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16 Attorneys for Plaintiffs
 17 ELIZABETH AIDA HASKELL, REGINALD ENTO,
 18 JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,
 19 on behalf of themselves and others similarly situated

20 UNITED STATES DISTRICT COURT
 21 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 22 SAN FRANCISCO DIVISION

23 ELIZABETH AIDA HASKELL,
 24 REGINALD ENTO, JEFFREY PATRICK
 25 LYONS, JR., and AAKASH DESAI, on
 26 behalf of themselves and others similarly
 27 situated,

28 Plaintiffs,

vs.

KAMALA D. HARRIS, Attorney General
 of California; EVA STEINBERGER,
 Assistant Bureau Chief for DNA Programs,
 California Department of Justice,

Defendants.

Civil Case No. C 09-4779 CRB

CLASS ACTION

**STIPULATION AND ~~PROPOSED~~
 ORDER RE: CONTINUANCE OF CASE
 MANAGEMENT CONFERENCE**

Date: March 30, 2012
 Time: 8:30 a.m.
 Dept.: Courtroom 8, 19th Floor

Honorable Charles R. Breyer

Complaint Filed: October 7, 2009
 First Am. Complaint Filed: December 1, 2009

1 Plaintiffs Elizabeth Aida Haskell, Reginald Ento, Jeffrey Patrick Lyons, Jr., and Aakash
2 Desai, and Defendants Kamala D. Harris, Attorney General of California, and Eva Steinberger,
3 Assistant Bureau Chief for DNA Programs, California Department of Justice, by and through
4 their counsel, hereby agree and stipulate as follows:

5 WHEREAS, the parties have a Case Management Conference (“CMC”) currently
6 scheduled for March 30, 2012 at 8:30 a.m.;

7 WHEREAS, the Ninth Circuit held oral argument in the pending appeal of this
8 Court’s denial of preliminary injunction on July 13, 2010;

9 WHEREAS, the Ninth Circuit issued a panel decision on February 23, 2012;

10 WHEREAS, Plaintiffs-Appellants filed a Petition for Rehearing En Banc (Docket
11 No. 56) in the pending appeal on March 8, 2012;

12 WHEREAS, the Ninth Circuit issued an order directing Defendants-Appellees to
13 respond to Plaintiffs-Appellants’ Petition for Rehearing En Banc within 28 days of the filing of
14 the court’s March 9, 2012 order;

15 WHEREAS, by agreement of the parties, counsel request a continuance of
16 approximately 180 days;

17 NOW THEREFORE, the parties, by and through their undersigned counsel,
18 hereby stipulate and agree that the March 30, 2012 CMC shall be continued, and that a CMC shall
19 be held on September 28, 2012 at 8:30 a.m. Should an earlier date become necessary or
20 appropriate by any further action of the Ninth Circuit, the parties will contact the Court.

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ORDER

The Court has considered the above Stipulation, and good cause appearing therefore, the Court hereby ORDERS as follows: The March 30, 2012 CMC shall be continued, and a Case Management Conference shall be held on September 28, 2012 at 8:30 a.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: March 15, 2012

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