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18 Attorneys for Defendant United States Internal Revenue Service

19 IN THE UNITED STATES DISTRICT COURT
 20 THE NORTHERN DISTRICT OF CALIFORNIA
 21 SAN FRANCISCO DIVISION

22 PUBLIC.RESOURCE.ORG., a California non-profit organization,)	Case No. 13-cv-02789 WHO
)	
23 Plaintiff,)	STIPULATION AND [PROPOSED]
)	ORDER EXTENDING DEFENDANT'S
24 v.)	DEADLINE FOR PRODUCTION OF
)	DOCUMENTS AND PLAINTIFF'S
25 UNITED STATES INTERNAL REVENUE)	DEADLINE TO MOVE TO RECOVER
26 SERVICE,)	ATTORNEYS' FEES AND COSTS
)	
27 Defendant.)	

1 The parties, through their respective counsel of record, submit the following stipulation
2 and request that the Court issue an order as requested:

3 WHEREAS, on January 29, 2015, this Court granted the Motion for Summary Judgment
4 of Plaintiff Public.Resource.Org, denied the Motion for Summary Judgment of Defendant United
5 States Internal Revenue Service, and entered Judgment in favor of Plaintiff;

6 WHEREAS, the final decision on whether or not to appeal the Court's decision rests with
7 the Solicitor General's office;

8 WHEREAS, because of the novel nature of the issues in this matter, as well as the possible
9 effect the decision in this matter might have on other federal agencies, additional time is needed
10 before the Solicitor General's office will make a final determination as to whether to appeal the
11 decision in this matter;

12 WHEREAS, production of the documents at issue in this matter was previously ordered to
13 occur on or before March 30, 2015;

14 WHEREAS, the Defendant is concerned that production of the documents in question
15 would likely moot any appeal, thereby jeopardizing the Defendant's appeal rights should the
16 Solicitor General decide that an appeal is necessary;

17 WHEREAS, the parties agree that an extension of Defendant's deadline to produce
18 documents in this matter is appropriate so as to allow the Solicitor General's office the time it
19 needs to make a final decision regarding appeal; and

20 WHEREAS, Plaintiff intends to move to recover attorneys' fees and costs pursuant to 5
21 U.S.C. § 552(a)(4)(E);

22 WHEREAS, the Plaintiff's Fee Motion is currently due by April 15, 2015;

23 WHEREAS, the parties agree that a concurrent extension of Plaintiff's deadline to file a
24 Fee Motion will allow the parties to confer and consider attorneys' fees and costs issues that could
25 lead to narrowing issues to be presented in a future motion for fees and costs, or to eliminating the
26 need to file such a motion;

27 NOW THEREFORE, IT IS HEREBY STIPULATED THAT:
28

- 1 1. Defendant's deadline to produce the documents at issue in this matter shall be extended
2 until May 5, 2015.
3 2. Plaintiff's deadline to file a motion to recover attorneys' fees and costs shall be
4 extended until May 5, 2015.

5 IT IS SO STIPULATED.

6 DATED this 27th day of March, 2015.

7 MELINDA HAAG
8 United States Attorney
9 CAROLINE D. CIRAULO
10 Acting Assistant Attorney General, Tax
11 Division
12 CHRISTOPHER W. SANDERS
13 Trial Attorney, Tax Division
14 By: /s/ Christopher W. Sanders
15 CHRISTOPHER W. SANDERS
16 Attorneys for Defendant United States Internal
17 Revenue Service

DAVIS WRIGHT TREMAINE LLP

By: /s/ Thomas R. Burke
THOMAS R. BURKE
Attorneys for Plaintiff Public.Resource.Org

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19
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21
22 **ATTESTATION PURSUANT TO GENERAL ORDER 45**

23 I, Christopher W. Sanders, hereby attest that concurrences in the filing of this document
24 have been obtained from each of the signatories.

25
26
27 /s/ Christopher W. Sanders
Christopher W. Sanders

28 **[PROPOSED] ORDER**

Pursuant to the parties' stipulation, and good cause appearing, the foregoing is approved
and IT IS SO ORDERED.

Date: _____
United States District Court Judge