

1 BRIAN M. BOYNTON
Assistant Attorney General
2 PHILLIP A. TALBERT
Acting United States Attorney
3 AUGUST FLENTJE
Special Counsel
4 WILLIAM C. PEACHEY
Director
5 EREZ REUVENI
Assistant Director
6 DAVID SHELLEDY
Civil Chief, Assistant United States Attorney
7 LAUREN C. BINGHAM
8 JOSHUA S. PRESS
Senior Litigation Counsel
9 FRANCESCA GENOVA
Office of Immigration Litigation
10 U.S. Department of Justice, Civil Division
11 P.O. Box 868, Ben Franklin Station
12 Washington, D.C. 20044
13 Tel. (202) 305-1062
Francesca.M.Genova@usdoj.gov
Attorneys for the United States

14
15 **UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA**

16 THE UNITED STATES OF AMERICA,

17 Plaintiff,

18 v.

19 THE STATE OF CALIFORNIA; GAVIN
20 NEWSOM, Governor of California, in his
21 Official Capacity; and MATTHEW
22 RODRIQUEZ, Acting Attorney General of
California, in his Official Capacity,

23 Defendants.
24
25
26
27
28

Case No. 2:18-cv-490-JAM-KJN

JOINT STIPULATION OF DISMISSAL

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the parties, by and through their counsel, hereby stipulate to dismissal of this case.¹

By entering into this stipulation, the parties understand that the preliminary injunction issued by the Court on July 5, 2018 (ECF No. 193) will dissolve by operation of law. *See U.S. Philips Corp. v. KBC Bank N.V.*, 590 F.3d 1091, 1094 (9th Cir. 2010) (“[A preliminary injunction order] is *ipso facto* dissolved by a dismissal of the complaint or the entry of a final decree in the cause.”) (quoting *Fundicao Tupy S.A. v. United States*, 841 F.2d 1101, 1103 (Fed. Cir. 1988)).

DATED: April 5, 2021

Respectfully Submitted,

BRIAN M. BOYNTON
Assistant Attorney General

PHILLIP A. TALBERT
Acting United States Attorney

AUGUST FLENTJE
Special Counsel

WILLIAM C. PEACHEY
Director

EREZ REUVENI
Assistant Director

DAVID SHELLEDY
Civil Chief, Assistant United States Attorney

LAUREN C. BINGHAM
JOSHUA S. PRESS
Senior Litigation Counsel

¹This Court ordered the parties to file a status conference statement by April 5, 2021, addressing “whether the United States intends to continue to pursue this case or whether, upon review by the Biden Administration, it will file a stipulation or motion to dismiss this lawsuit.” *See* Dec. 30, 2020 Minute Order. The parties understand that deadline to be moot given the voluntary dismissal of this action. *See* Fed. R. Civ. P. 41(a)(1)(A)(ii).

/s/ Francesca Genova

FRANCESCA GENOVA

Trial Attorney

United States Department of Justice

Civil Division

Office of Immigration Litigation

District Court Section

P.O. Box 868, Ben Franklin Station

Washington, DC 20044

Phone: (202) 305-1062

Email: Francesca.M.Genova@usdoj.gov

Attorneys for the United States of America

MATTHEW RODRIGUEZ

Acting Attorney General of California

MICHAEL NEWMAN

Senior Assistant Attorneys General

CHRISTINE CHUANG

CHEROKEE DM MELTON

Supervising Deputy Attorneys General

JASLEEN SINGH

JAMES E. STANLEY

XIYUN YANG

/s/ Lee I. Sherman

Lee I. Sherman

Deputy Attorneys General

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on April 5, 2021, I electronically transmitted the foregoing document to the Clerk's Office using the U.S. District Court for the Eastern District of California's Electronic Document Filing System (ECF), which will serve a copy of this document upon all attorneys of record.

/s/ Francesca Genova
FRANCESCA GENOVA
Trial Attorney