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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

ALAN STEIN,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
COMMERCE,

Defendant.

) CASE NO. 15-03510 JST

)
) STIPULATION AND ~~PROPOSED~~ ORDER TO
) CONTINUE CMC

STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE CMC
15-03510 JST

1 Subject to the approval of the Court and pursuant to Local Rule 6-2(a), Plaintiff Alan Stein
2 (“Plaintiff”) and Defendant United States Department of Commerce (“Defendant”) hereby stipulate and
3 agree as follows:

4 1. On August 2, 2015, Plaintiff filed an Amended Complaint for Declaratory and Injunctive
5 Relief under the Freedom of Information Act (“FOIA”) that identifies 12 FOIA Requests that are the
6 subject of this litigation (“Complaint”). Dkt. No. 8.

7 2. Defendant has completed its production of documents responsive to the 12 FOIA
8 Requests that are the subject of this litigation, to the extent such documents exist.

9 3. On October 1, 2015, pursuant to stipulation by the parties, this Court stayed this action
10 and continued the Case Management Conference originally scheduled for November 10, to December
11 16, 2015. Dkt. No. 19.

12 4. On December 1, 2015, this Court issued an Order pursuant to the Initial Case
13 Management Statement filed by the parties continuing the Case Management Conference scheduled for
14 December 16, 2015 to February 10, 2016, and continuing the stay of this action until February 10, 2016.
15 Dkt. No. 21.

16 5. On February 10, 2016, this Court issued a Scheduling Order requiring the parties to file
17 dispositive motions by May 27, 2016, and setting trial for September 12, 2016. Dkt. No. 25.

18 6. On April 19, 2016, pursuant to the request of the parties (Dkt. No. 28), this Court
19 modified the case deadlines by issuing a Scheduling Order that set out a briefing schedule for the
20 parties’ anticipated cross-motions for summary judgment. Dkt. No. 30.

21 7. After an extensive meet and confer process, Plaintiff decided not to further challenge the
22 sufficiency of Defendant’s search for responsive documents, or Defendant’s redactions and withholdings
23 pursuant to certain FOIA statutory exemptions. On June 7, 2016, pursuant to the parties’ stipulation,
24 this Court vacated the briefing schedule in the above-captioned action and set a Case Management
25 Conference for July 20, 2016 to allow the parties time to discuss resolution of the only remaining issue
26 in this matter regarding Plaintiff’s request for attorney’s fees and costs.

27 8. Since that time, the parties have engaged in a substantial meet and confer and exchanged
28 settlement offers. The parties request that this Court continue the Case Management Conference set for
STIPULATION AND ~~PROPOSED~~ ORDER TO CONTINUE CMC
15-03510 JST

1 July 20, 2016 at 2:00 pm to August 31, 2016 at 2:00 pm, and stay the case until August 31, 2016 to
2 allow time for the parties to complete their negotiations. The parties will submit a Joint Supplemental
3 Case Management Statement seven (7) days before the Case Management Conference.

4 IT IS SO STIPULATED.

5
6 DATED: June 30, 2016

By: /s/ David Bahr

DAVID BAHR

Attorney for Plaintiff

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8 DATED: June 30, 2016

By: /s/ Rachel Doughty

RACHEL DOUGHTY

Attorney for Plaintiff

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10 DATED: June 30, 2016

BRIAN J. STRETCH

United States Attorney

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12 By: /s/ Rebecca A. Falk

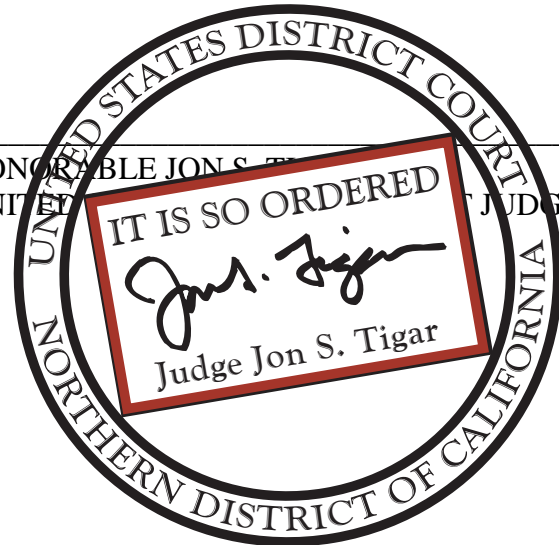
REBECCA A. FALK¹

Assistant United States Attorney

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15 **IT IS SO ORDERED.**

16 DATED: July 5, 2016

17 HONORABLE JON S. TIGAR
18 UNITED STATES DISTRICT COURT JUDGE



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28 ¹ I, Rebecca A. Falk, hereby attest, in accordance with the Civil L.R. 5(i)(3), the concurrence in the filing of this document has been obtained from the other signatory listed here.