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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
NATHAN FLETCHER, JOHN J. BENOIT,
AND DAVID COGDILL AS
INTERVENORS**

1. This Court granted California Assemblymembers Nathan Fletcher and John J. Benoit and California Senator David Cogdill intervening party status for purposes of opposing the issuance of a prisoner release order under consideration by this Three-Judge Court pursuant to the Prison Litigation Reform Act, 18 U.S.C. 3626 *et seq.*; and,
2. Assemblymembers Nathan Fletcher and John J. Benoit and Senator David Cogdill have evaluated whether their continued participation as Legislator Intervenors is necessary given the current posture of the case and the participation of numerous other Legislator Intervenors.
3. Assemblymembers Nathan Fletcher and John J. Benoit and Senator David Cogdill, through their counsel, have contacted legal counsel for Plaintiffs, Defendants, and Intervenor representatives as of February 18, 2010, to obtain consent to their withdrawal; and,
4. Plaintiffs, Defendants and Intervenor representatives have stipulated to dismissing Assemblymembers Nathan Fletcher and John J. Benoit and Senator David Cogdill as intervenors in the proceedings now before this Three-Judge Court; and,
5. Assemblymembers Nathan Fletcher and John J. Benoit and Senator David Cogdill request this Three-Judge Court order them dismissed, with prejudice, as intervenors in CIV 5-90-0520 LKK JFM P and No. C01-1341 TEH, as those cases are now pending before this Three-Judge Court.

IT IS SO STIPULATED.

Dated: February 22, 2010

AKIN GUMP STRAUSS HAUER & FELD LLP

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

Dated: February 22, 2010

By: /s/
ANNE L. KECK
Deputy County Counsel
Attorney for Sonoma County Intervenors

1 Dated: February 22, 2010

By: /s/
THERESA J. FUENTES
Deputy County Counsel
Attorneys for County Intervenors

2
3 Dated: February 22, 2010

By: /s/
WILLIAM MITCHELL
Assistant District Attorney
Attorneys for District Attorney Intervenors

4
5
6 Dated: February 22, 2010

By: /s/
MARTIN J. MAYER
Attorneys for Sheriff Intervenors,
Probation Intervenors, and
Chief of Correction Intervenors

7
8
9 Dated: February 22, 2010

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

10
11 Dated: February 22, 2010

By: /s/
MICHAEL BIEN
Attorneys for *Coleman* Plaintiffs

12
13 Dated: February 22, 2010

By: /s/
DONALD SPECTER
Attorneys for *Plata* Plaintiffs

14
15 Dated: February 22, 2010

By: /s/
KYLE LEWIS
Deputy Attorney General
Attorney for *Coleman* Defendants

16
17
18 Dated: February 22, 2010

By: /s/
PAUL MELLO
Attorney for *Plata* Defendants

19
20 I declare under penalty of perjury under the laws of the State of California, and pursuant to
21 General Order 45(x)(B), that I obtained approval of this Stipulation from each signatory listed above.
22 Executed on this 22nd day of February, 2010 at San Francisco, California.
23


24 Dated: February 22, 2010

AKIN GUMP STRAUSS HAUER & FELD LLP
By: /s/
TERESA W. WANG
Attorneys for Assembly and Senate
Republican Intervenors

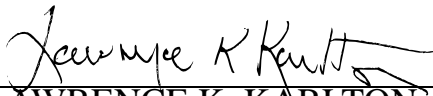
Pursuant to Stipulation, Legislator Intervenors Nathan Fletcher, John J. Benoit, and David Cogdill are dismissed from CIV S-90-0520 LKK JFM P and No. C01-1351 TEH with prejudice.

IT IS SO ORDERED.


Dated: 02/22/10


STEPHEN REINHARDT
UNITED STATES CIRCUIT JUDGE
NINTH CIRCUIT COURT OF APPEALS

Dated: 02/22/10


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

Dated: 02/22/10


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