

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

JACK ROE, et al.,
Plaintiffs,
v.
KAMALA D. HARRIS,
Defendant.

Case No. 12-cv-05713-TEH
SCHEDULING ORDER

United States District Court
Northern District of California

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This matter came before the Court for a case management conference on October 26, 2015. The Court previously stayed these proceedings to permit Intervenors the opportunity to pursue a legislative resolution of this matter. Legislation resolving this matter was not enacted in 2015, but Intervenors have requested additional time to pursue their legislation in the second half of the current 2015-16 legislative session. Pursuant to stipulation, and for good cause, the Court hereby ORDERS as follows:


1. For the reasons set forth in the Ninth Circuit’s opinion, *Doe v. Harris*, 772 F.3d 563 (9th Cir. 2014), affirming the preliminary injunction issued by this Court on January 11, 2013, and by the parties’ stipulation, the Court hereby DECLARES under 28 U.S.C. §2201 that California Penal Code sections 290.014(b) and 290.015(a)(4)-(6) violate the First Amendment to the United States Constitution and cannot be enforced.
2. Entry of final judgment is deferred to allow for a further reasonable time to enable Intervenors to continue pursuing legislation that may resolve this matter.
3. A further case management conference shall be held on **Monday, March 21, 2016, at 1:30 PM** in Courtroom 12. The parties shall file an updated joint case management statement no later than seven days prior to the case management conference, providing an update as to the status of Intervenors’ proposed legislation and setting forth the parties’ views as to the implications for disposition of this case.

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- 4. At any juncture during which this case remains pending and it becomes apparent that Intervenors’ efforts to pass legislation are either successful or not successful, the parties will provide a joint update to the Court.
- 5. No further stay of the proceedings is in effect, but the parties shall meet and confer prior to seeking entry of final judgment or bringing any motion.
- 6. The parties will not seek to extend this case beyond the current 2015-2016 legislative session.

IT IS SO ORDERED.

Dated: 10/26/15



 THELTON E. HENDERSON
 United States District Judge

United States District Court
Northern District of California