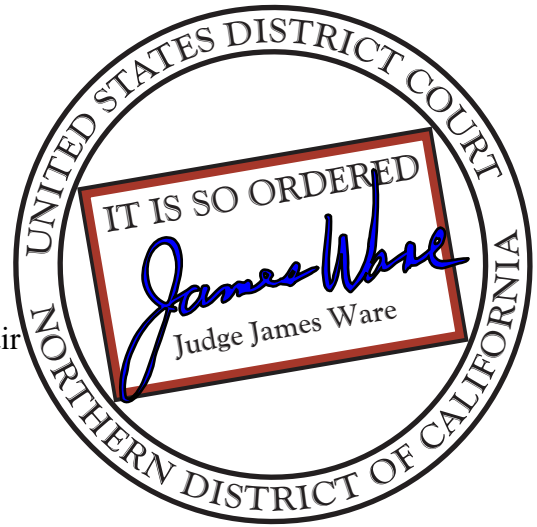


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10
 11 IN THE UNITED STATES DISTRICT COURT FOR THE
 12 NORTHERN DISTRICT OF CALIFORNIA
 13 SAN FRANCISCO DIVISION

15 SIXTY-THREE STRATEGIC)	Case No. Case No. C-05-1123 JW
INVESTMENT FUNDS; and)	
16 PRESIDIO GROWTH LLC)	[STIPULATION FOR] ORDER
(Tax Matters Partner),)	GRANTING MOTION BY R. CARY
17)	McNAIR, JR. and KATHRYN N.
18 Petitioners,)	McNAIR TO PARTICIPATE AS
19)	PARTIES PURSUANT TO I.R.C.
20 v.)	§6226(c) OR FOR LEAVE TO
)	INTERVENE
21 UNITED STATES OF AMERICA,)	Honorable James Ware, Chief Judge
22)	
23 Respondent.)	

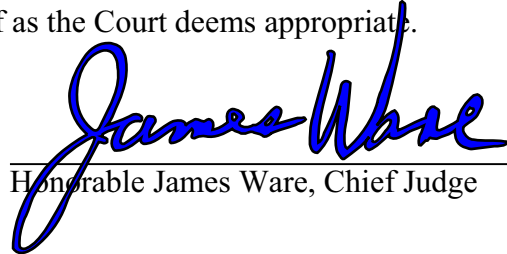
24
 25 The parties, by and through their undersigned counsel, hereby stipulate to the granting of
 26 the Motion of R. Cary McNair, Jr. and Kathryn N. McNair, for Leave to Participate as Parties or
 27 for Leave to Intervene filed on December 10, 2009, based on the Notice of Motion and Affidavit
 28 of William E. Taggart, Jr. in Support of Motion filed on the same date.

1 Based upon the foregoing stipulation, the parties respectfully request that the Court grant
2 the Motion of R. Cary McNair, Jr. and Kathryn N. McNair, and order as follows:

3 ORDER that R. Cary McNair, Jr. and Kathryn N. McNair, be allowed to intervene
4 pursuant to Rule 24 of the Federal Rules of Civil Procedure; and

5 ORDER that R. Cary McNair, Jr. and Kathryn N. McNair, are parties entitled to
6 participate in all proceedings pursuant to 26 U.S.C. §6226(c).

7 ORDER such other and further relief as the Court deems appropriate.

8
9 
Honorable James Ware, Chief Judge

10
11
12
13 Dated: June 14, 2011

Respectfully submitted,

14
15 /s/ William E. Taggart, Jr.
WILLIAM E. TAGGART, JR.
Attorney for Petitioners
R. Cary McNair, Jr. and
Kathryn N. McNair

16
17
18 /s/ Steven M. Bauer
STEVEN M. BAUER
Latham & Watkins
Attorney for Petitioners

19 /s/ Stuart D. Gibson
STUART D. GIBSON
Senior Litigation Counsel
Tax Division, Department of Justice
Attorney for Respondent

1 **CERTIFICATE OF SERVICE**

2 IT IS HEREBY CERTIFIED that service of the foregoing **STIPULATION FOR**
3 **ORDER GRANTING MOTION BY R. Cary McNair, Jr. and Kathryn N. McNair TO**
4 **PARTICIPATE AS PARTIES PURSUANT TO IRC §6226(c) or TO INTERVENE** has
5 been made this 14th day of June, 2011, upon the following by ECF:

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26 /s/ William E. Taggart, Jr.
27 WILLIAM E. TAGGART, JR.
28 Attorney for Petitioners
R. Cary McNair, Jr. and
Kathryn N. McNair

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