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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

The American Civil Liberties Union of Nevada, Does 1-8 and Does A-S, individuals,

Plaintiffs,

v.

Catherine Cortez Masto, Attorney General of the State of Nevada; Jerald Hafen, Director of the Nevada Department of Public Safety; Bernard W. Curtis, Chief, Parole and Probation Division of the Nevada Department of Public Safety; Captain P.K. O'Neill, Chief, Records and Technology Division of the Nevada Department of Public Safety; Michael Haley, Sheriff of the Washoe County Sheriff's Office; Michael Poehlman, Chief of the Reno Police Department; Richard A. Gammick, District Attorney of Washoe County; Douglas Gillespie, Sheriff of the Las Vegas Metropolitan Police Department; Joseph Forti, Chief of the North Las Vegas Police Department; David Roger, District Attorney of Clark County; Chief Richard Perkins, Henderson Police Department,

Defendants.

2:08-cv-00822-JCM-PAL

**STIPULATION TO DISMISS
CERTAIN NAMED DEFENDANTS**

1
2 The Americans Civil Liberties Union (“ACLU”), Does 1-8 , and Does A-S (“Doe
3 Plaintiffs)(collectively “Plaintiffs”), by and through their attorneys of record, Robert Langford,
4 Esq. and Margaret McLetchie, Esq., and Defendants Douglas Gillespie, Sheriff of the Las Vegas
5 Metropolitan Police Department (“Gillespie”); Joseph Forti, Chief of the North Las Vegas Police
6 Department (“Forti”); David Roger, District Attorney of Clark County (“Roger”); and Chief
7 Richard Perkins, Henderson Police Department (“Perkins”), (collectively the “Clark County
8 Local Law Enforcement Defendants”), by and through their respective undersigned counsel,
9 hereby stipulate and agree that all claims asserted by the Plaintiffs and against the Law
10 Enforcement Defendants, whether known or unknown, shall be dismissed WITHOUT prejudice.
11

12 It is further agreed that Plaintiffs and the Clark County Law Enforcement Defendants
13 shall each bear their own attorneys’ fees and costs and shall not be subject to any award of
14 attorneys’ fees, costs, or damages arising from the above-entitled action.
15

16 It is further agreed that the Law Enforcement Defendants will be subject to and shall
17 abide by the Preliminary Injunction ordered in this case by the District Court, Honorable James
18 Mahan, as well as any other injunction or declarative relief granted in the above-captioned matter
19 or any appeal therefrom to the Ninth Circuit Court of Appeals or the United States Supreme
20 Court, provided, however, the Law Enforcement Defendants shall not be liable for any damages
21 ordered in any such order, decree or judgment, including any award of attorneys fees or costs.
22

23 It is further agreed that Plaintiffs shall immediately, or as soon as reasonably possible,
24 notify the Law Enforcement Defendants of any order, injunction or decree or modification or
25 termination of any such order, injunction or decree issued in the above-captioned matter by the
26 district court, or from the Ninth Circuit Court of Appeals or the United States Supreme Court.
27
28

The Plaintiffs and Local Law Enforcement Defendants accordingly respectfully request this Court for an Order dismissing the action pursuant to Rule 41(a)(1)(ii) of the Federal Rules of Civil Procedure and Local Rules 6-2 and 7-1 of the United States District Court for the District of Nevada.

Dated this 24th day of July, 2008

/s/
ROBERT L. LANGFORD, ESQ.
Counsel for Plaintiffs Does A- S

/s/
MARGARET A. McLEITCHIE, ESQ
Counsel for Plaintiffs ACLU and Does 1-8

/s/
STEPHANIE BAKER, ESQ.
Counsel for David Roger.

/s/
NICK D. CROSBY, ESQ.
Counsel for Sheriff Douglas Gillespie

/s/
CHRIS DAVIS, ESQ.
Counsel for Chief Joseph Forti

/s/
ROBERT ZENTZ, ESQ.
Counsel for Chief Richard Perkins

IT IS SO ORDERED this 28th day of July, 2008.

UNITED

James C. Mahan
STATES DISTRICT COURT JUDGE

ATTESTATION

I hereby attest that I have permission to electronically sign for Stephanie Barker, Nick D. Crosby, Chris Davis, and Robert Zentz (“Signing Defense Counsel”). I also attest that I have on file copies of signatures for the Signing Defense Counsel.

Dated: July 24, 2008

/s/
MARGARET A. McLETCHE
Counsel for Plaintiffs ACLU and Does 1-8

CERTIFICATE OF SERVICE

Pursuant to LR 5-4, service of the foregoing on each of the defendants was completed by electronic filing.

Dated: July 24, 2008

/s/
MARGARET A. McLETCHE
Counsel for Plaintiffs ACLU and Does 1-8