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Attorney for Plaintiffs,
Darril Hedrick, et al.,
Individually and on behalf of
All others similarly situated

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA

Darril Hedrick, et al., individually and on behalf of all others similarly situated, Plaintiffs, vs. James Grant, as Sheriff of Yuba County, et al., Defendants.	Case No.: 76-cv-00162-GEB-EFB STIPULATION AND PROPOSED ORDER POSTPONING THE EFFECTIVE DATE OF THE AUTOMATIC STAY 18 U.S.C.§ 3626(e)

Pursuant to Local Rule 143, the parties stipulate and ask the Court to enter an Order that the effective date of the automatic stay under 18 U.S.C.§ 3626(e)(2)(A) be postponed 60 days as provided by 18 U.S.C.§ 3626(e)(3). Good cause exists for a postponement of the automatic stay and to maintain the status quo, as explained herein.

On May 13, 2013, Defendants filed a motion to terminate the Consent Decree in this case. (ECF No. 96). On June 3, 2013, California Rural Legal Assistance, Inc. (CRLA) filed a response to the motion asking leave to withdraw as counsel due to restrictions on CRLA's participation in class action and prisoner litigation that were not in effect at the time the consent

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decree was entered. (ECF No. 98). On June 21, 2013, this Court granted CRLA's motion to withdraw and appointed new counsel for the plaintiff class. (ECF No. 111).

Under 18 U.S.C.§ 3626(e)(2)(A) a motion to terminate prospective relief such as that filed by defendants here "shall operate as a stay . . . beginning on the 30th day after such motion is filed." However, "[t]he court may postpone the effective date of the automatic stay specified in subsection (e)(2)(A) for not more than 60 days for good cause." 18 U.S.C.§ 3626(e)(3). Under the statute, the automatic stay went into effect on June 12, 2013, thirty days after defendants filed their motion to terminate.

Good cause exists for a 60 day extension of the effective date of the automatic stay. New counsel was recently appointed to represent the plaintiff class. The Court has reset the date for the hearing on the motion to September 23, 2013 to accommodate the academic calendar of the UC Davis Civil Rights Clinic, in order to allow the Certified Law Students in the Clinic to assist in the litigation of this matter. The 60-day extension of the effective date is the maximum amount of time allowed by the statute, and this extension will maintain the status quo while the parties work to resolve the issues raised by defendants' motion.

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Therefore, the parties ask the Court to enter an Order extending the effective date of the automatic stay under 18 U.S.C. § 3626(e)(2)(A) until August 11, 2013.

Respectfully Submitted,

Dated this 21st of June, 2013

/S/ Carter C. White

Carter C. White
Supervising Attorney
UC Davis Civil Rights Clinic

Attorney for Plaintiffs,
Darril Hedrick, et al.,
Individually and on behalf of
all others similarly situated

Dated this 21st of June, 2013

/S/ John R. Vacek

John R. Vacek
Chief Deputy County Counsel
County of Yuba

Attorney for Defendants

ORDER

The effective date of the automatic stay under 18 U.S.C. § 3626(e)(2)(A) is hereby extended until August 11, 2013.

Date: 6/21/2013

GARLAND E. BURRELL, JR.
Senior United States District Judge