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10 Attorneys for Plaintiffs
 11 Habeas Corpus Resource Center and the Office of the
 Federal Public Defender for the District of Arizona
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13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

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 16 Habeas Corpus Resource Center and the Office
 of the Federal Public Defender for the District
 17 of Arizona,

18 Plaintiffs,

19 v.

20 United States Department of Justice and Eric
 H. Holder, in his official capacity as United
 21 States Attorney General,

22 Defendants.
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Case No. 4:13-cv-4517

**STIPULATION AND ~~PROPOSED~~
 ORDER TO VOLUNTARILY DISMISS
 PLAINTIFFS' FIFTH CLAIM
 WITHOUT PREJUDICE AND
 ESTABLISH SUMMARY JUDGMENT
 BRIEFING SCHEDULE ON
 REMAINING CLAIMS**

1 Plaintiffs Habeas Corpus Resource Center and the Office of the Federal Public Defender
2 for the District of Arizona (collectively, "Plaintiffs"), and Defendants, the Department of Justice
3 and Eric H. Holder, Jr., United States Attorney General (collectively, "Defendants"), by and
4 through their counsel, have conferred and agreed to the following stipulation:

5 1. On January 21, 2013, Defendants filed a Motion to Dismiss Plaintiffs' Fifth Cause
6 of Action. After conferring on how to resolve this litigation as quickly and efficiently as possible,
7 the parties have agreed that Plaintiffs will dismiss their Fifth Cause of Action without prejudice,
8 Defendants will withdraw their motion to dismiss, and the parties will proceed with summary
9 judgment briefing without discovery on Plaintiffs' remaining causes of action.

10 2. The parties further agree to the following briefing schedule for summary judgment
11 motions:

- 12 • Plaintiffs' motion for summary judgment will be due April 21, 2014;
- 13 • Defendants' opposition and cross-motion will be due May 21, 2014;
- 14 • Plaintiffs' reply and opposition will be due June 20, 2014;
- 15 • Defendants' reply will be due June 30, 2014; and
- 16 • The hearing on the parties' cross-motions will be July 31, 2014, or on a date
17 convenient to the Court.

18 **IT IS SO STIPULATED.**

19
20 Dated: March 5, 2014

Respectfully submitted,

GEORGE E. GREER
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26 By: /s/ Catherine Y. Lui

CATHERINE Y. LUI
Attorneys for Plaintiffs

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Dated: March 5, 2014

STUART F. DELERY
MELINDA HAAG
ANTHONY J. COPPOLINO
JACQUELINE COLEMAN SNEAD

United States Department of Justice

By: /s/ Jacqueline Coleman Snead

JACQUELINE COLEMAN SNEAD
Attorneys for Defendants

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PROPOSED ORDER

Pursuant to the stipulation, Plaintiffs' Fifth Cause of Action is dismissed without prejudice; Defendants' Motion to Dismiss Plaintiffs' Fifth Cause of Action is withdrawn; and the parties shall file cross-motions for summary judgment in accordance with the following schedule:

- Plaintiffs' motion for summary judgment is due on or before April 21, 2014;
- Defendants' opposition and cross-motion is due on or before May 21, 2014;
- Plaintiffs' reply and opposition is due on or before June 20, 2014;
- Defendants' reply is due on or before June 30, 2014; and
- The hearing on the parties' cross-motions will be July 31, 2014 at 2:00 p.m., or on a date convenient to the Court.

IT IS SO ORDERED.

Date: 3/6/2014


Honorable Claudia Wilken
United States District Court Judge