

1 Pursuant to section X.B. of General Order No. 45, Robert D. Bacon, attorney for the
2 petitioner, certifies that concurrence in the filing of this document has been obtained from Deputy
3 Attorneys General James William Bilderback II and Steve Oetting, attorneys for the respondent.

4 Submitted September 3, 2008.

5 MICHAEL M. CRAIN

6 */s/ Robert D. Bacon*
7 ROBERT D. BACON
8 Attorneys for Petitioner

9 */s/ James William Bilderback II*
10 JAMES WILLIAM BILDERBACK II
11 Deputy Attorney General
12 Attorney for Respondent (No. 98-2444)

13 */s/ Steve Oetting*
14 STEVE OETTING
15 Deputy Attorney General
16 Attorney for Respondent (No. 00-3706)

17 PURSUANT TO STIPULATION, IT IS SO ORDERED. Litigation of all claims and
18 issues in this case other than the issue of Mr. Carpenter's current competency shall be deferred pending
19 resolution of Mr. Carpenter's appeal from the order of August 21, 2008.

20 Signed September 12, 2008.

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22 MAXINE M. CHESNEY
23 UNITED STATES DISTRICT JUDGE
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