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8 UNITED STATES DISTRICT COURT
 9 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

10 COUNTY OF SANTA CRUZ, et al.,
 11 Plaintiffs,
 12 v.
 13 MICHAEL B. MUKASEY,
 Attorney General of the United States;
 14 of the United States; MICHELE
 LEONHART, Acting Administrator of
 15 the Drug Enforcement Administration;
 JOHN P. WALTERS, Director of the
 16 Office of National Drug Control Policy
 17 Defendants.

Nos. C 03-1802 JF

**STIPULATION AND ORDER
 EXTENDING TIME TO FILE
 DEFENDANTS' ANSWER**

No Hearing requested.

19 The parties in the above-captioned action hereby stipulate as follows:

20 1. On August 20, 2008, this Court granted in part and denied in part defendants' motion to
 21 dismiss plaintiffs' Third and Fifth Causes of Action, and ordered that defendants filed an answer
 22 within 30 days. Defendants' answer currently is due on September 19, 2008.

23 2. Defendants need additional time to complete their answer. Among other matters, the
 24 undersigned Assistant U.S. Attorney has recently been occupied handling the following matters:

- 25 (a) Drafting and filing the government's brief in In re Grand Jury, No.
 26 08-0880, which was filed in the First Circuit on September 2, 2008;
- 27 (b) Presenting oral argument before the First Circuit in United States v.
 28 Karen Sicher, No. 07-2414, on September 8, 2008;

- 1 (c) Reviewing the government's brief in United States v. Ronald Evano,
2 No. 07-2605, which was filed in the First Circuit on September 10,
3 2008;
- 4 (d) Reviewing the government's brief in United States v. William
5 Olivero, No. 07-1587, which was filed in the First Circuit on
6 September 15, 2008;
- 7 (e) Presenting oral argument before the U.S. District Court for the
8 District of Massachusetts in United States v. Steven B. Wilkinson,
9 Civil Action No. 07-12061 MLW, regarding the constitutionality of
10 the Adam Walsh Child Protection and Safety Act of 2006, codified
11 at 18 U.S.C. § 4248, on September 15, 2008.

12 The undersigned Assistant U.S. Attorney will be out of the office on travel on September
13 18 and 19, 2008.

14 3. Defendants therefore request that the Court allow them an additional week, through
15 September 26, 2008, in which to file their answer. Plaintiffs do not oppose this request.

16 4. Defendants also anticipate filing a motion for reconsideration or, in the alternative, to
17 certify an interlocutory appeal under 28 U.S.C. § 1292(b) and for a stay of discovery, and are
18 discussing with counsel for the plaintiffs a schedule to propose to the Court.

19 WHEREFORE, defendants respectfully request that this request be granted.
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The Plaintiffs,

/s/ Allen Hopper
ALLEN HOPPER
American Civil Liberties Union Foundation
1101 Pacific Avenue, Suite 553
Santa Cruz, CA 95062
(831) 471-8000

Respectfully submitted:

The Defendants,

/s/ Mark T. Quinlivan
MARK T. QUINLIVAN
Assistant U.S. Attorney
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Dated: September 17, 2008

PURSUANT TO STIPULATION, IT IS SO ORDERED



JEREMY FOGEL
UNITED STATES DISTRICT JUDGE

Dated: 9/24/08