

1 BENJAMIN B. WAGNER
United States Attorney
2 501 I Street, Suite 10-100
Sacramento, CA 95814

3 JEREMY N. HENDON
4 RICHARD A. SCHWARTZ
Trial Attorneys, Tax Division
5 U.S. Department of Justice
P.O. Box 683
6 Ben Franklin Station
Washington, D.C. 20044-0683
7 Telephone: (202) 353-2466
Facsimile: (202) 307-0054
8 Email: Jeremy.Hendon@usdoj.gov
Richard.A.Schwartz@usdoj.gov

9
10 IN THE UNITED STATES DISTRICT COURT FOR THE
11 EASTERN DISTRICT OF CALIFORNIA

12 FREEDOM FROM RELIGION)
FOUNDATION, INC.; PAUL STOREY;)
13 BILLY FERGUSON; KAREN)
BUCHANAN; JOSEPH MORROW;)
14 ANTHONY G. ARLEN; ELISABETH)
STEADMAN; CHARLES AND)
15 COLLETTE CRANNELL; MIKE)
OSBORNE; KRISTI CRAVEN; WILLIAM)
16 M. SHOCKLEY; PAUL ELLCESSOR;)
JOSEPH RITTELL; WENDY CORBY;)
17 PAT KELLEY; CAREY GOLDSTEIN;)
DEBORA SMITH; KATHY FIELDS;)
18 RICHARD MOORE; SUSAN)
ROBINSON; AND KEN NAHIGIAN,)

Civil No. 2:09-CV-02894-WBS-DAD

STIPULATION OF DISMISSAL

19 Plaintiffs,)

20 v.)

21 TIMOTHY GEITHNER, in his official)
capacity as Secretary of the United States)
22 Department of the Treasury; DOUGLAS)
SHULMAN, in his official capacity as)
23 Commissioner of the Internal Revenue)
Service; and SELVI STANISLAUS, in her)
24 official capacity as Executive Officer of the)
California Franchise Tax Board,)

25)
26 Defendants.)
27
28

1 The parties, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), hereby stipulate that
2 the above-captioned case be dismissed without prejudice, the parties to bear their respective costs,
3 including any possible attorney fees or other expenses of litigation.

4 Respectfully submitted,

5 Dated this 17th day of June, 2011.

6 /s/ Richard L. Bolton
7 RICHARD L. BOLTON
8 Boardman, Suhr, Curry & Field, LLP
9 1 S. Pinckney Street, 4th Floor
10 P.O. Box 927
11 Madison, Wisconsin 53701-0927
12 *Pro Hac Vice*

13 Michael A. Newdow (SBN: 220444)
14 NEWDOWLAW
15 P.O. Box 233345
16 Sacramento, California 95823

17 *Attorneys for Plaintiffs*

18 Dated this 17th day of June, 2011.

19 BENJAMIN B. WAGNER
20 Acting United States Attorney

21 /s/ Richard A. Schwartz
22 JEREMY N. HENDON
23 RICHARD A. SCHWARTZ
24 Trial Attorneys, Tax Division
25 U.S. Department of Justice
26 P.O. Box 683
27 Ben Franklin Station
28 Washington, D.C. 20044-0683

Attorneys for Defendant United States

Dated this 17th day of June, 2011.

/s/ Jill Bowers
JILL BOWERS
Deputy Attorney General of California
1300 I Street, Suite 125
P. O. Box 944255
Sacramento, CA 94244-2550

Attorney for Defendant Selvi Stanislaus

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing **STIPULATION OF DISMISSAL** has been made this 17th day of June, 2011 via the Court's CM/ECF system to:

Michael Newdow
Richard L. Bolton
Counsel for Plaintiffs

NewdowLaw@gmail.com
rbolton@boardmanlawfirm.com

Kevin Snider
Matthew McReynolds
Counsel for Amicus Curiae

kevinsnider@pacificjustice.org
mattmcreynolds@pacificjustice.org

Jill Bowers
Counsel for Selvi Stanislaus

jill.bowers@doj.ca.gov

/s/ Richard A. Schwartz
JEREMY N. HENDON
RICHARD A. SCHWARTZ
Trial Attorneys, Tax Division
U.S. Department of Justice

1 BENJAMIN B. WAGNER
United States Attorney
2 501 I Street, Suite 10-100
Sacramento, CA 95814

3 JEREMY N. HENDON
4 RICHARD A. SCHWARTZ
Trial Attorneys, Tax Division
5 U.S. Department of Justice
P.O. Box 683, Ben Franklin Station
6 Washington, D.C. 20044-0683
Telephone: (202) 353-2466
7 Facsimile: (202) 307-0054
Email: Jeremy.Hendon@usdoj.gov
8 Richard.A.Schwartz@usdoj.gov
Western.Taxcivil@usdoj.gov

9 Attorneys for the United States of America

10 IN THE UNITED STATES DISTRICT COURT FOR THE
11 EASTERN DISTRICT OF CALIFORNIA

12 FREEDOM FROM RELIGION)
13 FOUNDATION, INC.; PAUL STOREY;)
BILLY FERGUSON; KAREN)
14 BUCHANAN; JOSEPH MORROW;)
ANTHONY G. ARLEN; ELISABETH)
15 STEADMAN; CHARLES AND)
COLLETTE CRANNELL; MIKE)
16 OSBORNE; KRISTI CRAVEN; WILLIAM)
M. SHOCKLEY; PAUL ELLCESSOR;)
17 JOSEPH RITTELL; WENDY CORBY;)
PAT KELLEY; CAREY GOLDSTEIN;)
18 DEBORA SMITH; KATHY FIELDS;)
RICHARD MOORE; SUSAN)
19 ROBINSON; AND KEN NAHIGIAN,)

Civil No. 2:09-CV-02894-WBS-DAD

**[PROPOSED] ORDER ON
STIPULATION OF DISMISSAL**

20 Plaintiffs,)

21 v.)

22 TIMOTHY GEITHNER, in his official)
capacity as Secretary of the United States)
23 Department of the Treasury; DOUGLAS)
SHULMAN, in his official capacity as)
24 Commissioner of the Internal Revenue)
Service; and SELVI STANISLAUS, in her)
25 official capacity as Executive Officer of the)
California Franchise Tax Board,)
26 Defendants,)

27 Defendants.)

28 [PROPOSED] ORDER ON
STIPULATION OF DISMISSAL

1 On June 17, 2011, the parties jointly submitted a Stipulation of Dismissal to the Court.

2
3 Accordingly, the instant matter is dismissed without prejudice, and the parties will bear
4 their own respective costs, including attorney fees and other litigation expenses.

5
6 IT IS SO ORDERED.

7
8 Dated this ____ day of _____, 2011.

9
10 _____
11 THE HONORABLE WILLIAM B. SHUBB
12 UNITED STATES DISTRICT JUDGE
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27

CERTIFICATE OF SERVICE

IT IS HEREBY CERTIFIED that service of the foregoing **[PROPOSED] ORDER ON STIPULATION OF DISMISSAL** has been made this 17th day of June, 2011 via the Court's CM/ECF system to:

Michael Newdow
Richard L. Bolton
Counsel for Plaintiffs

NewdowLaw@gmail.com
rbolton@boardmanlawfirm.com

Kevin Snider
Matthew McReynolds
Counsel for Amicus Curiae

kevinsnider@pacificjustice.org
mattmcreynolds@pacificjustice.org

Jill Bowers
Counsel for Selvi Stanislaus

jill.bowers@doj.ca.gov

/s/ Richard A. Schwartz
RICHARD A. SCHWARTZ
Trial Attorney, Tax Division
U.S. Department of Justice