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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON**

**NATIONAL WILDLIFE FEDERATION,**  
et al.,

Plaintiffs,

and

**STATE OF OREGON,** et al.,

Intervenor-Plaintiffs,

v.

**NATIONAL MARINE FISHERIES  
SERVICE,** et al.,

Defendants,

and

**PUBLIC POWER COUNCIL,** et al.,

Intervenor-Defendants.

Case No. 3:01-cv-640-SI

**NOTICE RE: STAY EXPIRATION AND  
FURTHER PROCEEDINGS**

The Court recently extended the litigation stay through October 31, 2023 (ECF 2441). Considering the imminent expiration of the litigation stay, Federal Defendants and Plaintiffs (National Wildlife Federation et al., Plaintiffs and the State of Oregon)<sup>1</sup> provide this status update to apprise the Court of the planned next steps in this litigation.

During the extended stay, representatives from the United States, and staff teams for the National Wildlife Federation et al. Plaintiffs, the State of Oregon, the State of Washington, the Confederated Tribes and Bands of the Yakama Nation, the Confederated Tribes of the Umatilla Indian Reservation, the Confederated Tribes of the Warm Springs Reservation of Oregon, and the Nez Perce Tribe (collectively, “Parties”), have developed a package of actions and commitments that they intend to discuss with the other regional sovereigns and litigation parties and, following conferral, present to the Parties’ decision-makers for final review and approval. If approved, the Parties intend to ask this Court to enter a multi-year stay of the litigation to allow the Parties to implement this package of actions and commitments.

The parties anticipate this conferral and approval process will occur over the next 30 to 45 days. To facilitate this, Plaintiffs and Federal Defendants provide this notice that, by **December 15, 2023**, they intend to either present a joint motion to the Court (if the package of actions and commitments is approved) or a joint schedule for further proceedings.

DATED October 31, 2023

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<sup>1</sup> The Court stayed the two other complaints-in-intervention through 2043 (ECF 2443).

*/s/ Michael R. Eitel*

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DATED October 31, 2023

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### **CERTIFICATE OF SERVICE**

I certify that on October 31, 2023, I filed the foregoing through the Court's CM-ECF system, which will automatically notify counsel of record. I also caused the foregoing to be manually sent to following:

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*/s/ Michael R. Eitel*  
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