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Attorneys for Republican Assembly and Senate  
Intervenors

IN THE UNITED STATES DISTRICT COURTS  
FOR THE EASTERN DISTRICT OF CALIFORNIA  
AND THE NORTHERN DISTRICT OF CALIFORNIA  
UNITED STATES DISTRICT COURT COMPOSED OF THREE JUDGES  
PURSUANT TO SECTION 2284, TITLE 28 UNITED STATES CODE

RALPH COLEMAN, et al.,  
Plaintiffs,

vs.

ARNOLD SCHWARZENEGGER, et al.,  
Defendants.

Case No.: CIV S-90-0520 LKK JFM P

**THREE-JUDGE COURT**

MARCIANO PLATA, et al.,  
Plaintiffs,

vs.

ARNOLD SCHWARZENEGGER, et al.,  
Defendants.

Case No.: C01-1351 TEH

**THREE-JUDGE COURT**

**STIPULATION OF PARTIES AND  
~~PROPOSED~~ ORDER DISMISSING JEFF  
DENHAM, GREG AGHAZARIAN, ALAN  
NAKANISHI AND GEORGE PLESCIA  
AS INTERVENORS**

- 1       1.     This Court granted Senator Jeff Denham and Assemblymen Greg  
2             Aghazarian, Alan Nakanishi, and George Plescia intervening party status  
3             for purposes of opposing the issuance of a prisoner release order under  
4             consideration by this Three-Judge Court pursuant to the Prison Litigation  
5             Reform Act, 18 U.S.C. 3626 *et seq.*; and,
- 6       2.     Senator Denham, Assemblyman Greg Aghazarian, Assemblyman Alan  
7             Nakanishi, and Assemblyman George Plescia have evaluated whether their  
8             continued participation as Legislator Intervenors is necessary given the  
9             current posture of the case and the participation of numerous other  
10            Legislator Intervenors.
- 11      3.     Senator Denham, Assemblyman Greg Aghazarian, Assemblyman Alan  
12             Nakanishi, and Assemblyman George Plescia, through their counsel, have  
13             contacted legal counsel for Plaintiffs, Defendants, and Intervenor  
14             representatives as of February 27, 2009, to obtain consent to their  
15             withdrawal; and,
- 16      4.     Plaintiffs, Defendants and Intervenor representatives have stipulated to  
17             dismissing Senator Denham, Assemblyman Greg Aghazarian,  
18             Assemblyman Alan Nakanishi, and Assemblyman George Plescia as  
19             intervenors in the proceedings now before this Three-Judge Court; and,
- 20      5.     Senator Denham, Assemblyman Greg Aghazarian, Assemblyman Alan  
21             Nakanishi, and Assemblyman George Plescia request this Three-Judge  
22             Court order them dismissed, with prejudice, as intervenors in CIV 5-90-  
23             0520 LKK JFM P and No. C01-1341 TEH, as those cases are now pending  
24             before this Three-Judge Court.

25 IT IS SO STIPULATED.  
26  
27  
28

1 Dated: February 27, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP

2  
3 By: /s/

CHAD STEGEMAN  
Attorneys for Assembly and Senate  
Republican Intervenors

4  
5 Dated: February 27, 2009

6 By: /s/

ANNE L. KECK  
Deputy County Counsel  
Attorney for Sonoma County Intervenors

7  
8 Dated: February 27, 2009

9 By: /s/

THERESA J. FUENTES  
Deputy County Counsel  
Attorneys for County Intervenors

10  
11 Dated: February 27, 2009

12 By: /s/

WILLIAM MITCHELL  
Assistant District Attorney  
Attorneys for District Attorney Intervenors

13  
14 Dated: February 27, 2009

15 By: /s/

KIMBERLY HALL-BARLOW  
Attorneys for Sheriff Intervenors,  
Probation Intervenors, and  
Chief of Correction Intervenors

16  
17 Dated: February 27, 2009

18 By: /s/

NATALIE LEONARD  
Attorneys for Intervenor  
California Correctional Peace Officer's  
Association

19  
20 Dated: February 27, 2009

21 By: /s/

MICHAEL BIEN  
Attorneys for *Coleman* Plaintiffs

22  
23 Dated: February 27, 2009

24 By: /s/

DONALD SPECTER  
Attorneys for *Plata* Plaintiffs

25  
26 Dated: February 27, 2009

27 By: /s/

LISA TILLMAN  
Deputy Attorney General  
Attorney for *Coleman* Defendants

28  
Dated: February 27, 2009

By: /s/

PAUL MELLO  
Attorney for *Plata* Defendants

I declare under penalty of perjury under the laws of the State of California, and pursuant to General Order 45(x)(B), that I obtained approval of this Stipulation from each signatory listed above. Executed on this 27th day of February, 2009 at San Francisco, California.

Dated: February 27, 2009

AKIN GUMP STRAUSS HAUER & FELD LLP

By: /s/  
CHAD STEGEMAN  
Attorneys for Assembly and Senate  
Republican Intervenors

Pursuant to Stipulation, Legislator Intervenors Jeff Denham, Greg Aghazarian, Alan Nakanishi, and George Plescia are dismissed from CIV 5-90-0520 LKK JFM P and No. C01-1341 TEH with prejudice.

**IT IS SO ORDERED.**


Dated: 03/04/09

/s/  
STEPHEN REINHARDT  
UNITED STATES CIRCUIT JUDGE  
NINTH CIRCUIT COURT OF APPEALS

Dated: 03/04/09

/s/  
LAWRENCE K. KARLTON  
UNITED STATES DISTRICT JUDGE  
EASTERN DISTRICT OF CALIFORNIA

Dated: 03/04/09

  
THELTON E. HENDERSON  
UNITED STATES DISTRICT JUDGE  
NORTHERN DISTRICT OF CALIFORNIA