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13
 14 IN THE UNITED STATES DISTRICT COURT
 15 EASTERN DISTRICT OF CALIFORNIA

16 LABORERS' INTERNATIONAL UNION OF NORTH
 AMERICA PACIFIC SOUTHWEST REGION,

17 Plaintiff,

18 v.

19 U.S. DEPARTMENT OF ENERGY,

20 Defendant.
 21

CASE NO. 2:13-CV-02204-MCE-
 DAD

**STIPULATION AND ORDER
 FURTHER LIMITING ISSUES
 TO BE DECIDED**

22
 23 The parties, by and through the undersigned counsel, hereby stipulate, subject to the
 24 approval of the Court, provided for herein, as follows:

25 1. On February 11, 2014, the parties stipulated for purposes of the matters to be decided
 26 in this action, to limiting the certified payroll records of CLP, Inc. to a seven-week period
 27 beginning on December 2, 2012 and ending January 20, 2013. See ECF #8.
 28

1 2. Upon further review of the specified records, the Department of Energy identified
2 three individuals during this seven-week period whom the Department of Energy contends a
3 knowledgeable member of the public could identify by their work classification of Power
4 Equipment Operator and their group classifications of groups 3, 9, and 11.

5 3. The Department of Energy has confirmed that no more than three individuals worked
6 as Power Equipment Operator, group 3, 9, or 11, during the seven-week period in question.

7 4. The Department of Energy contends, and Plaintiff does not concede, that the three
8 individuals would be identifiable solely from their work classifications and group numbers as
9 they appear on the certified payroll records.

10 5. Notwithstanding the above disagreement, in order to focus the issues and streamline
11 the litigation, the parties hereby stipulate and agree that information regarding the three Power
12 Equipment Operators, groups 3, 9, and 11, can be redacted from the certified payroll records at
13 issue and will not be an issue to be determined in this litigation.

14
15 Dated: March 19, 2014

WEINBERG, ROGER & ROSENFELD
A Professional Corporation

16 By: /s/ Roberta D. Perkins
17 ROBERTA D. PERKINS, SBN 153074
(as authorized on 3/19/14)

18 Dated: March 19, 2014


BENJAMIN B. WAGNER
United States Attorney

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20 By: /s/ YOSHINORI H. T. HIMEL #66194
21 YOSHINORI H. T. HIMEL #66194
22 Assistant United States Attorney

23 **ORDER**

24 IT IS SO ORDERED.

25 Dated: March 25, 2014

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27 
28 MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT