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Intervenors					
IN THE UNITED STATES DISTRICT COURTS					
FOR THE EASTERN DISTRICT OF CALIFORNIA					
AND THE NORTHERN DISTRICT OF CALIFORNIA					
UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES					
PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE					
RALPH COLEMAN, et al.,	Case No.: CIV S-90-0520 LKK JFM P				
Plaintiffs,	THREE-JUDGE COURT				
VS.					
ARNOLD SCHWARZENEGGER, et al.,					
Defendants.					
MARCIANO PLATA, et al.,	Case No.: C01-1351 TEH				
Plaintiffs,	THREE-JUDGE COURT STIPLE ATION OF PAPTIES AND				
VS.	STIPULATION OF PARTIES AND PROPOSED ORDER DISMISSING NATHAN ELETCHER JOHN L BENOIT				
Defendants.	NATHAN FLETCHER, JOHN J. BENOIT, AND DAVID COGDILL AS INTERVENORS				
	INTERVENORS				
11					

1	1.	1. This Court granted California Assemblymembers Nathan Fletcher and John J. Benoit				
2		and California Senator David Cogdill intervening party status for purposes of opposing				
3		the issuance of a prisoner release order under consideration by this Three-Judge Court				
4		pursuant to the Prison Litigation Reform Act, 18 U.S.C. 3626 et seq.; and,				
5	2. Assemblymembers Nathan Fletcher and John J. Benoit and Senator David Cogdill h					
6		evaluated whether their continued participation as Legislator Intervenors is necessary				
7		given the current posture of the case and the participation of numerous other Legislator				
8		Intervenors.				
9	3.	Assemblymembers Nathan Fletcher and John J. Benoit and Senator David Cogdill,				
10	through their counsel, have contacted legal counsel for Plaintiffs, Defendants, and					
11	Intervenor representatives as of February 18, 2010, to obtain consent to their					
12		withdrawal; and,				
13	4.	Plaintiffs, Defendants and Intervenor representatives have stipulated to dismissing				
14		Assemblymembers Nathan Fletcher and John J. Benoit and Senator David Cogdill as				
15		intervenors in the proceedings now before this Three-Judge Court; and,				
16	5.	5. Assemblymembers Nathan Fletcher and John J. Benoit and Senator David Cogdill				
17		request this Three-Judge Court order them dismissed, with prejudice, as intervenors in				
18		CIV 5-90-0520 LKK JFM P and No. C01-1341 TEH, as those cases are now pending				
19	before this Three-Judge Court.					
20) IT IS SO STIPULATED.					
21	Dated: Febru	ary 22, 2010AKIN GUMP STRAUSS HAUER & FELD LLP				
22		Bv: /s/				
23		By: /s/ CHAD STEGEMAN Attorneys for Assembly and Senate				
24		Republican Intervenors				
25	Dated: Febru	ary 22, 2010 By: /s/				
26		ary 22, 2010 By: <u>/s/</u> ANNE L. KECK Deputy County Counsel				
27		Attorney for Sonoma County Intervenors				
28						
	1 STIPULATION OF PARTIES AND PROPOSED ORDER DISMISSING INTERVENORS					

1	Dated: February 22, 2010	By:	/s/ THERESA J. FUENTES		
2			Deputy County Counsel		
3			Attorneys for County Intervenors		
4	Dated: February 22, 2010	By:	/s/ WILLIAM MITCHELL		
5			Assistant District Attorney		
		D	Attorneys for District Attorney Intervenors		
6	Dated: February 22, 2010	By:	/s/ MARTIN J. MAYER		
7			Attorneys for Sheriff Intervenors, Probation Intervenors, and		
8			Chief of Correction Intervenors		
9	Dated: February 22, 2010	By:	/s/ NATALIE LEONARD		
10			Attorneys for Intervenor		
11			California Correctional Peace Officer's Association		
12	Dated: February 22, 2010	By:	/s/ MICHAEL BIEN		
13			Attorneys for Coleman Plaintiffs		
14	Dated: February 22, 2010	By:	/s/ DONALD SPECTER		
15			Attorneys for <i>Plata</i> Plaintiffs		
16	Dated: February 22, 2010	By:	/s/ KYLE LEWIS		
			Deputy Attorney General		
17			Attorney for Coleman Defendants		
18	Dated: February 22, 2010	By:	/s/ PAUL MELLO		
19			Attorney for Plata Defendants		
20	I declare under penalty of pe	eriury under	the laws of the State of California, and pursuant to		
21	I declare under penalty of perjury under the laws of the State of California, and pursuant to General Order $45(x)(B)$, that Lobtained approval of this Stipulation from each signatory listed above				
22	General Order $45(x)(B)$, that I obtained approval of this Stipulation from each signatory listed above.				
23	Executed on this 22nd day of February, 2010 at San Francisco, California.				
24	Dated: February 22, 2010	AKI	N GUMP STRAUSS HAUER & FELD LLP		
25		By:	/s/		
26		5	/s/ TERESA W. WANG Attorneys for Assembly and Senate		
27			Republican Intervenors		
28					
	STIPLILATION OF PARTIES	AND PRO	2 POSED ORDER DISMISSING INTERVENORS		
			I OSLU ONDER DISHIBSING INTERVENORS		

Pursuant to Stipulation, Legislator Intervenors Nathan Fletcher, John J. Benoit, and David Cogdill are dismissed from CIV S-90-0520 LKK JFM P and No. C01-1351 TEH with prejudice.

IT IS SO ORDERED.

Dated: 02/22/10

Dated: 02/22/10

Dated: 02/22/10

John Ruil

UNTIED STATES CIRCUIT JUDGE NINTH CIRCUIT COURT OF APPEALS

UNITED STATES DISTRICT JUDGE EASTERN DISTRICT OF CALIFORNIA

THELTON E. HENDERSON UNITED STATES DISTRICT JUDGE NORTHERN DISTRICT OF CALIFORNIA