Zee, Michael) (Filed on 6/9/2017) Modified on 6/12/2017 (cjlS, COURT STAFF). (Entered: 06/09/2017)
06/30/2017	<u>110</u>	STATEMENT OF RECENT DECISION pursuant to Civil Local Rule 7-3.d <i>in Support of Pls.' Mot. for Summary Judgment & in Opposition to Defs.' Mots. (1) to Dismiss and, in the Alternative, (2) for Summary Judgment</i> filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Exhibit Ex. A – Trinity Lutheran Church of Columbia, Inc. v.

		Comer, --- S. Ct. --- (2017))(Related document(s) <u>93</u> , <u>98</u> , <u>102</u>) (Novak, Suzanne) (Filed on 6/30/2017) (Entered: 06/30/2017)
07/28/2017	<u>111</u>	CLERK'S NOTICE Continuing Motion Hearing from 8/9/2017 to 9/13/2017 at 1:00 pm re <u>93</u> Motion to Dismiss, <u>98</u> Motion for Summary Judgment and <u>108</u> Motion to Strike. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (dtmS, COURT STAFF) (Filed on 7/28/2017) (Entered: 07/28/2017)
07/28/2017		Set/Reset Deadlines as to <u>98</u> MOTION for Summary Judgment,[<u>93</u>] MOTION to Dismiss, <u>108</u> MOTION to Strike. Motion Hearing set for 9/13/2017 01:00 PM before Hon. Sandra Brown Armstrong. (dtmS, COURT STAFF) (Filed on 7/28/2017) (Entered: 07/28/2017)
08/30/2017	<u>112</u>	CLERK'S NOTICE. You are hereby notified that the hearing on 9/13/2017 re <u>93</u> Motion to Dismiss, <u>98</u> Motion for Summary Judgment and <u>108</u> Motion to Strike is VACATED. The motions will be decided on the papers. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (dtmS, COURT STAFF) (Filed on 8/30/2017) (Entered: 08/30/2017)
02/26/2018	<u>113</u>	Statement of Recent Decision re <u>93</u> MOTION to Dismiss <i>and, In the Alternative, Motion for Summary Judgment</i> , <u>102</u> Reply to Opposition/Response, <u>98</u> MOTION for Summary Judgment <i>and Opposition to Defendants' Motions (1) to Dismiss and, in the Alternative, (2) for Summary Judgment</i> by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club. (Attachments: # <u>1</u> Exhibit Ex. A – Cent. Sierra Envtl. Res. Ctr. v. Stanislaus Nat'l Forest (E.D. Cal. Feb. 7, 2018), # <u>2</u> Exhibit Ex. B – McFalls v. Purdue (D. Or. Feb. 8, 2018))(Novak, Suzanne) (Filed on 2/26/2018) Modified on 2/27/2018 (cpS, COURT STAFF). (Entered: 02/26/2018)
03/30/2018	<u>114</u>	ORDER GRANTING IN PART AND DENYING IN PART PLAINTIFFS MOTION FOR SUMMARY JUDGMENT; AND DENYING DEFENDANTS RULE 12 MOTION TO DISMISS AND GRANTING ALTERNATIVE MOTION FOR SUMMARY JUDGMENT AS TO THE SIXTH CLAIM FOR RELIEF by Judge Sandra Brown Armstrong. (dtmS, COURT STAFF) (Filed on 3/30/2018) Modified on 4/2/2018 (dtmS, COURT STAFF). (Entered: 04/02/2018)
04/13/2018	<u>115</u>	NOTICE of Filing of Proposed Judgment and Joint Letter Brief by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club re <u>114</u> Order on Motion to Dismiss,, Order on Motion for Summary Judgment,, Order on Motion to Strike, (Attachments: # <u>1</u> Exhibit Ex. 1 – Proposed Judgment, # <u>2</u> Exhibit Ex. 2 – Joint Letter Brief re Proposed Judgment)(Novak, Suzanne) (Filed on 4/13/2018) Modified on 4/16/2018 (jmlS, COURT STAFF). (Entered: 04/13/2018)
06/13/2018	<u>116</u>	JUDGMENT. Signed by Judge Sandra Brown Armstrong on 6/13/18. (dtmS, COURT STAFF) (Filed on 6/13/2018) (Entered: 06/14/2018)
07/11/2018	<u>117</u>	MOTION to Alter Judgment filed by Gina McCarthy, United States Environmental Protection Agency. Motion Hearing set for 9/12/2018 01:00 PM before Judge Sandra Brown Armstrong. Responses due by 7/25/2018. Replies due by 8/1/2018. (Attachments: # <u>1</u> Proposed Order)(Zee, Michael) (Filed on 7/11/2018) (Entered: 07/11/2018)
07/11/2018	<u>118</u>	ORDER REFERRING ACTION FOR FURTHER SETTLEMENT CONFERENCE. Signed by Judge Sandra Brown Armstrong on 7/11/18. (dtmS, COURT STAFF) (Filed on 7/11/2018) (Entered: 07/11/2018)
07/17/2018	<u>119</u>	CLERK'S NOTICE SETTING SETTLEMENT CONFERENCE SCHEDULING CALL: Settlement Conference call set for 8/2/2018 at 01:15 PM . The court will email a call-in number separately. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 7/17/2018) (Entered: 07/17/2018)
07/17/2018	<u>120</u>	Order Setting Settlement Conference Call for 8/2/2018 10:30 AM in San Francisco, Courtroom C, 15th Floor.

