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9	` ,				
10	Attorneys for Plaintiffs ELIZABETH AIDA HASKELL, REGINALD ENTO, JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,				
11	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				
16					
17	ELIZABETH AIDA HASKELL, REGINALD ENTO, JEFFREY PATRICK LYONS, JR., and AAKASH DESAI, on behalf of themselves and others similarly	Civil Case No. C 09-4779 CRB			
18		<u>CLASS ACTION</u>			
19	situated,	CENTRAL APPROPRIED DE			
20	Plaintiffs,	STIPULATION AND ORDER RE: CONTINUANCE OF CASE			
21	VS.	MANAGEMENT CONFERENCE			
22	KAMALA D. HARRIS, Attorney General of California; EVA STEINBERGER,	Date: August 9, 2013			
23	Assistant Bureau Chief for DNA Programs, California Department of Justice,	Time: 8:30 a.m. Dept.: Courtroom 8, 19th Floor			
24	Defendants.	Honorable Charles R. Breyer			
25		Complaint Filed: October 7, 2009  First Am. Complaint Filed: December 1, 2000			
26		First Am. Complaint Filed: December 1, 2009			
27					
28					
	CASE NO. C 09-4779 CRB	STIPULATION AND [PROPOSED] ORDER RE: CONTINUANCE OF CMC			

	Plaintiffs Elizabeth Aida Haskell, Reginald Ento, Jeffrey Patrick Lyons, Jr., and			
1	Aakash Desai, and Defendants Kamala D. Harris, Attorney General of California, and Eva			
2	Steinberger, Assistant Bureau Chief for DNA Programs, California Department of Justice, by and			
3	through their counsel, hereby agree and stipulate as follows:			
4	WHEREAS, the parties have a Case Management Conference ("CMC") currently			
5	scheduled for August 9, 2013 at 8:30 a.m.;			
6	WHEREAS, on September 19, 2012, an en banc panel of the Ninth Circuit reheard			
7	the pending appeal of this Court's order;			
8	WHEREAS, on November 9, 2012, the Supreme Court granted certiorari in			
9	another case addressing whether the Fourth Amendment allows the states to collect and analyze			
10	DNA from people arrested and charged with serious offenses, King v. Maryland, 42 A.3d 549			
11	(Md. 2012), cert. granted, 81 U.S.L.W. 3127 (U.S. Nov. 9, 2012), and held argument on February			
12	26, 2013;			
13	WHEREAS, on November 13, 2012, the Ninth Circuit deferred submission of this			
14	case pending the U.S. Supreme Court's decision in Maryland v. King;			
15	WHEREAS, on June 3, 2013, the Supreme Court issued its decision in Maryland			
16	v. King, 133 S. Ct. 1236 (2013);			
17	WHEREAS, on June 12, 2013, the Ninth Circuit ordered the parties to submit			
18	supplemental briefs on the application of the Supreme Court's decision in Maryland v. King;			
19	WHEREAS, the parties' supplemental briefs are currently under consideration			
20	before the en banc panel;			
21	WHEREAS, by agreement of the parties, counsel request a continuance of			
22	approximately 85 days;			
23	NOW THEREFORE, the parties, by and through their undersigned counsel,			
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	hereby stipulate and agree that the August 9, 2013 CMC shall be continued, and that a CMC shall				
1	be held on November 1, 2013 at 8:30 a.m. Should an earlier date become necessary or				
2	appropriate by any further action	of the Ninth Ci	ircuit, the parties will contact the Court.		
3					
4					
5	DATED: July 30, 2013	PAUL HAS	STINGS LLP		
6		By:	/s/ Peter C. Meier		
7		Attorneys fo	Peter C. Meier		
8		ELIZABETI JEFFREY P	THAIDA HASKELL, REGINALD ENTO, PATRICK LYONS, JR., and AAKASH DESAI, f themselves and others similarly situated		
10	DATED: July 30, 2013	OFFICE OF	THE ATTORNEY GENERAL		
11		By:	/s/ Daniel J. Powell		
12			Daniel J. Powell Deputy Attorney General		
13	Attorneys for Defendants KAMALA D. HARRIS, Attorney General of California and				
14		EVA STEIN	NBERGER, Assistant Bureau Chief for DNA California Department of Justice		
15					
16	I attest that concurrence in the filing of this document has been obtained from				
17	Daniel J. Powell, attorney for defendants Kamala D. Harris and Eva Steinberger.				
18					
19	DATED: July 30, 2013	PAUL HAS'	STINGS LLP		
20		By:	/s/ Peter C. Meier		
21		-	Peter C. Meier		
22		Attorneys fo ELIZABETI	H AIDA HASKELL, REGINALD ENTO,		
23		JEFFREY P. on behalf of	PATRICK LYONS, JR., and AAKASH DESAI, f themselves and others similarly situated		
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28		-2	2- STIPULATION AND [PROPOSED] ORDER		

## **ORDER**

28 CASE NO. C 09-4779 CRB

The Court has considered the above Stipulation, and good cause appearing therefore, the Court hereby ORDERS as follows: The August 9, 2013 CMC shall be continued,

PURSUANT TO STIPULATION, IT IS SO ORDERED.

and a Case Management Conference shall be held on November 1, 2013 at 8:30 a.m.

DATED: August 1, 2013



