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**FILED**  
**FEB 07 2024**  
 FRESNO SUPERIOR COURT  
 By \_\_\_\_\_ DEPUTY

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 2/2/2024 2:58 PM  
 FRESNO COUNTY SUPERIOR COURT  
 By: Estela Gonzalez, Deputy

11 Attorneys for: Petitioner and Plaintiff BLUETRITON BRANDS, INC.

12 **SUPERIOR COURT OF CALIFORNIA**  
 13 **COUNTY OF FRESNO, CENTRAL DIVISION**

14 BLUETRITON BRANDS, INC., a Delaware  
 15 Corporation,

Case No. 23CECG04292

16 Petitioner and Plaintiff,

**[PROPOSED] ORDER GRANTING  
 MOTION FOR STAY, OR  
 ALTERNATIVELY, PRELIMINARY  
 INJUNCTION**

17 v.

18 CALIFORNIA STATE WATER RESOURCES  
 19 CONTROL BOARD; EILEEN M. SOBECK IN  
 20 HER OFFICIAL CAPACITY AS EXECUTIVE  
 21 DIRECTOR OF THE STATE WATER  
 22 RESOURCES CONTROL BOARD; MICHAEL  
 23 A.M. LAUFFER IN HIS OFFICIAL  
 24 CAPACITY AS CHIEF COUNSEL OF THE  
 25 STATE WATER RESOURCES CONTROL  
 26 BOARD; THE STATE WATER RESOURCES  
 CONTROL BOARD ADMINISTRATIVE  
 HEARINGS OFFICE; AND THE STATE  
 WATER RESOURCES CONTROL BOARD  
 ADMINISTRATIVE HEARINGS OFFICE'S  
 PRESIDING OFFICER; DOES 1-100,

Petition for Writ/Complaint Filed: 10/18/2023

27 Respondents and Defendants.  
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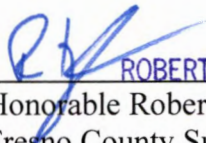
1 Petitioner and Plaintiff BlueTriton Brands, Inc. (“Petitioner” or “BTB”) filed a Motion for Stay,  
2 or Alternatively, Preliminary Injunction. Respondents and Defendants the California State Water  
3 Resources Control Board (“SWRCB”), Eileen M. Sobeck, in her official capacity as SWRCB’s  
4 Executive Director, Michael A.M. Lauffer, in his official capacity as Chief Counsel of the SWRCB, the  
5 SWRCB Administrative Hearings Office (“AHO”), and the AHO’s Presiding Officer (collectively,  
6 “Respondents”) opposed the motion. The matter was heard in Department 404 of this Court on January  
7 24, 2024 with counsel appearing for Petitioner and Respondents. The Court, having reviewed the  
8 moving and opposing papers, having heard and considered the arguments of counsel, and satisfactory  
9 evidence having been presented and good cause appearing therefor:

10 1. **IT IS ORDERED THAT** Petitioner’s Motion for Stay is **GRANTED**;

11 2. **IT IS FURTHER ORDERED THAT** Respondents stay the operation of Water Rights  
12 Order 2023-0042 pending entry of the judgment of this Court on Petitioner’s Verified Petition for Writ  
13 of Administrative Mandate and Complaint for Declaratory Relief and Inverse Condemnation.

14 2. **IT IS FURTHER ORDERED THAT** Respondents stay the operation of Water Rights  
15 Order 2023-0042 pending the filing of a notice of appeal from the judgment of this Court on Petitioner’s  
16 Verified Petition for Writ of Administrative Mandate and Complaint for Declaratory Relief and Inverse  
17 Condemnation, or until the expiration of the time for filing the notice, whichever occurs first.

18  
19 Dated: Feb 7, 2024

20  
21   
22 ROBERT MICHAEL WHALEN, JR.  
23 Honorable Robert M. Whalen, Jr.  
24 Fresno County Superior Court  
25  
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