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UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

BACKPAGE.COM, LLC,	)	
	)	No. 2:12-cv-000954-RSM
Plaintiff,	)	
and	)	<b>STIPULATION BETWEEN</b>
	)	<b>PLAINTIFFS AND</b>
THE INTERNET ARCHIVE,	)	<b>DEFENDANT RUSSELL D.</b>
	)	<b>HAUGE ACCEPTING ORDER</b>
Plaintiff-Intervenor,	)	<b>FOR ENTRY OF FINAL</b>
	)	<b>JUDGMENT ENJOINING</b>
v.	)	<b>ENFORCEMENT OF RCW</b>
	)	<b>4.68A.104 (WASHINGTON</b>
ROB MCKENNA, Attorney General of the	)	<b>SENATE BILL 6251)</b>
State of Washington, <i>et al.</i>	)	
	)	
Defendants, in their	)	
official capacities.	)	
	)	

**STIPULATION**

Plaintiffs Backpage.com, LLC and The Internet Archive, together with Defendant Russell D. Hauge, Prosecuting Attorney of Kitsap County (“Hauge”), by and through their counsel of record, hereby stipulate and agree as follows:

1. Plaintiffs and Hauge agree and request that the Court enter final judgment in this matter, permanently enjoining any enforcement or prosecution of any person under RCW 4.68A.104 (the codified version of Washington Engrossed Substitute Senate Bill 6251, Chapter 138, Washington Laws of 2012) and declaring that the statute is

1 unconstitutional and violates federal law, in accordance with paragraphs 2 and 3 of the  
2 Proposed Order for Entry of Final Judgment Enjoining Enforcement of RCW 4.68A.104  
3 (Washington Senate Bill 6251) pursuant to the Stipulation entered into concurrently  
4 between Plaintiffs and all other Defendants in this action (the “Stipulated Order”).

5 2. Hauge does not object to the judgment assessing an award of costs and  
6 attorneys’ fees against the Office of the Attorney General, as set forth in paragraph 4 of the  
7 Stipulated Order. Plaintiffs agree that Hauge shall not be responsible for any additional  
8 costs or attorneys’ fees.

9 3. With this Stipulation, the undersigned parties hereby settle all claims and  
10 potential claims between them related to this litigation, and no party will appeal or  
11 otherwise challenge an order of the Court or entry of final judgment in this matter as set  
12 forth in the Stipulated Order.

13 4. The undersigned parties further agree that, by this Stipulation, Plaintiffs’  
14 Motion for Clarification or Reconsideration of Order Granting Defendant Hauge’s Motions  
15 to Dismiss (Dkt. #74), the Court’s Order Granting Defendant Hauge’s Motions to Dismiss  
16 (Dkt. #72), and the Court’s Order Directing Response to Motion for Clarification or  
17 Reconsideration (Dkt. #77) are mooted, should be withdrawn, and require no further action  
18 by the Court.

19 **ORDER**

20 Based on the foregoing Stipulation and the Court’s prior orders, findings and  
21 conclusions in this action, it is hereby ORDERED, ADJUDGED and DECREED that:

22 1. All claims between Plaintiffs and Defendant Russell D. Hauge, Kitsap  
23 County Prosecuting Attorney, are and shall be resolved in accordance with paragraphs 2  
24 and 3 of the Proposed Order for Entry of Final Judgment Enjoining Enforcement of RCW  
25 4.68A.104 (Washington Senate Bill 6251) pursuant to the Stipulation entered into  
26 concurrently between Plaintiffs and all other Defendants in this action (the “Stipulated  
27 Order”).

1           2.       Plaintiffs' Motion for Clarification or Reconsideration of Order Granting  
2 Defendant Hauge's Motions to Dismiss (Dkt. #74), the Court's Order Granting Defendant  
3 Hauge's Motions to Dismiss (Dkt. #72), and the Court's Order Directing Response to  
4 Motion for Clarification or Reconsideration (Dkt. #77) are moot and are hereby withdrawn,  
5 and Plaintiffs and Defendant Hauge need not respond further.

6           3.       The Court has awarded Plaintiffs costs and attorneys' fees in the Stipulated  
7 Order, and Defendant Hauge shall not be responsible for any additional costs or attorneys'  
8 fees. The undersigned parties respectively shall bear any other costs and fees incurred in  
9 connection with this action.

10  
11           SO ORDERED this 10 day of December 2012.

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15           RICARDO S. MARTINEZ  
16           UNITED STATES DISTRICT JUDGE

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18  
19 Presented and agreed to by:

20  
21           DAVIS WRIGHT TREMAINE LLP

22           s/ James C. Grant

23           James C. Grant, WSBA No. 14358

24           Ambika K. Doran, WSBA No. 38237

25           s/ Elizabeth L. McDougall

26           Elizabeth L. McDougall, WSBA No. 27026

27           General Counsel, Village Voice Media Holdings, LLC

              Attorneys for Plaintiff Backpage.com, LLC

1 ELECTRONIC FRONTIER FOUNDATION

2 s/ Matthew Zimmerman

3 Matthew Zimmerman (admitted *pro hac vice*)

4 FOCAL PLLC

5 s/ Venkat Balasubramani

6 Venkat Balasubramani, WSBA No. 28269

7 Attorneys for Plaintiff-Intervenor The Internet Archive

8 RUSSELL D. HAUGE, Kitsap County Prosecuting Attorney

9 s/ Ione S. George

10 Ione S. George, WSBA No. 18236

11 Chief Deputy Prosecuting Attorney

12 Attorney for Defendant Russell D. Hauge