

THE HONORABLE ROBERT S. LASNIK



09-CV-00642-BR

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

AMERICAN CIVIL LIBERTIES UNION  
OF WASHINGTON,

Plaintiff,

v.

U.S. DEPARTMENT OF JUSTICE,

Defendant.

CASE No. C09-642RSL

**STIPULATION FOR  
COMPROMISE SETTLEMENT  
AND RELEASE OF CLAIMS**

I. STIPULATION

Plaintiff American Civil Liberties Union of Washington ("Plaintiff") and Defendant United States Department of Justice ("Defendant"), by and through their undersigned counsel, hereby enter into this Settlement Agreement as follows:

1. In consideration for the release of Plaintiff's claims regarding attorneys' fees and costs against Defendant, the United States shall pay to Plaintiff within sixty (60) days of the execution of this Stipulation the sum of fifty thousand dollars (\$50,000.00) payable to the ACLU of Washington Foundation via wire transfer, which sum Plaintiff and its counsel agree to accept as

1 full settlement of any and all claims, credits, demands, rights and causes of action for attorneys'  
2 fees and costs incurred by Plaintiff in this action, and is inclusive of interest.

3 2. Upon execution of this Settlement Agreement, Plaintiff hereby releases and forever  
4 discharges Defendant and its successors, the United States of America, and any department,  
5 agency, or establishment of the United States, and any officers, employees, agents, successors, or  
6 assigns of such department, agency, or establishment, from any and all past, present, or future  
7 claims for fees, costs, or litigation expenses in connection with the above-captioned litigation.

8 3. Upon the execution of this Settlement Agreement, Plaintiff hereby releases and forever  
9 discharges Defendant, and its successors, the United States of America, and any department,  
10 agency, or establishment of the United States, and any officers, employees, agents, successors, or  
11 assigns of such department, agency, or establishment, from any and all claims and causes of  
12 action that Plaintiff asserts or could have asserted in this litigation, or which hereinafter could be  
13 asserted by reason of, or with respect to, or in connection with, or which arise out of, the FOIA  
14 request on which this action is based.

15 4. The parties acknowledge that this Settlement Agreement is entered solely for the  
16 purpose of settling and compromising any remaining claims in this action without further  
17 litigation, and it shall not be construed as evidence or as an admission regarding any issue of law  
18 or fact, or regarding the truth or validity of any allegation or claim raised in this action, or as  
19 evidence or as an admission by the Defendant regarding Plaintiff's entitlement to attorney's fees  
20 and other litigation costs under the FOIA.

21 5. The Parties agree that this Stipulation, including all the terms and conditions of this  
22 compromise settlement, may be made public in their entirety, and the Parties expressly consent  
23 to such release and disclosure pursuant to 5 U.S.C. § 552a(b).

24 6. The persons signing this Stipulation warrant and represent that they possess full  
25 authority to bind the entities, agencies and organizations on whose behalf they are signing to the  
26 terms of the Stipulation.

27 7. This Stipulation represents the entire agreement between the Parties with regard to the  
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1 matters set forth herein and no other agreements, understandings or representations, oral or  
2 otherwise, bind the Parties except as herein expressly set forth in writing and signed by all  
3 Parties.

4 8. The Court retains jurisdiction to enforce the provisions of this Stipulation.

5 SO STIPULATED AND AGREED this 7<sup>th</sup> day of March, 2013

6  
7 /s/ Lee Gelernt

8 Lee Gelernt,\* State Bar No. NY-8511  
9 Dror Ladin\* State Bar No. NY-4942215  
10 AMERICAN CIVIL LIBERTIES UNION  
11 FOUNDATION  
12 IMMIGRANTS' RIGHTS PROJECT  
13 125 Broad Street, 18th Floor  
14 New York, NY 10004  
15 Tel. (212) 549-2619  
16 lgelernt@aclu.org  
17 dladin@aclu.org

18 Katherine Desormeau,\* State Bar No. CA-266463  
19 AMERICAN CIVIL LIBERTIES UNION  
20 FOUNDATION  
21 IMMIGRANTS' RIGHTS PROJECT  
22 39 Drumm Street  
23 San Francisco, CA 94111  
24 Tel. (415) 343-0778  
25 kdesormeau@aclu.org

26 Michael Wishnie,\* State Bar No. CT Juris No. 429553  
27 Jerome N. Frank Legal Services Organization  
28 Yale Law School  
127 Wall Street  
New Haven, CT 06511  
Tel. (203) 432-4800  
michael.wishnie@yale.edu

Sarah A. Dunne, WSBA #34869  
901 Fifth Avenue, Suite 630  
Seattle, WA 98164  
Tel. (206) 624-2184  
dunne@aclu-wa.org

*Counsel for Plaintiff*

*\*Admitted pro hac vice.*

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Jenny A. Durkin  
United States Attorney

Brian C. Kipnis  
Assistant United States Attorney  
5220 United States Courthouse  
700 Stewart Street  
Seattle, WA 98101-7970

Stuart F. Delery  
Principal Deputy Assistant Attorney General

Elizabeth J. Shapiro  
Deputy Branch Director


/s/ Marcia K. Sowles  
Marcia K. Sowles  
Senior Counsel  
United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Ave., NW, Room 7114  
Washington, DC 20530

*Counsel for Defendants*

II. ORDER

IT IS SO ORDERED.

DATED this 11<sup>th</sup> day of March, 2013.

  
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ROBERT S. LASNIK  
United States District Judge