		<p>At counsel's request, the court resets the settlement–conference scheduling call from 1:15 p.m. to 10:30 a.m. on 8/2/2018.</p> <p><i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (Beeler, Laurel) (Filed on 7/17/2018) (Entered: 07/17/2018)</p>
08/02/2018	121	<p>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference call held on 8/2/2018. The court held a settlement call and sets the in–person settlement conference for Friday, October 12, 2018, at 10:00 a.m. The parties must email the statements to lbpo@cand.uscourts.gov by October 5, 2018.</p> <p>Total Time in Court: 30 minutes. Not Reported.</p> <p>Plaintiffs' Attorneys: Heather Lewis and Suzanne Novak. Also appearing by phone: Yumehiko Hoshijima. Defendants' Attorney: Michael Zee. Also appearing by phone: Kurt Temple and Betsy Biffl. <i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Date Filed: 8/2/2018) (Entered: 08/02/2018)</p>
08/02/2018		<p>Set/Reset Hearing re 121 Settlement Conference. Settlement Conference set for 10/12/2018 at 10:00 AM in San Francisco, Courtroom C, 15th Floor. (ejkS, COURT STAFF) (Filed on 8/2/2018) (Entered: 08/02/2018)</p>
09/17/2018	122	<p>CLERK'S NOTICE VACATING SETTLEMENT CONFERENCE: As the court informed the parties previously, it had a scheduling conflict with the existing settlement dates and sets a call with the parties to find a date for Thursday, 11/1/2018 at 1:15 PM. The court will circulate a call–in number separately. <i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 9/17/2018) (Entered: 09/17/2018)</p>
09/17/2018	123	<p>CLERK'S NOTICE RESETTING SETTLEMENT CONFERENCE SCHEDULING CALL: Please disregard the previous setting of 11/1/2018. The scheduling call is reset to 10/1/2018 at 9:45 AM. The updated call–in information will be sent separately by email. <i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 9/17/2018) (Entered: 09/17/2018)</p>
09/19/2018	124	<p>CLERK'S NOTICE RESETTING SETTLEMENT CONFERENCE SCHEDULING CALL: Pursuant to the parties stipulation, the settlement conference scheduling call previously set for 10/1/2018 is reset to 10/2/2018 at 9:30 AM. The court will email a call–in number separately. <i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 9/19/2018) (Entered: 09/19/2018)</p>
10/02/2018	125	<p>Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference Call held on 10/2/2018. The court sets a further in–person settlement conference for Monday, 12/3/2018 at 2:30 p.m. and allots four hours to the settlement conference.</p> <p>Settlement Conference set for 12/3/2018 at 2:30 PM in San Francisco, Courtroom B, 15th Floor.</p> <p>Total Time in Court: 15 minutes. Not Reported.</p> <p>Plaintiffs' Attorneys: Jonathan Smith, Suzanne Novak and Marianne Lado. Also appearing by phone: Rebecca Casper–Johnson. Defendants' Attorney: Andrew Zee. Also appearing by phone: Betsy Biffl and Mary O'Lone (EPA General Counsel's Office) and Kurt Temple (EPA External Civil Rights Compliance Office). <i>(This is a text–only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Date Filed: 10/2/2018) (Entered: 10/02/2018)</p>

11/20/2018	<u>126</u>	CLERK'S NOTICE RESETTling SETTLEMENT CONFERENCE: After conferring with the parties, the court sets the next in-person settlement conference for Thursday, January 10, 2019 at 11:00 a.m. and allots four hours to the conference. Settlement Conference previously set for 12/3/2018 is reset to 1/10/2019 at 11:00 AM in San Francisco, Courtroom B, 15th Floor. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (ejkS, COURT STAFF) (Filed on 11/20/2018) (Entered: 11/20/2018)
