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19 IN THE UNITED STATES DISTRICT COURT
THE NORTHERN DISTRICT OF CALIFORNIA
20 SAN JOSE DIVISION

21 NETCHOICE, LLC d/b/a NetChoice,

22 Plaintiff,

23 v.

24 ROB BONTA, ATTORNEY GENERAL OF
25 THE STATE OF CALIFORNIA, in his official
capacity,

26 Defendant.
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Case No. 5:22-cv-08861-BLF

**JOINT STIPULATION PROPOSING
BRIEFING SCHEDULE AND
ENLARGEMENT OF PAGE LIMITS**

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1 Pursuant to Local Rules 6-2, 7-11, and 7-12, Plaintiff NetChoice, LLC, and Defendant Rob
2 Bonta, Attorney General of the State of California, stipulate and respectfully request that the Court
3 approve the following briefing schedule and page limits.

4 Plaintiff filed the Complaint on December 14, 2022, alleging that AB 2273 is
5 unconstitutional and preempted by federal law (ECF No. 1);

6 Plaintiff filed a motion for a preliminary injunction on February 17, 2023 (ECF No. 29);

7 This Court granted Plaintiff's motion for a preliminary injunction on September 18, 2023
8 (ECF No. 74);

9 Defendant appealed this Court's order granting Plaintiff's motion for a preliminary
10 injunction to the United States Court of Appeals for the Ninth Circuit on October 18, 2023 (ECF
11 No. 75);

12 The Ninth Circuit affirmed in part and vacated in part this Court's injunction (Ninth Circuit
13 Dkt. 121);

14 Plaintiff intends to file a Motion for a Preliminary Injunction enjoining enforcement of the
15 remaining provisions of AB 2273 pending this litigation;

16 The Parties have met and conferred. The State has agreed to stay enforcement of the
17 remaining provisions no longer subject to this Court's preliminary injunction until March 6, 2025,
18 and to not seek to enforce AB 2273 retroactively;

19 In consideration of the State's agreement to stay enforcement of the remaining provisions,
20 the parties have agreed to a proposed briefing schedule with respect to the contemplated Motion;

21 The Parties agree that doing so would be equitable, efficient, and aid the Court's
22 adjudication of the contemplated Motion by permitting counsel to more comprehensively present
23 the issues to the Court for decision;

24 NOW THEREFORE, the Parties jointly stipulate, agree, and respectfully request the Court
25 to enter an order as follows:

- 26 1. Plaintiff's Motion for a Preliminary Injunction and Memorandum of Points and
27 Authorities in Support will be due on **October 18, 2024**, and the Memorandum of
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Points and Authorities will be no longer than **45 pages**. This reflects an enlargement of 20 pages. *See* Local Rules 7-2(b), 7-4(b).

2. Defendant’s Response to Plaintiff’s Motion for a Preliminary Injunction, if any, will be due on **November 22, 2024**, and will be no longer than **45 pages**. This reflects a 21-day extension, and an enlargement of 5 pages. *See* Local Rules 7-2(b), 7-3(a), 7-4(b).

3. Plaintiff’s Reply in Support of its Motion for a Preliminary Injunction will be due on **December 20, 2024**, and will be no longer than **25 pages**. This reflects a 21-day extension, and an enlargement of 10 pages. *See* Local Rules 7-3(a), (c), 7-4(b).

4. Subject to the Court’s availability, the parties respectfully request oral argument to be held on January 9, 16, or 23, 2025.

5. The State shall stay enforcement of the remaining provisions of AB 2273 until March 6, 2025, and shall never attempt to retroactively enforce any provision of AB 2273 allegedly violated before March 6, 2025.

IT IS SO STIPULATED.

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DATED: August 28, 2024

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

By: /s/ Adam S. Sieff
Adam S. Sieff

Attorneys for Plaintiff
NetChoice LLC, d/b/a NetChoice

DATED: August 28, 2024

Respectfully submitted,

ROB BONTA
Attorney General of California
ANYA M. BINSACCA
Supervising Deputy Attorney General

By: /s/ Kristin Liska
KRISTIN A. LISKA
Deputy Attorney General

Attorneys for Defendant

CERTIFICATION OF SERVICE AND COMPLIANCE

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I, Adam S. Sieff, hereby certify that pursuant to N.D. Cal. Civil L.R. 5-1(h)(3), I have obtained authorization from the above signatories to file the above-referenced document and that they have concurred in the filing’s content. I further certify that I have served all parties with the foregoing by electronic service through the Court’s ECF system.

Dated: August 28, 2024

Respectfully submitted,

DAVIS WRIGHT TREMAINE LLP

By: /s/ Adam S. Sieff
Adam S. Sieff

Attorneys for Plaintiff
NetChoice, LLC d/b/a NetChoice