	Case3:08-cv-01023-JSW Document129	Filed09/03/10	Page1 of 5		
1 2 3	2 Assistant Attorney General JOHN TYLER				
4 5 6 7 8	 Senior Counsel, U.S. Department of Justice Civil Division, Federal Programs Branch 20 Massachusetts Ave., N.W., Room 7132 Washington, D.C. 20530 Telephone: (202) 514-2205 Facsimile: (202) 616-8470 Email: marcia.berman@usdoj.gov 				
9 10 11 12	UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF CALIFORNIA SAN FRANCISCO				
 13 14 15 16 17 18 19 20 	 4 4 6 7 0 7 1 1<	08-2997, 08-10 PULATION TC E MANAGEM NFERENCE D ORDER THE	VACATE ENT		
21 22 23 24 25 26 27 28	 THE PARTIES HEREBY STIPULATE, pursuant to Local Rules 6-1(b), 6-2, and 7-12, that the Case Management Conference currently set for September 10, 2010, shall be vacated. In support of this stipulation, the parties state the following: On July 14, 2010, the parties informed the Court that they were actively engaged in settlement negotiations and requested that the Court continue the Case Stipulation to Vacate Case Management Conference , Case Nos. 08-2997, 08-1023 (JSW) 				

1	Management Conference previously scheduled for July 23, 2010, to September				
2		10, 2010.			
3	2.	On September 1, 2010, the parties entered into a Settlement Agreement in these			
4		consolidated cases. The Settlement Agreement provides that defendants shall			
5		make a payment to plaintiff EFF for attorneys' fees, expenses, and costs within 60			
6		days of the date of the Agreement and that the parties will jointly stipulate to			
7		dismiss these consolidated cases with prejudice.			
8	3.	Accordingly, there is no need for the Case Management Conference. A			
9		stipulation for dismissal will be filed after EFF receives its payment.			
10					
11	Dated: Sept. 3	Respectfully submitted,			
12		TONY WEST Assistant Attorney Concrel			
13		Assistant Attorney General JOHN TYLER			
14		Assistant Director, Federal Programs Branch			
15		<u>/s/ Marcia Berman</u> MARCIA BERMAN (PA Bar No. 66168)			
16		Senior Counsel, U.S. Department of Justice Civil Division, Federal Programs Branch			
17		20 Massachusetts Ave., N.W., Room 7132 Washington, D.C. 20530			
18		Telephone: (202) 514-2205 Facsimile: (202) 616-8470			
19		E-mail: marcia.berman@usdoj.gov			
20		Attorneys for Defendants			
21		David L. Sobel (pro hac vice)			
22		ELECTRONIC FRONTIER FOUNDATION 1875 Connecticut Ave. NW			
23		Suite 650 Washington, DC 20009			
24		Telephone: (202) 797-9009 x104 Facsimile: (202) 707-9066			
25		/s/ Marcia Hofmann			
26		Cindy Cohn, Esq.			
27	Stipulation to V	acate Case Management Conference, Case Nos. 08-2997, 08-1023 (JSW)			
28	-2-				

	Case3:08-cv-01023-JSW Document129 Filed09/03/10 Page8 of 5	
1	GENERAL ORDER NO. 45(X) CERTIFICATION	
2	I attest that I have obtained Marcia Hofmann's concurrence in the filing of this document.	
3		
4	<u>/s/ Marcia Berman</u> MARCIA BERMAN	
5		
6	PURSUANT TO STIPULATION, IT IS ORDERED that the Case Management	
7	Conference scheduled for September 10, 2010, is vacated.	
8		
9	DATED. September 3, 2010	
10	Honorable Jeffrey S. White	
11	United States District Judge	
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27	Stipulation to Vacate Case Management Conference, Case Nos. 08-2997, 08-1023 (JSW) -4-	
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