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7 Attorneys for Plaintiffs

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

13 NATIONAL LAWYERS' GUILD SAN FRANCISCO CHAPTER, et al.,

No. C 08-5137 RS

14 Plaintiffs,

**STIPULATION TO EXTEND TIME  
 TO FILE BILL OF COSTS AND/OR  
 MOTION FOR ATTORNEY'S  
 FEES; AND [~~PROPOSED~~] ORDER**

15 v.

16 U.S. DEPARTMENT OF HOMELAND SECURITY, et al.,

17 Defendants.  
 18  
 19

20 WHEREAS, in an effort to narrow the issues before the Court,

21 1. Beginning in April 2009, the parties entered into a series of stipulations to stay  
 22 proceedings to allow Defendants to conduct secondary searches and process potentially responsive  
 23 records, and to allow the parties to confer in an effort to resolve Plaintiffs' claims without the  
 24 Court's intervention. As a result of those negotiations, in October 2009, the parties filed a  
 25 stipulation of dismissal of this action with prejudice under Rule 41(a)(1)(A)(ii) with respect to  
 26 Defendants DHS, DHS-OIG, and CIS. After further negotiations resolved all remaining merits  
 27 issues, on June 29, 2011, the parties filed a stipulation of dismissal of this action with prejudice  
 28

1 under Rule 41(a)(1)(A)(ii) with respect to all remaining Defendants. At that time, the parties had  
2 begun to discuss whether an award of fees and costs was appropriate in this case. On June 30,  
3 2011, the Court approved the parties' stipulation to extend the deadline for Plaintiffs to file any bill  
4 of costs and/or motion for attorney's fees by approximately three months, to September 30, 2011, to  
5 permit those negotiations to continue. On September 29, the Court approved the parties' stipulation  
6 to extend the deadline for Plaintiffs to file any bill of costs and/or motion for attorney's fees by  
7 approximately two months, to November 30, 2011, to permit those negotiations to continue. On  
8 November 29, 2011, the Court approved the parties' stipulation to extend the deadline for Plaintiffs  
9 to file any bill of costs and/or motion for attorney's fees by approximately two months, to January  
10 30, 2012, to permit those negotiations to continue. On January 30, 2012, the Court approved the  
11 parties' stipulation to extend the deadline for Plaintiffs to file any bill of costs and/or motion for  
12 attorney's fees by approximately one month, to February 29, 2012, to permit those negotiations to  
13 continue. On February 29, the Court approved the parties' stipulation to extend the deadline for  
14 Plaintiffs to file any bill of costs and/or motion for attorney's fees by one week, to March 7, 2012,  
15 to permit those negotiations to reach a tentative conclusion.

16 2. The parties have reached a tentative agreement, subject to client approval,  
17 concerning an award of attorney's fees and costs and hope to resolve the issue without the Court's  
18 intervention. Defendants do not concede that Plaintiffs are entitled to recover any fees or costs in  
19 this case, and reserve all rights to oppose any bill of costs or motion for attorney's fees. Although it  
20 now appears likely that judicial resolution of any dispute over fees or costs may not be necessary,  
21 the parties anticipate that it will take up to two months to secure the necessary approvals and draft  
22 and execute a settlement agreement; and

23 WHEREAS it would minimize litigation costs and conserve judicial resources to permit  
24 the parties to attempt to resolve any dispute over fees or costs without the Court's intervention,

25 IT IS HEREBY AGREED AND STIPULATED by and between the parties, through  
26 undersigned counsel, subject to the approval of the Court, that the deadline for Plaintiffs to file any  
27 bill of costs and/or motion for attorney's fees shall be extended to April 30, 2012, notwithstanding  
28 any local rule to the contrary.

1 Dated: March 6, 2012

2 Respectfully submitted,

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4 JARED L. KOPEL

TONY WEST  
Assistant Attorney General

5 DOMINIQUE-CHANTALE ALEPIN

JOHN R. TYLER  
Assistant Branch Director

6 /s/ Lisa A. Davis

LISA A. DAVIS  
7 WILSON SONSINI GOODRICH &  
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/s/ Eric B. Beckenhauer

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Attorneys for Plaintiffs

20  
21 **SIGNATURE ATTESTATION**

22 In accordance with General Order 45(X), I hereby attest that I have obtained  
23 Eric B. Beckenhauer's concurrence in the filing of this document.  
24

25 /s/ Lisa A. Davis  
26 LISA A. DAVIS

~~[PROPOSED]~~ ORDER

Pursuant to stipulation, it is hereby **ORDERED** that the deadline for Plaintiffs to file any bill of costs and/or motion for attorney's fees shall be extended to April 30, 2012, notwithstanding any local rule to the contrary.

Dated: 3/7/12



RICHARD SEEBORG  
United States District Judge

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