

1 AARON MACKEY (SBN 286647)  
 amackey@eff.org  
 2 ADAM D. SCHWARTZ (SBN 309491)  
 adam@eff.org  
 3 ELECTRONIC FRONTIER FOUNDATION  
 815 Eddy Street  
 4 San Francisco, CA 94109  
 Telephone: (415) 436-9333  
 5 Facsimile: (415) 436-9993

6 Attorneys for Plaintiff  
 ELECTRONIC FRONTIER FOUNDATION  
 7  
 8

9 **UNITED STATES DISTRICT COURT**  
 10 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**  
 11 **SAN FRANCISCO DIVISION**

13 ELECTRONIC FRONTIER FOUNDATION,	)	Case No. 15-cv-03186-TSH
	)	
14 Plaintiff,	)	<b>JOINT STIPULATION OF DISMISSAL</b>
	)	<b>WITH PREJUDICE AND <del>PROPOSED</del></b>
15 v.	)	<b>ORDER</b>
	)	
16 DEPARTMENT OF JUSTICE,	)	
	)	Hon. Thomas S. Hixson
17 Defendant.	)	
	)	
	)	

19  
 20 The parties to this action, acting through counsel, and pursuant to Federal Rule of Civil  
 21 Procedure 41(a)(1)(A)(ii), hereby stipulate, in consideration of a negotiated settlement executed by  
 22 them, to the Dismissal with Prejudice of this action, including all claims and counterclaims stated  
 23 herein against all parties.  
 24

25 DATED: November 1, 2018

Respectfully submitted,

26 /s/ Adam Schwartz  
 Adam Schwartz

27 Aaron Mackey  
 Electronic Frontier Foundation  
 28

1 815 Eddy Street  
2 San Francisco, CA 94109  
3 Telephone: (415) 436-9333  
4 Facsimile: (415) 436-9993  
5 Email: adam@eff.org  
6 aaron@eff.org

7 *Attorneys for Plaintiff*  
8 *Electronic Frontier Foundation*

9 /s/ James A. Scharf  
10 James A. Scharf

11 Office of the United States Attorney  
12 Civil Division, San Jose  
13 150 Almaden Blvd., Suite 900  
14 San Jose, CA 95113  
15 (408) 535-5044  
16 Fax: (408) 535-5081  
17 Email: james.scharf@usdoj.gov

18 *Attorneys for Defendant*  
19 *Department of Justice*

20 **DECLARATION PURSUANT TO CIVIL L. R. 5-1(i)(3)**

21 I, Adam Schwartz, attest that I have obtained the concurrence of James A. Scharf, counsel  
22 for Defendant, in the filing of this document.

23 Executed on November 1, 2018, in San Francisco, California.

24 /s/ Adam Schwartz  
25 Adam Schwartz

26 PURSUANT TO STIPULATION, IT IS SO ORDERED.

27 Dated: November 2, 2018

28   
THOMAS S. HIXSON  
United States Magistrate Judge