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29 STIPULATION OF VOLUNTARY DISMISSAL PURSUANT
TO FED. R. CIV. P. 41(a)(1)(ii) (C08-1814 MHP)

HON. MARILYN HALL PATEL

Earthjustice
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1 UNITED STATES DISTRICT COURT
2 FOR THE NORTHERN DISTRICT OF CALIFORNIA
3 AT SAN FRANCISCO

3 PESTICIDE ACTION NETWORK NORTH)
4 AMERICA, UNITED FARM WORKERS,) Civ. No. C08-1814 MHP
5 PINEROS Y CAMPESINOS UNIDOS DEL)
6 NOROESTE, FARM LABOR ORGANIZING)
7 COMMITTEE, AFL-CIO, BEYOND) STIPULATION OF VOLUNTARY
8 PESTICIDES, NATURAL RESOURCES) DISMISSAL PURSUANT TO
9 DEFENSE COUNCIL, SEA MAR) FED. R. CIV. P. 41(a)(1)(ii)
10 COMMUNITY HEALTH CENTER,)
11 TEAMSTERS LOCAL 890 and MOISES)
12 LOPEZ,)
13)
14 Plaintiffs,)
15)
16 v.)
17)
18 U.S. ENVIRONMENTAL PROTECTION)
19 AGENCY, an agency of the United States;)
20 STEPHEN L. JOHNSON, Administrator, U.S.)
Environmental Protection Agency, in his)
official capacity,)
Defendants,)
and)
GOWAN COMPANY and CROPLIFE)
AMERICA,)
Intervenors-Defendants.)

21 On November 28, 2008, this Court issued an Order for Stay in the above-captioned case
22 pending a final decision by the Ninth Circuit Court of Appeals in United Farm Workers v. EPA,
23 No. 08-35528 (9th Cir.). On January 26, 2010, the Ninth Circuit issued an opinion holding that
24 challenges to pesticide reregistration decisions made after a public hearing must be brought in
25 the appellate court within 60 days of the challenged decision. Appellants United Farm Workers
26 petitioned for rehearing. On April 19, 2010, the Ninth Circuit denied the petition for rehearing
27

1 or rehearing en banc, and the mandate in that appeal issued on April 27, 2010. See Fed. R. App.
2 P. 41(b).

3 Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), plaintiffs, federal defendants, and defendant-
4 intervenors stipulate to the voluntary dismissal of plaintiffs' Complaint for Declaratory and
5 Injunctive Relief. Each party will bear its own costs.

6 Respectfully submitted this 30th day of April, 2010.

7
8 /s/ Kristen L. Boyles

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PURSUANT TO STIPULATION, IT IS SO ORDERED.

5/3/2010

Honorable Marilyn H. Patel
United States District Judge



CERTIFICATE OF SERVICE

I am a citizen of the United States and a resident of the State of Washington. I am over 18 years of age and not a party to this action. My business address is 705 Second Avenue, Suite 203, Seattle, Washington.

I hereby certify that on April 30, 2010, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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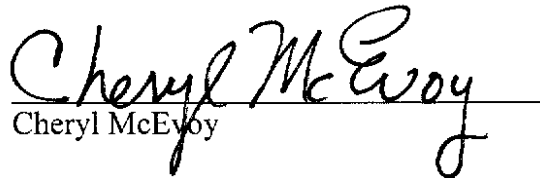
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I, Cheryl McEvoy, declare under penalty of perjury that the foregoing is true and correct.

Executed on this 30th day of April, 2010, at Seattle, Washington.


Cheryl McEvoy