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8 IN THE UNITED STATES DISTRICT COURT
9 FOR THE SOUTHERN DISTRICT OF CALIFORNIA

10 VIRGINIA DUNCAN, et al.,

11 Plaintiffs,

12 v.

13 XAVIER BECERRA, in his official
14 capacity as Attorney General of the
15 State of California,

16 Defendants.

17-cv-1017-BEN-JLB

**[PROPOSED] ORDER GRANTING
JOINT MOTION TO ENTER
JUDGMENT AND STAY
LITIGATION OF ATTORNEYS'
FEES AND COSTS PENDING
APPEAL**

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18 The Court has before it the Parties' Joint Motion to Enter Judgment and Stay
19 Litigation of Attorneys' Fees and Costs Pending Appeal. Having considered the
20 Motion and good cause appearing, the Court is of the opinion that the Parties' joint
21 motion should be GRANTED.

22 Accordingly, it is hereby ORDERED that the Clerk of the Court shall enter
23 final judgment in the Plaintiffs' favor on all claims in accordance with this Court's
24 September 22, 2023, Decision (Dkt. No. 149 at 2, 70) (declaring California Penal
25 Code section 32310 unconstitutional and incorporating all relevant findings of fact
26 and conclusions of law set forth in Dkt. No. 87).

27 It is FURTHER ORDERED that all proceedings regarding attorneys' fees or
28 costs shall be stayed until 30 days after the completion of the appeal of this matter.

1 **IT IS SO ORDERED.**

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3 Dated: _____

4 HONORABLE ROGER T. BENITEZ
5 United States District Judge
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