

Richard B. Kendall (State Bar No. 90072)  
Gregory A. Fayer (State Bar No. 232303)  
Josh B. Gordon (State Bar. No. 244818)  
IRELL & MANELLA LLP  
1800 Avenue of the Stars, Suite 900  
Los Angeles, California 90067-4276  
Telephone: (310) 277-1010  
Facsimile: (310) 203-7199  
Email: gfayer@irell.com

Attorneys for Plaintiff  
Natural Resources Defense Council, Inc.

Joel R. Reynolds (State Bar No. 85276)  
Stephen Zak Smith (State Bar No. 228913)  
NATURAL RESOURCES DEFENSE COUNCIL, INC.  
1314 Second Street  
Santa Monica, CA 90401  
Telephone: (310) 434-2300  
Facsimile: (310) 434-2399  
Email: zsmith@nrdc.org

Attorneys for Plaintiffs  
Natural Resources Defense Council, Inc.;  
International Fund for Animal Welfare;  
Cetacean Society International;  
League For Coastal Protection;  
Ocean Futures Society; and Jean-Michel Cousteau

**UNITED STATES DISTRICT COURT  
CENTRAL DISTRICT OF CALIFORNIA  
WESTERN DIVISION**

NATURAL RESOURCES DEFENSE  
COUNCIL, INC., et al.,

Plaintiffs,

vs.

DONALD C. WINTER, Secretary of the  
Navy, et al.,

Defendants.

Case No. CV06 - 4131 FMC (JCx)

**STIPULATION OF DISMISSAL  
WITH PREJUDICE PURSUANT TO  
F. R. CIV. P. 41(a)(1)(A)(ii)**

Hon. Florence-Marie Cooper  
U.S. District Judge

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Parties in the above-captioned case hereby jointly stipulate to dismissal with prejudice of Plaintiffs' August 2, 2006 Motion for Fees and Costs Pursuant to 28 U.S.C. § 2412 (Dkt. #64).

Dated: December 26, 2008

IRELL & MANELLA LLP  
Richard B. Kendall  
Gregory A. Fayer  
Josh B. Gordon  
Holly L. Gershow

By: Richard B. Kendall /hg  
Richard B. Kendall

Attorneys for Plaintiffs Natural Resources  
Defense Council, Inc.

Dated: December 26, 2008

NATURAL RESOURCES DEFENSE  
COUNCIL, INC.  
Joel R. Reynolds  
Stephen Zak Smith

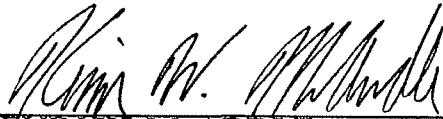
By: Joel R. Reynolds /HC  
Joel R. Reynolds

Attorneys for Plaintiffs Natural Resources  
Defense Council, Inc.; International Fund for  
Animal Welfare; Cetacean Society  
International; League For Coastal Protection;  
Ocean Futures Society; and Jean-Michel  
Cousteau

Dated: December 24, 2008

RONALD J. TENPAS  
Assistant Attorney General  
Environmental & Natural Resources  
Division

By:



KEVIN W. McCARDLE  
KRISTEN L. GUSTAFSON  
MICHAEL R. EITEL  
Trial Attorneys,  
Wildlife & Marine Resources Section  
United States Department of Justice  
Environmental & Natural Resources  
Division

CHARLES R. SHOCKEY  
GUILLERMO A. MONTERO  
Trial Attorneys  
Natural Resources Section  
United States Department of Justice  
Environmental & Natural Resources  
Division

FRANK R. JIMENEZ  
General Counsel  
Department of the Navy

ATTORNEYS FOR DEFENDANTS

DONALD C. WINTER, Secretary of the  
Navy, AND UNITED STATES  
DEPARTMENT OF THE NAVY