

1 BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

2 ERIC BECKENHAUER
3 Assistant Branch Director
4 Civil Division

5 STEVEN A. MYERS (NY Bar # 4823043)
6 Senior Trial Counsel
7 United States Department of Justice
8 Civil Division, Federal Programs Branch
9 1100 L St. NW
10 Washington, DC 20005
11 Tel: (202) 305-8648
12 Fax: (202) 616-8470
13 E-mail: steven.a.myers@usdoj.gov

Samara Spence* (DC Bar No. 1031191)
Jeffrey B. Dubner* (DC Bar No. 1013399)
Sean A. Lev* (DC Bar. No. 449936)
Democracy Forward Foundation
P.O. Box 34553
Washington, DC 20043
sspence@democracyforward.org
jdubner@democracyforward.org
slev@democracyforward.org
(202) 701-1785
(202) 448-9090

Counsel for Plaintiffs

Additional counsel listed on signature block

** Admitted pro hac vice*

Attorneys for Defendants

13 **UNITED STATES DISTRICT COURT**
14 **NORTHERN DISTRICT OF CALIFORNIA**
15 **SAN JOSE DIVISION**

16 COUNTY OF SANTA CLARA, *et al.*,

17 Plaintiffs,

18 v.

19 U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES, *et al.*,

20 Defendants.

) Case No. 5:21-cv-01655-BLF

) **STIPULATION OF DISMISSAL WITHOUT**
) **PREJUDICE AND PROPOSED ORDER**

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22 Due to the withdrawal of the final rule at issue in this case, *see* 87 Fed. Reg. 32,246 (May 27,
23 2022), the parties hereby stipulate to the voluntary dismissal of this action without prejudice pursuant to
24 Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with each side to bear its own fees and costs.
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1 Date: August 1, 2022

Respectfully submitted,

2 BRIAN M. BOYNTON
Principal Deputy Assistant Attorney General

3 ERIC BECKENHAUER
4 Assistant Branch Director
5 Civil Division

6 /s/ Steven A. Myers
STEVEN A. MYERS (NY Bar # 4823043)
7 Senior Trial Counsel
United States Department of Justice
8 Civil Division, Federal Programs Branch
1100 L St. NW
9 Washington, DC 20005
Tel: (202) 305-8648
10 Fax: (202) 616-8470
E-mail: steven.a.myers@usdoj.gov

11 *Attorneys for Defendants*

12
13 /s/ Samara M. Spence
Jeffrey B. Dubner* (DC Bar No. 1013399)
14 Samara Spence* (DC Bar No. 1031191)
Sean A. Lev* (DC Bar. No. 449936)
15 Democracy Forward Foundation
P.O. Box 34553
16 Washington, DC 20043
sspence@democracyforward.org
17 jdubner@democracyforward.org
18 slev@democracyforward.org
Telephone: (202) 448-9090

19 *Counsel for All Plaintiffs*

20 James R. Williams (CA Bar No. 271253)
21 County Counsel
Greta S. Hansen (CA Bar No. 251471)
22 Douglas M. Press (CA Bar No. 168740)
23 Laura S. Trice (CA Bar No. 284837)
Office of the County Counsel
24 County of Santa Clara
70 West Hedding Street, East Wing, 9th Fl.
25 San José, CA 95110-1770
26 laura.trice@cco.sccgov.org
Telephone: (408) 299-5900

27 *Counsel for the County of Santa Clara*

1 Lisa S. Mankofsky* (DC Bar No. 411931)
2 Matthew Simon* (DC Bar No. 144727)
3 Center for Science in the Public Interest
4 1250 I Street, NW, Ste. 500
5 Washington, DC 20005
6 lmankofsky@cspinet.org
7 msimon@cspinet.org
8 Telephone: (202) 777-8381

9 *Counsel for Center for Science in the Public*
10 *Interest*

11 Adeline S. Rolnick*
12 Natural Resources Defense Council
13 1152 15th Street NW, Ste. 300
14 Washington, DC 20005
15 arolnick@nrdc.org
16 Telephone: (202) 513-6240

17 *Counsel for Natural Resources Defense Council*

18 ** Admitted pro hac vice*

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LOCAL RULE 5-1(i) ATTESTATION

I attest that I have obtained Steven A. Myers's concurrence in the filing of this document.

/s/ Samara M. Spence
Samara M. Spence

[PROPOSED] ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. This case is dismissed without prejudice, with each side to bear its own fees and costs.

Dated: _____

HON. BETH LABSON FREEMAN
UNITED STATES DISTRICT JUDGE

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