

1 SCHIFF HARDIN LLP
BRUCE A. WAGMAN, ESQ. (CSB #159987)
2 bwagman@schiffhardin.com
One Market, Spear Street Tower
3 Thirty-Second Floor
San Francisco, CA 94105
4 Telephone: (415) 901-8700
Facsimile: (415) 901-8701
5
6 Attorneys for Plaintiffs

7
8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 OAKLAND DIVISION
11

12 FRONT RANGE EQUINE RESCUE, THE
HUMANE SOCIETY OF THE UNITED
13 STATES, MARIN HUMANE SOCIETY,
HORSES FOR LIFE FOUNDATION,
14 RETURN TO FREEDOM, RAMONA
CORDOVA, KRYSTLE SMITH, CASSIE
15 GROSS, DEBORAH TRAHAN, and
BARBARA SINK,

16 Plaintiffs,

17 v.

18 TOM VILSACK, Secretary U.S. Department
of Agriculture; ELIZABETH A. HAGEN,
19 Under Secretary for Food Safety, U.S.
Department of Agriculture; and ALFRED A.
20 ALMANZA, Administrator, Food Safety and
Inspection Service, U.S. Department of
21 Agriculture,

22 Defendants.
23

Case No. CV-13-03034-YGR

**STIPULATION AND ~~(PROPOSED)~~
ORDER TRANSFERRING ACTION TO
DISTRICT OF NEW MEXICO**

(Administrative Procedure Act Case)

24
25 Pursuant to Civil Local Rules 7-1(a)(5) and 7-12, the parties present this stipulation and
26 request for an order transferring this action from this Court to the District of New Mexico.

27 1. On July 8, pursuant to the Court’s Scheduling Order [Dkt. 20], Defendants filed their
28 motion to dismiss or transfer venue [Dkt. 26].

1 2. Having further conferred, the parties have agreed that the District of New Mexico is a
2 proper venue for this action. The parties further agree to a voluntary transfer to the District of
3 New Mexico, and hereby request this Court to enter an order transferring the action.

4 3. Given the preliminary relief requested in this action, and the mutually agreed need for
5 an expedited hearing on the matter, the parties respectfully request that the Court direct that
6 transfer proceeds immediately.

7 4. The parties additionally request that the Court further direct the Clerk of the Court that
8 this order granting transfer shall take effect upon entry, as an exception to Civil Local Rule 3-14,
9 so that the matter can be transferred as soon as possible.

10 5. Federal Defendants have advised Plaintiffs that no federal inspections at horse
11 slaughter facilities will occur before July 29, 2013. Based on this information, the parties agree
12 and request that the Court's scheduling order [Dkt. 20] be vacated.

13 Dated: July 10, 2013

SCHIFF HARDIN LLP

14
15 By: s/ Bruce A. Wagman
16 BRUCE A. WAGMAN
Attorneys for Plaintiffs

17
18 Dated: July 10, 2013

U.S. DEPARTMENT OF JUSTICE – ENRD

19
20 By: s/ Alison D. Garner
ALISON D GARNER
21 Attorneys for Defendants

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDER TRANSFERRING ACTION TO DISTRICT OF NEW MEXICO

1. On July 8, pursuant to the Court’s Scheduling Order [Dkt. 20], Defendants filed their motion to dismiss or transfer venue [Dkt. ²²~~26~~].

2. Having further conferred, the parties have agreed to a voluntary transfer to the District of New Mexico, and have requested that this Court enter an order transferring the action. The Court finds that the District of New Mexico is a proper venue for this action.

3. Given the preliminary relief requested in this action, and the mutually agreed need for an expedited hearing on the matter, the Court directs that transfer proceed immediately.

4. The Court further directs the Clerk of the Court that this order granting transfer shall take effect immediately upon entry, as an exception to Civil Local Rule 3-14, and that the matter can be transferred as soon as possible.

5. The Court’s scheduling order [Dkt. 20] is vacated.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

This Order terminates Dkt. Nos. 22 and 30. All other pending motions are terminated at moot.

Dated: July 10, 2013


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE