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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

-----X		
Timothy J. Desmond,	:	
Plaintiff,	:	
v.	:	
Kamala Harris, Attorney General of the State of California, in her official capacity,	:	
Karen Ross, Secretary of the California Dep't of Food and Agriculture, in her official capacity,	:	
John Quiroz, Branch Chief of the Fairs & Expositions Branch in the Division of Marketing, in his official capacity,	:	Civ.No. 1:16-cv-01206 DAD-BAM
and	:	
John Alkire, Chief Executive Officer of the 21 st District Agricultural Association, in his official capacity,	:	STIPULATION AND ORDER
Defendants.	:	
-----X		

WHEREAS Plaintiff has moved for a preliminary injunction (Doc. No. 16) seeking an order enjoining Defendants from enforcing Cal. Govt. Code § 8195 as applied to artwork that may be displayed at the Big Fresno Fair 2016, and specifically, as to Plaintiff's painting, The Attack; and

1 WHEREAS Defendants have agreed that, if entered in accordance with the rules of the
2 Big Fresno Fair 2016 (the "Fair"), The Attack will be judged and displayed at the Fair;

3 THEREFORE Plaintiff and Defendants hereby agree as follows:

- 4 1. Defendants agree that, upon proper entry of The Attack, it will be judged and
5 displayed along with, and treated similarly to, all other entries.
6 2. Plaintiff hereby withdraws his motion for a preliminary injunction.

7
8 Dated: September 9, 2016

9 KAMALA D. HARRIS
10 Attorney General of California
11 TAMAR PACHTER
12 Supervising Deputy Attorney General

13 /s/ Alexandra Robert Gordon
14 ALEXANDRA ROBERT GORDON
15 Deputy Attorney General
16 *Attorneys for Defendants*

17 By: STAMMER, MCKNIGHT, BARNUM &
18 BAILEY LLP

19 /s/ Bruce J. Berger
20 BRUCE J. BERGER
21 *Attorneys for Plaintiff*

22 By: CENTER FOR INDIVIDUAL RIGHTS

23 /s/ Michael E. Rosman
24 MICHAEL E. ROSMAN
25 *Attorneys for Plaintiff*

26 IT IS SO ORDERED.

27 Dated: September 13, 2016

28 Dale A. Inghel
UNITED STATES DISTRICT JUDGE