12/19/2018	<u>127</u>	NOTICE of Change of Address by Heather Mudford Lewis <i>on Behalf of Marianne Engelman Lado</i> (Lewis, Heather) (Filed on 12/19/2018) (Entered: 12/19/2018)
12/26/2018	<u>128</u>	Consent ADMINISTRATIVE MOTION to Stay in Light of Lapse of Appropriations filed by Gina McCarthy, United States Environmental Protection Agency. Responses due by 12/31/2018. (Attachments: # <u>1</u> Proposed Order)(Zee, Michael) (Filed on 12/26/2018) (Entered: 12/26/2018)
12/26/2018	<u>129</u>	Order by Magistrate Judge Laurel Beeler granting <u>128</u> Administrative Motion For a Stay of Settlement Conference Deadlines in Light of Lapse of Appropriations. The court is keeping the case on calendar for now. The parties must decide one way or another, before January 10, whether they are able to go forward. (ejkS, COURT STAFF) (Filed on 12/26/2018) (Entered: 12/26/2018)
01/04/2019	<u>130</u>	ORDER. Given the ongoing budget landscape, the parties have not been able to update the court yet about going with the January 10, 2019 settlement conference. The court directs the parties to file a status update regarding the settlement conference by no later than noon on Monday January 7, 2019 and cc lbpo@cand.uscourts.gov. If the parties cannot confirm the settlement conference by then, the court will vacate it. In this event, the parties must confer within seven days of the restoration of appropriations and submit a proposed schedule to the court or propose a scheduling call to be added to the Thursday telephonic scheduling calendar. Signed by Judge Laurel Beeler on January 4, 2019. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (lble3S, COURT STAFF) (Filed on 1/4/2019) (Entered: 01/04/2019)
01/07/2019	<u>131</u>	STATUS REPORT <i>Regarding Settlement Conference</i> by Gina McCarthy, United States Environmental Protection Agency, Californians for Renewable Energy, Ashurst Bar/Smith Community Organization, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club and Michael Boyd. (Zee, Michael) (Filed on 1/7/2019) Modified on 1/7/2019 (jmlS, COURT STAFF). (Entered: 01/07/2019)
01/08/2019	<u>132</u>	CLERK'S NOTICE. The court thanks the parties for their update and vacates the settlement conference scheduled for Thursday, January 10, 2019. The court directs the parties to confer within seven days after the restoration of appropriations to the Department of Justice and the Environmental Protection Agency and submit a proposed schedule. If they cannot work out a date, the parties may arrange a settlement conference scheduling call by contacting CRD Elaine Kabiling. <i>(This is a text-only entry generated by the court. There is no document associated with this entry.)</i> (lble3S, COURT STAFF) (Filed on 1/8/2019) (Entered: 01/08/2019)
01/29/2019	<u>133</u>	NOTICE of Restoration of Appropriations by Gina McCarthy, United States Environmental Protection Agency (Zee, Michael) (Filed on 1/29/2019) Modified on 1/29/2019 (jmlS, COURT STAFF). (Entered: 01/29/2019)
02/01/2019	<u>134</u>	NOTICE of Proposed Dates for Settlement Conference by Gina McCarthy, United States Environmental Protection Agency, Californians for Renewable Energy, Ashurst Bar/Smith Community Organization, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club and Michael Boyd (Zee, Michael) (Filed on 2/1/2019) Modified on 2/1/2019 (jmlS, COURT STAFF). (Entered: 02/01/2019)

02/01/2019	<u>135</u>	Order Setting Settlement Conference before Magistrate Judge Settlement Conference set for 4/9/2019 10:00 AM in San Francisco, Courtroom B, 15th Floor. The court sets the in-person settlement conference for Tuesday, 4/9/2019 at 10:00 a.m. (This is a text-only entry generated by the court. There is no document associated with this entry.) (Beeler, Laurel) (Filed on 2/1/2019) (Entered: 02/01/2019)
