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Attorneys for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO/OAKLAND DIVISION

LYDIA DOMINGUEZ, *et al.*,

Plaintiffs,

v.

EDMUND G. BROWN, Jr., et al,
Defendants.

Case No. C 09-02306 CW

CLASS ACTION

**JOINT NOTICE AND REQUEST FOR
DISMISSAL; ~~PROPOSED~~ ORDER**

1 **JOINT NOTICE AND REQUEST FOR DISMISSAL**

2 On May 23, 2013, the Court granted final settlement approval in this action. At that time, a
3 preliminary injunction appeal in this action remained pending in the Ninth Circuit Court of Appeals.
4 Additionally, the terms of the settlement contemplated the subsequent passage of implementing
5 legislation by the California Legislature. The Court's May 23, 2013, final approval order requires
6 the remaining parties to file a Joint Notice and Request for Dismissal within 30 days after the date
7 that the appeal in this case has been dismissed and the legislation enacted.

8 The parties hereby provide notice that the California Legislature passed the related legislation
9 and it was signed by the Governor on May 30, 2013. The Ninth Circuit dismissed the appeal in this
10 action on July 8, 2013. Therefore, the parties respectfully request that the Court sign and enter the
11 attached proposed order dismissing this action. Pursuant to Fed. R. Civ. P. 58(d), the parties also
12 respectfully request that the Court enter judgment accordingly.

13 Dated: August 1, 2013

Respectfully submitted,

14
15 STEPHEN P. BERZON
16 SCOTT A. KRONLAND
17 STACEY M. LEYTON
18 PEDER J. THOREEN
19 Altshuler Berzon LLP

20
21 By: /s/ Stacey M. Leyton
22 Attorneys for Plaintiffs

23 Dated: August 1, 2013

Respectfully submitted,

24 KAMALA D. HARRIS
25 Attorney General of California
26 SUSAN M. CARSON
27 Supervising Deputy Attorney General
28 JENNIFER A. BUNSHOFT
 Deputy Attorney General

By: /s/ Susan M. Carson
Attorneys for State Defendants

1 GENERAL ORDER 45 ATTESTATION

2 I, Stacey M. Leyton, am the ECF user whose ID and password are being used to file this
3 stipulation and proposed order. In compliance with General Order 45, X.B., I hereby attest that State
4 Defendants' counsel have concurred in the filing of this document with their electronic signatures.

5 Dated: August 1, 2013

By: /s/ Stacey M. Leyton
Attorneys for Plaintiffs

1 **[PROPOSED] ORDER**

2 IT IS HEREBY ORDERED that this case is dismissed with prejudice as to the State
3 Defendants Will Lightbourne and Toby Douglas.

4 This judgment of dismissal is entered pursuant to the terms of the Settlement Agreement,
5 which is incorporated herein as though fully set forth, and attached as Exhibit A to this Order. The
6 Court orders the parties to the Settlement Agreement to perform all of their obligations thereunder.
7 The Court retains exclusive and continuing jurisdiction over this case, the Named Plaintiffs, the
8 Plaintiff Classes and Subclasses, and State Defendants for purposes of supervising and resolving
9 issues relating to administration, implementation, and enforcement of the Settlement Agreement;
10 resolving any disputes that may arise regarding the Settlement Agreement, its terms, or the
11 enforcement thereof; and fashioning appropriate remedies for any violation of that Settlement
12 Agreement. The Court's jurisdiction shall expire 30 months after the date of the Centers for
13 Medicare and Medicaid Services' approval or disapproval of the "Assessment" described in Section
14 VI of the Settlement Agreement.

15
16 Dated: August 7, 2013, 2013


Honorable Claudia A. Wilken
United States District Court Judge