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7 *Attorneys for Defendants, State of California*
 8 *and Debra Bowen, California Secretary of State*

9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE EASTERN DISTRICT OF CALIFORNIA

13 UNITED STATES OF AMERICA,

14 Plaintiff,

15 v.

16 THE STATE OF CALIFORNIA; and DEBRA
 17 BOWEN, SECRETARY OF STATE OF
 CALIFORNIA, in her official capacity,

18 Defendants.

Case No.: 2:12-cv-01427-WBS-GGH

**STIPULATION AND [PROPOSED]
 ORDER**

[Local Rule 143]

19
 20 Pursuant to Eastern District Local Rule 143, the parties to this action, through their
 21 respective counsel of record, do hereby stipulate and agree as follows:

22 This action was initiated by Plaintiff United States of America against Defendants the State
 23 of California, and Debra Bowen, California Secretary of State. The Complaint alleges violations
 24 of the Uniformed and Overseas Citizens Absentee Voting Act (UOCAVA), 42 U.S.C. §§ 1973ff
 25 to 1973ff-7, arising from the failure in 11 California counties to transmit absentee ballots to all
 26 absent uniformed services voters and overseas voters by the 45th day before the June 5, 2012
 27 Federal primary election and the failure to establish or implement adequate procedures to transmit
 28

1 absentee ballots by mail or electronically in accordance with the voter's preferred method of
2 transmission.

3 A Consent Decree was entered on May 30, 2012, between Plaintiff and Defendant
4 Secretary of State. (Dkt. # 7.) The Consent Decree fully remedies the allegations raised in the
5 Complaint regarding the June 5, 2012 Federal primary election. The Court retains jurisdiction to
6 enter further relief as may be necessary to effectuate the Consent Decree's terms and ensure
7 compliance with UOCAVA through December 31, 2014, and any party, for good cause shown,
8 may move to extend the Consent Decree or to reopen the case. (Dkt. #7, 11:20-23.)

9 Defendant State of California is not a party to the Consent Decree and has not answered the
10 complaint. All parties to this action hereby agree that no responsive pleading shall be required
11 from Defendant State of California unless Plaintiff United States makes a written request for such
12 a responsive pleading. If a responsive pleading is requested, it shall be due no later than 30 days
13 after service, by mail or by electronic mail, on counsel for Defendant State of California.

1 The undersigned agree to entry of this Stipulated Order.

2 Dated: July 26, 2012

3 For Defendants State of California and
4 Debra Bowen, California Secretary of State:

5 KAMALA D. HARRIS
6 Attorney General of California
7 DOUGLAS J. WOODS
8 Senior Assistant Attorney General

9 /s/ *George Waters*

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18 For Plaintiff, United States of America:

19 THOMAS E. PEREZ
20 Assistant Attorney General
21 Civil Rights Division

22 /s/ *Jaye Allison Sitton* (As Authorized on July 26, 2012)

23 _____
24 T. CHRISTIAN HERREN, JR.
25 ABEL GOMEZ
26 JAYE ALLISON SITTON (D.C. Bar # 453655)
27 OLIMPIA E. MICHEL (N.Y. Bar # 4358321)
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Civil Rights Division
U.S. Department of Justice
950 Pennsylvania Avenue, N.W.
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Washington, D.C. 20530
Telephone: (202) 305-4143
Facsimile: (202) 307-3961

1 IT IS SO ORDERED.

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3 Dated: July 30, 2012

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WILLIAM B. SHUBB
UNITED STATES DISTRICT JUDGE

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