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9 Attorneys for Plaintiffs  
 ELIZABETH AIDA HASKELL, REGINALD ENTO,  
 10 JEFFREY PATRICK LYONS, JR., and AAKASH DESAI,  
 on behalf of themselves and others similarly situated  
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12  
 13 UNITED STATES DISTRICT COURT  
 14 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN FRANCISCO DIVISION  
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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.  
 26

Civil Case No. C 09-4779 CRB

**CLASS ACTION**

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

Date: February 7, 2014  
 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 February 7, 2014 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 *Maryland v. King*;

16 WHEREAS, on June 3, 2013, the Supreme Court issued its decision in *Maryland*  
17 *v. King*, 133 S. Ct. 1236 (2013);

18 WHEREAS, on June 12, 2013, the Ninth Circuit ordered the parties to submit  
19 supplemental briefs on the application of the Supreme Court’s decision in *Maryland v. King*;

20 WHEREAS, on December 9, 2013, an en banc court heard the argument of the  
21 parties on their supplemental briefs;

22 WHEREAS, the parties’ supplemental briefs are currently under consideration  
23 before the en banc panel;

24 WHEREAS, by agreement of the parties, counsel request a continuance of  
25 approximately 99 days;

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

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**ORDER**

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The Court has considered the above Stipulation, and good cause appearing therefore, the Court hereby ORDERS as follows: The February 7, 2014 Case Management Conference shall be continued, and a Case Management Conference shall be held on May 16, 2014 at 8:30 a.m.

PURSUANT TO STIPULATION, IT IS SO ORDERED.

DATED: January 24, 2014

