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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN FRANCISCO DIVISION

16 AMERICAN CIVIL LIBERTIES UNION OF)
 17 NORTHERN CALIFORNIA and)
 18 LAWYERS COMMITTEE FOR CIVIL RIGHTS)
 19 OF THE SAN FRANCISCO BAY AREA,)

20 Plaintiff,

21 v.

22 DEPARTMENT OF HOMELAND)
 23 SECURITY,)

24 Defendant.)

25 PJH 08-2744

26 **JOINT SUPPLEMENTAL CASE**
 27 **MANAGEMENT STATEMENT AND**
 28 **PROPOSED ORDER**

29 Pursuant to Civil L.R. 16-10(d), the parties to the above-entitled action certify that they met
 30 and conferred at least 10 days prior to the subsequent case management conference scheduled in this
 31 case and jointly submit this Supplemental Case Management Statement. The parties jointly submit
 32 the attached Proposed Order and request the Court to adopt it as a Supplemental Case Management
 33 Order in this case.

34 DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS

35 1. The following progress or changes have occurred since the last case management statement
 36 filed by the parties:

- 1 a) On September 18, 2008, both parties attended a case management conference where
2 this Court ordered the parties to continue settlement efforts;
3 b) Since September 18, 2008, both parties have been actively engaged in settlement
4 negotiations and have exchanged multiple drafts of a settlement agreement;
5 c) Today, counsel for the parties have reached agreement regarding the language of the
6 settlement agreement, pending the review and approval by the upper management of
7 the agency, the Department of Justice, and Plaintiffs.

8 2 Accordingly, Defendant requests an additional 30 days to seek the requisite approval of the
9 settlement agreement and to engage in any subsequent discussions, if necessary. In light of
10 Defendant's aforementioned request, Defendant also seeks to vacate the status conference scheduled
11 for March 11, 2010. A proposed order is attached hereto.

12 3. Plaintiffs agree to join Defendant's request for a continuance of the case management
13 conference. In the event that a continuance is granted and the parties are unable to reach a final
14 agreement by April 12, 2010, Plaintiff may separately request that this Court, pursuant to ADR Local
15 Rule 7-2, refer the case to a settlement conference to be conducted by a Magistrate Judge.

16
17 Dated: March 4, 2010

18 /s/ Isaac R. Campbell
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Attorneys for Plaintiff

1 *I hereby attest that I have on file written permission to sign this joint status report from all parties*
2 *whose signatures are indicated by a "conformed" signature (/s/) within this e-filed document.*

3 /s/ Isaac R. Campbell

4
5 **[JOINT PROPOSED] SUPPLEMENTAL CASE MANAGEMENT ORDER**

6 The Supplemental Case Management Statement and Proposed Order is hereby adopted by the
7 Court as a Supplemental Case Management Order for the case and the parties are ordered to comply
8 with this Order. In addition, the Court orders as follows:

9 For good cause appearing therefore, IT IS HEREBY ORDERED that the status conference,
10 currently scheduled for March 11, 2010 is vacated, and the parties are granted an additional 30 days,
11 until April 12, 2010, to seek the requisite approvals and to finalize their proposed settlement
12 agreement. The case management conference is continued to April 15, 2010 at 2:00 p.m.

13
14 **IT IS SO ORDERED.**

15 Dated: March 8, 2010

