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 Administration; Michael Griffin,
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 Commerce; Carlos M. Gutierrez,
 13 Secretary of Commerce

14 UNITED STATES DISTRICT COURT
 15 FOR THE CENTRAL DISTRICT OF CALIFORNIA
 16 WESTERN DIVISION

17 Robert M. Nelson, William)
 Bruce Banerdt, Julia Bell,)
 18 Josette Bellan, Dennis V.)
 Byrnes, George Carlisle, Kent)
 19 Robert Crossin, Larry R.)
 D'Addario, Riley M. Duren,)
 20 Peter R. Eisenhardt, Susan)
 D.J. Foster, Matthew P.)
 21 Golombek, Faroujan Gorjian,)
 Zareh Gorjian, Robert J. Haw,)
 22 James Kulleck, Sharon L.)
 Laubach, Christian A.)
 23 Lindensmith, Amanda Mainzer,)
 Scott Maxwell, Timothy P.)
 24 McElrath, Susan Paradise,)
 Konstantin Penanen, Celeste)
 25 M. Satter, Peter M.B. Shames,)
 Amy Snyder Hale, William John)
 26 Walker and Paul R. Weissman,)

Case No. CV-07-05669 ODW(VBKx)

**JOINT STATUS
CONFERENCE STATEMENT**

DATE: February 15, 2008
TIME: 2:00 p.m.
COURTROOM 11

Honorable Otis D. Wright II

27 Plaintiffs,

28 v.

National Aeronautics and
Space Administration, an

1 Agency of the United States;)
 2 Michael Griffin, Director of)
 3 NASA, in his official)
 4 capacity only; Department of)
 5 Commerce; Carlos M.)
 6 Gutierrez, Secretary of)
 7 Commerce, in his official)
 8 capacity only;)
 9 and Does 1-100,)
 10 Defendants.)

11 Pursuant to this Court’s Order at the January 11, 2008 hearing, Plaintiffs
 12 and Federal Defendants (“the parties”) jointly submit this Joint Status Conference
 13 Statement.

14 The parties conferred on February 11 and February 12, 2008, and submit the
 15 following:

16 1. On January 11, 2008, the Ninth Circuit issued an Opinion reversing
 17 this Court’s denial of Plaintiffs’ Motion for Preliminary Injunction. The
 18 government’s time to file a petition for rehearing en banc of that decision is still
 19 running, see Fed. R. App. P. 40(a)(1), 41(b), and the Ninth Circuit’s January 11,
 20 2008 Opinion is not yet final.

21 2. As a result, except for briefing and decision on Federal Defendants’
 22 Motion for Clarification, filed February 13, 2008, Plaintiffs and Federal
 23 Defendants agree to request that this Court stay all district court proceedings until
 24 completion of appellate proceedings with respect to the appeal of the district
 25 court’s decision on Plaintiffs’ Motion for Preliminary Injunction. Because Federal
 26 Defendants’ Motion for Clarification relates to the preliminary injunction
 27 currently in place against Federal Defendants, the parties have agreed that it would
 28 be appropriate for this Court to resolve that motion prior to completion of
 appellate proceedings. This Joint Statement is not intended to alter this Court’s
 prior issuance of a preliminary injunction.

3. Within 30 days of issuance of a Ninth Circuit mandate concluding
 appellate proceedings with respect to the appeal of the district court’s decision on
 Plaintiffs’ Motion for Preliminary Injunction, and depending upon the outcome of

1 those proceedings, the parties agree to confer and file a joint discovery plan as
2 necessary.

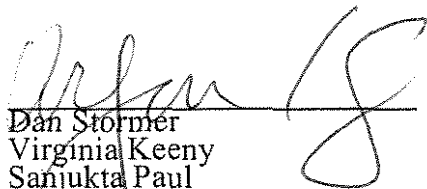
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4 Dated: February 14, 2008

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16 Dated: February 14, 2008

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