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Attorneys for Petitioners and Plaintiffs,
 7 TIMOTHY WHITE,
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 8 MARGARET SCHOENINGER

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UNITED STATES DISTRICT COURT

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NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

12

TIMOTHY WHITE, an individual; ROBERT
 L. BETTINGER, an individual; and
 13 MARGARET SCHOENINGER, an individual,

Case No. C 12-01978 (RS)

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Petitioners and Plaintiffs,

**STIPULATION TO EXTEND
 PRELIMINARY INJUNCTION;
 [PROPOSED] ORDER EXTENDING
 PRELIMINARY INJUNCTION**

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vs.

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THE UNIVERSITY OF CALIFORNIA; THE
 17 REGENTS OF THE UNIVERSITY OF
 CALIFORNIA; MARK G. YUDOF, in his
 18 individual and official capacity as President of
 the University; MARYE ANNE FOX, in her
 19 individual and official capacity as Chancellor of
 the University of California, San Diego; GARY
 20 MATTHEWS, in his individual and official
 capacity as Vice Chancellor of the University of
 21 California, San Diego; KUMEYAA
 CULTURAL REPATRIATION COMMITTEE;
 22 and DOES 1-50, inclusive,

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Respondents and Defendants.

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STIPULATION TO EXTEND PRELIMINARY INJUNCTION; [PROPOSED] ORDER EXTENDING
 PRELIMINARY INJUNCTION, Case No. C 12-01978 (RS)

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STIPULATION

WHEREAS, on or about May 7, 2012, this Court entered a Preliminary Injunction enjoining defendants, the Regents of the University of California, Mark G. Yudof, Marye Anne Fox, Gary Matthews, Does 1-50, their employees, agents, servants, assigns, and all those acting in concert with them, including but not limited to the San Diego Archaeological Center, from “changing in any manner the current condition and location of the La Jolla Skeletons, and associated funerary objects.”

WHEREAS, the Preliminary Injunction further provided that defendants are enjoined and restrained “until entry of judgment in this action.”

WHEREAS, on October 9, 2012, this Court granted defendants’ motion to dismiss this action.

WHEREAS, judgment has not yet been entered.

THEREFORE, to avoid burdening this Court with an immediate motion for a further injunction, THE PARTIES HEREBY STIPULATE AS FOLLOWS:

The Regents of the University of California, Mark G. Yudof, Pradeep K. Khosla,¹ Gary Matthews, Does 1-50, their employees, agents, servants, assigns, and all those acting in concert with them, including but not limited to, the San Diego Archaeological Center, ARE HEREBY ENJOINED AND RESTRAINED from changing in any manner the current condition and location of the La Jolla Skeletons, and associated funerary objects, until 30 days from the date judgment is entered in this action.

IT IS SO STIPULATED.

DATED: October 16, 2012

McMANIS FAULKNER

/s/ Christine Peek
CHRISTINE PEEK
Attorneys for Petitioners and Plaintiffs

¹ Pradeep K. Khosla has succeeded Marye Anne Fox as Chancellor and is therefore automatically substituted as defendant in the official-capacity claims against her. Fed. R. Civ. P. 25(d).

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2 DATED: October 16, 2012

MUNGER, TOLLES & OLSON LLP

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4 /s/ Michelle T. Friedland
MICHELLE T. FRIEDLAND
5 Attorneys for Respondents and Defendants

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7 ~~[PROPOSED]~~ ORDER EXTENDING PRELIMINARY INJUNCTION

8 The Court has considered the parties' stipulation to extend the Preliminary Injunction
9 entered on May 7, 2012. Pursuant to the parties' stipulation and good cause appearing, THE
10 COURT NOW ENTERS THE FOLLOWING ORDER:

11 The Regents of the University of California, Mark G. Yudof, Pradeep K. Khosla, Gary
12 Matthews, Does 1-50, their employees, agents, servants, assigns, and all those acting in concert
13 with them, including but not limited to, the San Diego Archaeological Center, ARE HEREBY
14 ENJOINED AND RESTRAINED from changing in any manner the current condition and
15 location of the La Jolla Skeletons, and associated funerary objects, until 30 days from the date
16 judgment is entered in this action.

17 IT IS SO ORDERED.

18
19 DATED: October 17, 2012


20 HONORABLE RICHARD SEEBORG
21 UNITED STATES DISTRICT JUDGE

22 **GENERAL ORDER 45 ATTESTATION**

23 In compliance with General Order 45, X.B., I, Christine Peek, the filer of this document, hereby
24 attest that all the above counsel concurred in this filing.

25
26 /s/ Christine Peek
27 CHRISTINE PEEK
28 Attorneys for Petitioners and Plaintiffs