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7 Attorneys for Defendants

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

10 COUNTY OF SANTA CRUZ, et al.,

No. C 03-1802 JF

11 Plaintiffs,

12 v.

STIPULATION AND ORDER
SETTING BRIEFING SCHEDULE
AND HEARING DATE

13 MICHAEL B. MUKASEY,
 Attorney General of the United States;
 14 of the United States; MICHELE
 LEONHART, Acting Administrator of
 the Drug Enforcement Administration;
 15 JOHN P. WALTERS, Director of the
 Office of National Drug Control Policy,
 16


17 Defendants.

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 19 Plaintiffs, by and through their undersigned counsel, and Defendants, by and through their
 20 undersigned counsel, hereby stipulate to the following briefing and hearing schedule regarding
 21 Defendants' intention to file a motion to dismiss the Third and Fifth Causes set forth in Plaintiff's
 22 Second Amended Complaint.

- 23 1. Defendants shall file a motion to dismiss the Third and Fifth Causes of Action in
 24 Plaintiff's Second Amended Complaint on or before **January 25, 2008**;
 25 2. Plaintiffs shall file an opposition on or before **February 29, 2008**;
 26 3. Defendants shall file a reply, if any, on or before **March 14, 2008**;
 27 4. Plaintiffs shall file a sur-reply, if any, on or before **March 28, 2008**
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1 5. A hearing on Defendants' motion to dismiss shall be heard on **April 25, 2008**, at 9:00
2 a.m., or at a time to be determined by the Court.

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5 The Plaintiffs,

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8 ALLEN HOPPER
9 American Civil Liberties Union Foundation
10 1101 Pacific Avenue, Suite 553
11 Santa Cruz, CA 95060
12 (831) 471-9000

Respectfully submitted:

The Defendants,

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14
15 /s/ Mark T. Quinlivan
16 MARK T. QUINLIVAN
17 Assistant U.S. Attorney
18 John Joseph Moakley U.S. Courthouse
19 1 Courthouse Way, Suite 9200
20 Boston, MA 02210
21 (617) 748-3606

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23
24 Dated: January 17, 2008

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PURSUANT TO STIPULATION, IT IS SO ORDERED

Dated: 1/24/08

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17 
18 JEREMY FOGEL
19 UNITED STATES DISTRICT JUDGE