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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA**

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

Case No. 3:19-cv-2916

U.S. DEPARTMENT OF HEALTH AND
HUMAN SERVICES and ALEX M. AZAR, II,
in his official capacity as SECRETARY OF
HEALTH AND HUMAN SERVICES,
Defendants.

**JOINT STIPULATION AND
~~PROPOSED~~ ORDER TO EXTEND
TIME FOR FILING APPLICATION
FOR FEES AND COSTS**

Judge: Hon. William H. Alsup

No Hearing Scheduled

1. Pursuant to Northern District of California Civil Local Rules 6-1, 6-2, and 7-12, Plaintiffs and Defendants (together, the “Parties”), by and through their counsel, hereby stipulate to the following:

2. On November 19, 2019, the Court granted summary judgment for Plaintiffs and against Defendants.¹ No. 19-02916, ECF No. 87. The Court entered final judgment in favor of Plaintiffs on January 8, 2020. No. 19-02916, ECF No. 89.

3. Plaintiffs other than the County of Santa Clara have indicated that they may seek attorney’s fees and costs under the Equal Access to Justice Act (“EAJA”), 29 U.S.C.A. § 2412.

¹ This case was related to Case No. 19-02405, filed by the City and County of San Francisco, and Case No. 19-02769, filed by the State of California. No. 19-02916, ECF No. 38. This motion is filed only by Plaintiffs in the above-captioned case, Case No. 19-02916.

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MICHELLE BENNETT
Assistant Branch Director
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By: /s/ Benjamin T. Takemoto
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Attorneys for Defendants

ATTESTATION PURSUANT TO LOCAL RULE 5-1(i)(3)

I, Lee H. Rubin, attest that concurrence in the filing of this Stipulation has been obtained from the signatory, Benjamin T. Takemoto, counsel for Defendants.

Executed this 14th day of January, 2020 in Palo Alto, California.

By: /s/ Lee H. Rubin
LEE H. RUBIN (SBN 141331)

~~**PROPOSED**~~ **ORDER**

PURSUANT TO STIPULATION, IT IS ORDERED that the deadline for filing an application for fees and costs is tolled until forty-five (45) days after the deadline for filing a notice of appeal or, if a notice of appeal is filed, forty-five (45) days after all appeals in this matter have been concluded and the time for any further appeal or request for rehearing has expired.

Dated: January 15, 2020.



Hon. William Alsup
United States District Judge