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STIPULATION OF VOLUNTARY DISMISSAL PURSUANT
TO FED. R. CIV. P. 41(a)(1)(ii)(Case No. CV08-3595-MHP)

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

3 UNITED FARM WORKERS, PESTICIDE)
4 ACTION NETWORK NORTH AMERICA,) Case No. CV08-3595-MHP
5 PINEROS Y CAMPESINOS UNIDOS DEL)
6 NOROESTE, BEYOND PESTICIDES,)
7 TEAMSTERS LOCAL 890, FARM LABOR) STIPULATION OF VOLUNTARY
8 ORGANIZING COMMITTEE, AFL-CIO, and) DISMISSAL PURSUANT TO FED. R.
9 LUIS GARCIA LOPEZ,) CIV. P. 41(a)(1)(ii)
10)
11 Plaintiffs,)
12)
13 v.)
14)
15 UNITED STATES ENVIRONMENTAL)
16 PROTECTION AGENCY,)
17)
18 Defendant,)
19)
20 and)
21)
22 MAKHTESHIM AGAN OF NORTH AMERICA,)
23 INC.,)
24)
25 Intervenor-Defendant.)
26)
27)
28)

17
18 On November 28, 2008, this Court issued an Order for Stay in the above-captioned case
19 pending a final decision by the Ninth Circuit Court of Appeals in United Farm Workers v. EPA,
20 No. 08-35528 (9th Cir.). On January 26, 2010, the Ninth Circuit issued an opinion holding that
21 challenges to pesticide reregistration decisions made after a public hearing must be brought in
22 the appellate court within 60 days of the challenged decision. Appellants United Farm Workers
23 petitioned for rehearing. On April 19, 2010, the Ninth Circuit denied the petition for rehearing
24 or rehearing en banc, and the mandate in that appeal issued on April 27, 2010. See Fed. R. App.
25 P. 41(b).

26 Pursuant to Fed. R. Civ. P. 41(a)(1)(ii), plaintiffs, federal defendants, and defendant-
27 intervenors stipulate to the voluntary dismissal of plaintiffs First Amended Complaint for

1 Declaratory and Injunctive Relief. Each party will bear its own costs.

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

3
4 /s/ Kristen L. Boyles

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22 *North America, United Farm Workers, Natural*
23 *Resources Defense Council, Teamsters Local 890,*
24 *Beyond Pesticides, Pineros y Campesinos Unidos*
25 *del Noroeste, Center for Environmental Health,*
26 *Farm Labor Organizing Committee, AFL-CIO, and*
27 *Alaska Community Action on Toxics*

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*Attorneys for Defendant-Intervenor Makhteshim Agan
of North America, Inc.*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

5/3/2010

Honorable Marilyn H. Pat
United States D



1 CERTIFICATE OF SERVICE

2 I am a citizen of the United States and a resident of the State of Washington. I am over 18
3 years of age and not a party to this action. My business address is 705 Second Avenue, Suite 203,
4 Seattle, Washington 98104.

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

7 Leslie M. Hill
8 U.S. Department of Justice
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- via overnight courier
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16 U.S. Department of Justice
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18 Ben Franklin Station
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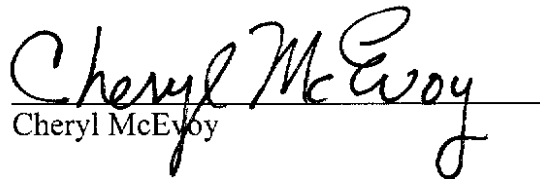
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7 North America, Inc.

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

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

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12 
13 Cheryl McEvoy
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