

1 BRADLEY S. PHILLIPS (State Bar No. 085263)
JOHN M. RAPPAPORT (State Bar No. 254459)
2 MUNGER, TOLLES & OLSON LLP
355 South Grand Avenue, 35th Floor
3 Los Angeles, CA 90071-1560
Telephone: (213) 683-9100
4 Facsimile: (213) 687-3702

5 MICHELLE FRIEDLAND (State Bar No. 234124)
MUNGER, TOLLES & OLSON LLP
6 560 Mission Street, 27th Floor
San Francisco, CA 94105-2907
7 Telephone: (415) 512-4000
Facsimile: (415) 512-4077

8 CHARLES F. ROBINSON (State Bar No. 113197)
9 KAREN J. PETRULAKIS (State Bar No. 168732)
MARGARET L. WU (State Bar No. 184167)
10 OFFICE OF THE GENERAL COUNSEL
UNIVERSITY OF CALIFORNIA
11 1111 Franklin Street
Oakland, CA 94607
12 Telephone: (510) 987-9800
Facsimile: (510) 987-9757

13 Attorneys for Defendants
14 THE REGENTS OF THE UNIVERSITY OF
CALIFORNIA; MARK G. YUDOF; MARYE
15 ANNE FOX; GARY MATTHEWS

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA
18 SAN FRANCISCO/OAKLAND DIVISION

19 TIMOTHY WHITE, ROBERT L. BETTINGER, and
20 MARGARET SCHOENINGER,

21 Plaintiffs,

22 vs.

23 THE UNIVERSITY OF CALIFORNIA; THE REGENTS
OF THE UNIVERSITY OF CALIFORNIA; MARK G.
YUDOF, in his individual and official capacity as
24 President of the University; MARYE ANNE FOX, in her
individual and official capacity as Chancellor of the
University of California, San Diego; GARY
25 MATTHEWS, in his individual and official capacity as
Vice Chancellor of the University of California, San
26 Diego; and DOES 1-50, inclusive,

27 Defendants.
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CASE NO. C12-01978 RS

**STIPULATION FOR ENTRY
OF PRELIMINARY
INJUNCTION; [~~PROPOSED~~]
PRELIMINARY INJUNCTION**

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STIPULATION

1. On April 27, 2012, this Court entered a temporary restraining order (“TRO”) enjoining Defendants University of California, The Regents of the University of California, Mark G. Yudof, Marye Anne Fox, Gary Matthews, Does 1-50, their employees, agents, servants, assigns, and all those acting in concert with them, including but not limited to, the San Diego Archaeological Center, from “changing in any manner the current condition and location of the La Jolla Skeletons, and associated funerary objects.” The Court noted that “[i]n the highly unlikely event that a natural disaster or other act of God requires the University to relocate the Skeletons for the sake of preservation, contrary to defendants’ concern, a finding of contempt is not a realistic prospect.” (Docket No. 19.)

2. To avoid burdening the Court and the parties with proceedings on an order to show cause, Defendants are willing to stipulate to this Court’s entry of a preliminary injunction with the same terms as the TRO.

THEREFORE, the parties stipulate to the entry of a preliminary injunction with the same terms as the TRO, as follows:

The Regents of the University of California, Mark G. Yudof, Marye Anne Fox, Gary Matthews, Does 1-50, their employees, agents, servants, assigns, and all those acting in concert with them, including but not limited to, the San Diego Archaeological Center, ARE HEREBY ENJOINED AND RESTRAINED until entry of judgment in this action from changing in any manner the current condition and location of the La Jolla Skeletons, and associated funerary objects.

IT IS SO STIPULATED.

DATED: May 4, 2012

McMANIS FAULKNER

/s/ Elizabeth Pipkin
ELIZABETH PIPKIN

Attorneys for Petitioners and Plaintiffs

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DATED: May 4, 2012

MUNGER, TOLLES & OLSON LLP

/s/ Michelle T. Friedland
MICHELLE T. FRIEDLAND

Attorneys for Respondents and Defendants

~~PROPOSED~~ PRELIMINARY INJUNCTION

The Court has considered the parties' stipulation for entry of a preliminary injunction. Pursuant to the parties' stipulation and good cause appearing, THE COURT NOW ENTERS THE FOLLOWING PRELIMINARY INJUNCTION:

Defendants The Regents of the University of California, Mark G. Yudof, Marye Anne Fox, Gary Matthews, Does 1-50, their employees, agents, servants, assigns, and all those acting in concert with them, including but not limited to, the San Diego Archaeological Center, ARE HEREBY ENJOINED AND RESTRAINED until entry of judgment in this action from changing in any manner the current condition and location of the La Jolla Skeletons, and associated funerary objects.

IT IS SO ORDERED.

Dated: 5/7/12


THE HONORABLE RICHARD SEEBORG
UNITED STATES DISTRICT JUDGE

GENERAL ORDER 45 ATTESTATION

In compliance with General Order 45, X.B., I, Michelle Friedland, the filer of this document, hereby attest that all the above counsel concurred in this filing.

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DATED: May 4, 2012

By: /s/ Michelle Friedland
MICHELLE FRIEDLAND