

KARIN J. IMMERGUT, OSB #96314
United States Attorney
STEPHEN J. ODELL, OSB #90353
Assistant United States Attorney
District of Oregon
600 United States Courthouse
1000 S.W. Third Avenue
Portland, OR 97204-2902
(503) 727-1000

SUE ELLEN WOOLDRIDGE
Assistant Attorney General
SETH M. BARSKY, Assistant Chief
ROBERT L. GULLEY, Senior Trial Attorney
(202) 305-0500 (ph)
(202) 305-0275 (fx)
COBY HOWELL, Trial Attorney
(503) 727-1023 (ph)
Wildlife & Marine Resources Section
Benjamin Franklin Station, P.O. Box 7369
Washington, DC 20044-7369

Attorneys for Defendants

UNITED STATES DISTRICT COURT
DISTRICT OF OREGON

NATIONAL WILDLIFE FEDERATION, *et al.*

Civil No. 01-640-RE

Plaintiffs,

v.

**JOINT REPORT
ON STATUS OF 2007
OPERATIONS**

NATIONAL MARINE FISHERIES
SERVICE, *et al.*

Defendants.

Defendants and Plaintiffs wish to notify the Court that they have not been able to reach agreement with respect to the operation of the FCRPS in 2007 but also have not terminated their

**JOINT REPORT
ON STATUS OF 2007 OPERATIONS**

discussions of this issue. Because it seems likely that they may not reach agreement and that Plaintiffs may proceed with a motion for specific injunctive relief with respect to those operations, Plaintiffs and Defendants agree to, and ask the Court to enter, the following schedule for briefing any such motion (or motions if other parties also file) for injunctive relief:

Any party seeking injunctive relief will file their motion and supporting papers on or before Friday, January 19, 2007;

Defendants and any allied parties will file their response(s) to all motions 28 days after the filing of such motions;

Plaintiffs and any other movant will file their reply 14 days after defendants' (and others) response(s).

The opening briefs in support of or in opposition to any motion shall be limited to 35 pages. The replies of movants shall be limited to 25 pages. Plaintiffs and Defendants ask the Court to set argument on the motions at a date convenient with the Court but no earlier than one week after the replies are filed.

Dated: December 13, 2006

Respectfully Submitted,

 /s Todd D. True (by permission)
TODD D. TRUE (WSB #12864)
STEPHEN D. MASHUDA (WSB # 36968)
Earthjustice
705 Second Avenue, Suite 203
Seattle, WA 98104
(206) 343-7340
(206) 343-1526 [FAX]
ttrue@earthjustice.org
smashuda@earthjustice.org

 /s Robert L. Gulley
ROBERT L. GULLEY, Sr. Trial Attorney
(202) 305-0500 (ph)
COBY HOWELL, Trial Attorney
(503) 727-1023 (ph)
Wildlife & Marine Resources Section
P.O. Box 7369
Washington, D.C. 20044-7369
robert.gulley@usdoj.gov
coby.howell@usdoj.gov

Attorneys for Plaintiffs

Attorneys for Defendants

CERTIFICATE OF SERVICE

Pursuant to Local Rule Civil 100.13(c) and Fed. R. Civ. P. 5(d), I certify that on December 13, 2006, the foregoing Joint Report On Status of 2007 Operations, with exhibits, will be electronically filed with the Court's electronic filing system, which will generate automatic service upon all Parties enrolled to receive such notice. The following will be manually served by first class U.S. mail, as noted:

Walter H. Evans, III
Schwabe Williamson Wyatt, P.C.
1211 S.W. Fifth Avebye
1600-1800 Pacwest Center
Portland, Oregon 97204
(wevans@schwabe.com)

Dr. Howard F. Horton
Professor Emeritus of Fisheries
Department of Fisheries & Wildlife
104 Nash Hall
Corvallis, OR 97331-3803
hortonho@onid.orst.edu

James W. Givens
1026 F Street
P.O. Box 875
Lewiston, ID 83051

/s Robert L. Gulley