04/09/2019	<u>136</u>	Minute Entry for proceedings held before Magistrate Judge Laurel Beeler: Settlement Conference held on 4/9/2019. The court held an in-person settlement conference and follow-up settlement communications. The parties will update the court as soon as is practicable and in any event by 4/30/2019 by email to lbsettlement@cand.uscourts.gov. The court will adjust the timelines to allow the full vetting of the final proposals. Total Time in Court: 8 hours. Not Reported. Plaintiffs' Attorneys: Suzanne Novak, Jonathan Smith, Heather Lewis, and Marianne Lado. Also appearing: Louisa Eberle and Neil Carmen, Fr. Phil Schmitter and Ron Smith by phone. Defendants' Attorney: Andrew Zee. Also appearing: Mary O'Lone and Kurt Temple. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ejkS, COURT STAFF) (Date Filed: 4/9/2019) (Entered: 04/10/2019)
05/17/2019	<u>137</u>	CLERK'S NOTICE: Since the in-person settlement conference, the court had ongoing communications with the parties, who were unable to resolve their case. The court invites the parties to contact the court if a further settlement conference would be productive. (This is a text-only entry generated by the court. There is no document associated with this entry.) (ejkS, COURT STAFF) (Filed on 5/17/2019) (Entered: 05/17/2019)
07/02/2019	<u>138</u>	ORDER SETTING BRIEFING SCHEDULE re <u>117</u> Motion to Alter Judgment: Plaintiffs shall file their opposition to Defendants' Rule 59(e) motion by no later than 7/16/2019. Defendants shall file their reply in response to Plaintiffs' opposition by no later than 7/23/2019. The Court willtake the motion under submission without oral argument as of the date the reply is due. Signed by Judge Saundra Brown Armstrong on 7/2/19. (ig, COURT STAFF) (Filed on 7/2/2019) (Entered: 07/02/2019)
07/02/2019		Set/Reset Deadlines as to <u>117</u> Motion to Alter Judgment . Opposition due by 7/16/2019. Reply due by 7/23/2019. (ig, COURT STAFF) (Filed on 7/2/2019) (Entered: 07/02/2019)
07/08/2019	<u>139</u>	NOTICE of Change In Counsel by Suzanne Novak (Novak, Suzanne) (Filed on 7/8/2019) (Entered: 07/08/2019)
07/08/2019	<u>140</u>	STIPULATION WITH PROPOSED ORDER for <i>Enlargement of Time</i> filed by Ashurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Saint Francis Prayer Center, Sierra Club and United States Environmental Protection Agency and Gina McCarthy. (Attachments: # <u>1</u> Declaration of Suzanne Novak in Support of Stipulation)(Novak, Suzanne) (Filed on 7/8/2019) Modified on 7/9/2019 (ajsS, COURT STAFF). (Entered: 07/08/2019)
07/08/2019	<u>141</u>	ORDER by Judge Saundra Brown Armstrong granting <u>140</u> Stipulation for Enlargement of Time.Responses due by 7/31/2019. Replies due by 8/14/2019. (jjoS, COURT STAFF) (Filed on 7/8/2019) (Entered: 07/08/2019)
07/31/2019	<u>142</u>	OPPOSITION/RESPONSE (re <u>117</u> MOTION to Alter Judgment) filed byAshurst Bar/Smith Community Organization, Michael Boyd, Californians For Renewable Energy, Citizens for Alternatives to Radioactive Dumping, Maurice and Jane Sugar Law Center for Economic and Social Justice, Saint Francis Prayer Center, Sierra Club. (Novak, Suzanne) (Filed on 7/31/2019) (Entered: 07/31/2019)

08/14/2019	<u>143</u>	REPLY (re <u>117</u> MOTION to Alter Judgment) filed byGina McCarthy, United States Environmental Protection Agency. (Zee, Michael) (Filed on 8/14/2019) (Entered: 08/14/2019)
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