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15 **UNITED STATES DISTRICT COURT**  
16 **NORTHERN DISTRICT OF CALIFORNIA**  
17 **SAN JOSE DIVISION**

18 COUNTY OF SANTA CLARA, *et al.*,

19 Plaintiffs,

20 v.

21 U.S. DEPARTMENT OF HEALTH AND  
22 HUMAN SERVICES, *et al.*,

23 Defendants.

) Case No. 5:21-cv-01655-BLF

) **STIPULATION OF DISMISSAL WITHOUT**  
) **PREJUDICE AND ~~PROPOSED ORDER~~**

24 Due to the withdrawal of the final rule at issue in this case, *see* 87 Fed. Reg. 32,246 (May 27,  
25 2022), the parties hereby stipulate to the voluntary dismissal of this action without prejudice pursuant to  
26 Federal Rule of Civil Procedure 41(a)(1)(A)(ii), with each side to bear its own fees and costs.  
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1 Date: August 1, 2022

Respectfully submitted,

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5 /s/ Steven A. Myers  
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**LOCAL RULE 5-1(i) ATTESTATION**

I attest that I have obtained Steven A. Myers's concurrence in the filing of this document.

/s/ Samara M. Spence  
Samara M. Spence

~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED. This case is dismissed without prejudice, with each side to bear its own fees and costs.

Dated: August 1, 2022

  
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HON. BETH LABSON FREEMAN  
UNITED STATES DISTRICT JUDGE

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