

1 MICHAEL T. RISHER (SB# 191627)
 mrisher@aclunc.org
 2 LINDA LYE (SB# 215584)
 llye@aclunc.org
 3 AMERICAN CIVIL LIBERTIES UNION
 FOUNDATION OF NORTHERN CALIFORNIA, INC.
 4 39 Drumm Street
 San Francisco, CA 94111
 5 Telephone: (415) 621-2493
 Facsimile: (415) 255-8437

6 HANNI FAKHOURY (SB# 252629)
 7 hanni@eff.org
 LEE TIEN (SB# 148216)
 8 tien@eff.org
 9 ELECTRONIC FRONTIER FOUNDATION
 454 Shotwell Street
 10 San Francisco, CA 94110
 Telephone: (415) 436-9333
 11 Facsimile: (415) 436-9993

12 Attorneys for Plaintiffs
 13 JOHN DOE, *et al.*
 on behalf of themselves and others similarly
 14 situated

15 **UNITED STATES DISTRICT COURT**
 16 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**

18	JOHN DOE, <i>et al.</i> , on behalf of themselves and)	Civil Case No. 3:12-cv-05713-TEH
19	others similarly situated,)	
20	Plaintiffs,)	Stipulation and Proposed Order
21	v.)	Continuing Initial Case
22	KAMALA D. HARRIS, <i>et al.</i> ,)	Management Conference
23	Defendants.)	
24)	
25)	

1 The parties have met and conferred and have concluded that their discovery plan and
2 proposed schedule will depend on whether the Defendant and Interveners appeal this
3 Court's January 11, 2013 order granting a preliminary injunction against enforcement the
4 challenged provisions of Proposition 35. Defendant and Interveners have yet to decide
5 whether to appeal but will do so before February 10. Currently, the parties' Joint Case
6 Management Statement is due on February 4, and the Initial Case Management Conference
7 currently set for February 11.

8 The parties therefore request that this Court continue the Initial Case Management
9 Conference by at least two weeks so that the parties can submit a more informed and useful
10 Joint Case Management Statement that reflects whether or not there will be an immediate
11 appeal in this matter. The parties understand that the next available date is March 4, 2013,
12 and therefore request that date or the first available date thereafter.

13 IT IS THEREFORE STIPULATED:

14 The parties request that this Court continue the Initial Case Management
15 Conference until March 4, 2013, or any other available date that the Court deems
16 appropriate.

17 January 31, 2013

/S/ Michael T. Risher

Attorney for Plaintiffs

/S/ Robert D. Wilson

Attorney for Defendant Harris

/S/ Margaret Prinzing

Attorney for Interveners

22 PURSUANT TO STIPULATION, IT IS SO ORDERED.

24 Dated: 02/04/2013

