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 UNITED STATES DEPARTMENT OF HOMELAND SECURITY
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8 IN THE UNITED STATES DISTRICT COURT FOR THE
 9 EASTERN DISTRICT OF CALIFORNIA

11 NOSSAMAN LLP,
 12 Plaintiff,
 13 v.
 14 UNITED STATES DEPARTMENT
 OF HOMELAND SECURITY,
 15 Defendant.
 16

1:10-cv-1627-OWW-DLB
**STIPULATION AND ORDER
 RESOLVING FREEDOM OF
 INFORMATION ACT SUIT**

17
 18 Subject to the approval of the Court as provided for hereon, the parties hereby
 19 stipulate as follows:

20 1. By this stipulation and proposed Order, the plaintiff, Nossaman LLP
 21 ("Nossaman"), and the defendant, U.S. Department of Homeland Security ("DHS"),
 22 compromise and resolve all issues in the captioned Freedom of Information Act ("FOIA")
 23 action premised on a FOIA request by Nossaman to the Federal Emergency Management
 24 Agency ("FEMA"). Specifically, the questions of the scope of the FOIA request dated
 25 March 16, 2009, the legal status of documents held by federal contractor Insurance
 26 Services Office, Inc., of Central Point, Oregon ("ISO"), DHS's FOIA administrative fees
 27 under 5 U.S.C. § 552(a)(4)(A), taxable costs under 28 U.S.C. § 1920, and Nossaman's
 28

1 attorney's fees and litigation costs under 5 U.S.C. § 552(a)(4)(E), are settled hereby. No
2 admission is made on these or any other subjects.

3 2. Defendant has obtained and redacted, and defense counsel holds in electronic
4 form, approximately 4,500 pages of materials from ISO. These will be supplied to
5 Nossaman promptly, and in any event within 30 days from approval hereof.

6 3. This action is hereby DISMISSED WITH PREJUDICE.

7 4. No money shall change hands. All amounts incurred for defendant's FOIA
8 administrative fees and Nossaman's costs or attorney's fees are deemed to cancel each
9 other.

10 Dated: July 29, 2011

NOSSAMAN LLP

11 By: /s/ Paul S. Weiland
12 PAUL S. WEILAND
13 ROBERT C. HORTON
Attorneys for Plaintiff

14 Dated: July 29, 2011

BENJAMIN B. WAGNER
United States Attorney

15 By: /s/ YHimel
16 YOSHINORI H. T. HIMEL
17 Assistant U. S. Attorney
Attorneys for Defendant

18 ORDER

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20 IT IS SO ORDERED.

21 Dated: July 29, 2011

/s/ Oliver W. Wanger
UNITED STATES DISTRICT JUDGE