
No. 12-15498 [Dist Ct. No.: 2:10-CV-02911-JAM-EFB]

IN THE
UNITED STATES COURT OF APPEAL
FOR THE NINTH CIRCUIT

RICHARDS ENOS; et al.,
Plaintiffs - Appellants,

vs.

ERIC HOLDER; et al.,
Defendants - Appellees.

APPEAL FROM THE
UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

**MOTION / STIPULATION OF THE PARTIES:
REQUEST OF EXTENSION OF TIME TO
FILE PETITION FOR EN BANC REVIEW**

Donald E. J. Kilmer, Jr.
LAW OFFICES OF DONALD KILMER
1645 Willow Street, Suite 150
San Jose, California 95125
Vc: 408/264-8489 Fx: 408/264-8487
E-Mail: Don@DKLawOffice.com

Counsel for Plaintiff - Appellants

The parties, by and through counsel, hereby stipulate as follows:

1. The Three-Judge panel heard this matter on October 9, 2014 and issued a Memorandum Disposition on October 16, 2014.
2. Pursuant to Federal Rule of Appellate Procedure 40 and the attendant Circuit Rule, because the United States and/or its Agency/Officer is named as a party, any Petition for Rehearing and/or En Banc Review is due 45 days from the filing of the Memorandum Disposition.
3. Therefore said petition would currently be due on or before (Sunday) November 30, 2014.
4. This case has generated significant amicus interest and time is needed to coordinate those filings. In addition, undersigned counsel has just completed a 4-week jury trial in Sacramento with the verdict being entered on October 27, 2014.
5. I have an email from the United States Attorney, Michael Raab indicating that his client would not oppose a 15-day extension to the current deadline of November 30, 2014.
6. Appellants respectfully request an extension for filing a Petition for En Banc Review to and including (Monday) December 15, 2014.

Date: October 29, 2014

/s/ Donald Kilmer
Attorney for Appellants