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 11 JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,  
 on behalf of themselves and others similarly situated  
 12

13 UNITED STATES DISTRICT COURT

14 FOR THE NORTHERN DISTRICT OF CALIFORNIA

15 SAN FRANCISCO DIVISION

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

20 Plaintiffs,

21 vs.

22 KAMALA D. HARRIS, Attorney General  
 of California; EVA STEINBERGER,  
 23 Assistant Bureau Chief for DNA Programs,  
 California Department of Justice,  
 24

25 Defendants.

Civil Case No. C 09-4779 CRB

**CLASS ACTION**

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

Date: April 26, 2013  
 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  
2 Aakash Desai, and Defendants Kamala D. Harris, Attorney General of California, and Eva  
3 Steinberger, Assistant Bureau Chief for DNA Programs, California Department of Justice, by and  
4 through their counsel, hereby agree and stipulate as follows:

5 WHEREAS, the parties have a Case Management Conference (“CMC”) currently  
6 scheduled for April 26, 2013 at 8:30 a.m.;

7 WHEREAS, on September 19, 2012, an en banc panel of the Ninth Circuit reheard  
8 the pending appeal of this Court’s order;

9 WHEREAS, on November 9, 2012, the Supreme Court granted certiorari in  
10 another case addressing whether the Fourth Amendment allows the states to collect and analyze  
11 DNA from people arrested and charged with serious offenses, *King v. Maryland*, 42 A.3d 549  
12 (Md. 2012), cert. granted, 81 U.S.L.W. 3127 (U.S. Nov. 9, 2012), and held argument on February  
13 26, 2013;

14 WHEREAS, on November 13, 2012, the Ninth Circuit deferred submission of this  
15 case pending the U.S. Supreme Court’s decision in *King v. Maryland*, 42 A.3d 549 (Md. 2012);

16 WHEREAS, by agreement of the parties, counsel request a continuance of  
17 approximately 120 days;

18 NOW THEREFORE, the parties, by and through their undersigned counsel,

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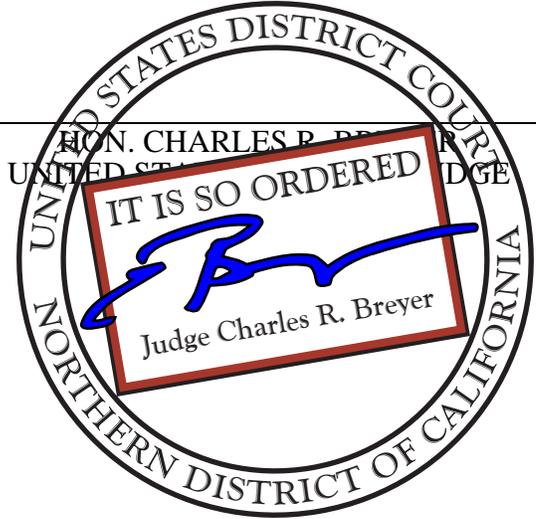
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**ORDER**

The Court has considered the above Stipulation, and good cause appearing therefore, the Court hereby ORDERS as follows: The April 26, 2013 CMC shall be continued, and a Case Management Conference shall be held on August 9, 2013 at 8:30 a.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: April 10, 2013



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