Haskell et al v. Brown et al Doc. 135

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9	Attorneys for Plaintiffs ELIZABETH AIDA HASKELL, REGINALD ENTO, JEFFREY PATRICK LYONS, JR., and AAKASH DESAI, on behalf of themselves and others similarly situated				
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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	Civil Case No. C 09-4779 CRB			
18	LYONS, JR., and AAKASH DESAI, on behalf of themselves and others similarly	<u>CLASS ACTION</u>			
19	situated,	STIPULATION AND ORDER RE:			
20	Plaintiffs,	CONTINUANCE OF CASE MANAGEMENT CONFERENCE			
21	VS.				
22	KAMALA D. HARRIS, Attorney General of California; EVA STEINBERGER,	Date: November 1, 2013 Time: 8:30 a.m. Dept.: Courtroom 8, 19th Floor			
23	Assistant Bureau Chief for DNA Programs, California Department of Justice,				
24	Defendants.	Honorable Charles R. Breyer			
25		Complaint Filed: October 7, 2009 First Am. Complaint Filed: December 1, 2009			
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20		CTIDI II ATION AND IDDODOSEDI OPDED			
	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 November 1, 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, <i>King v. Maryland</i> , 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, on August 14, 2013, the Ninth Circuit ordered that the case be re-			
22	argued before the en banc court during the week of December 9, 2013;			
23	WHEREAS, by agreement of the parties, counsel request a continuance of			
24	approximately 99 days;			
25	NOW THEREFORE, the parties, by and through their undersigned counsel,			
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	hereby stipulate and agree that the	he November 1,	2013 CMC shall be continued, and that a CMC		
1	shall be held on February 7, 2014 at 8:30 a.m. Should an earlier date become necessary or				
2	appropriate by any further action of the Ninth Circuit, the parties will contact the Court.				
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4					
5	DATED: October 16, 2013	PAUL HAS	TINGS LLP		
6		By:	/s/ Peter C. Meier		
7		Attamaya fa	Peter C. Meier		
8		JEFFREY P	H AIDA HASKELL, REGINALD ENTO, ATRICK LYONS, JR., and AAKASH DESAI, themselves and others similarly situated		
10	DATED: October 16, 2013		THE ATTORNEY GENERAL		
11	2111221 330001 10, 2010		/s/ Enid A. Camps		
		Бу	Enid A. Camps Deputy Attorney General		
12		Attorneys fo	r Defendants		
13		KAMALA I	D. HARRIS, Attorney General of California and IBERGER, Assistant Bureau Chief for DNA		
14			alifornia Department of Justice		
15					
16	I attest that concurrence in the filing of this document has been obtained from Enid				
17	A. Camps, attorney for defendants Kamala D. Harris and Eva Steinberger.				
18					
19	DATED: October 16, 2013	PAUL HAS	TINGS LLP		
20		By:	/s/ Peter C. Meier		
21		A.,, C	Peter C. Meier		
22		Attorneys for ELIZABET	H AIDA HASKELL, REGINALD ENTO,		
23		on behalf of	ATRICK LYONS, JR., and AAKASH DESAI, themselves and others similarly situated		
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28			STIPULATION AND [PROPOSED] ORDER		

ORDER

The Court has considered the above Stipulation, and good cause appearing

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2014 at 8:30 a.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: _October 17, 2013

therefore, the Court hereby ORDERS as follows: The November 1, 2013 Case Management

Conference shall be continued, and a Case Management Conference shall be held on February 7,

