

**IN THE UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT**

Muhammad Shabazz Farrakhan, aka Ernest S. Walker; Al-Kareem Shadeed; Marcus X. Price; Ramon Barrientes; Timothy Schaaf; Clifton Briceno,

Plaintiffs-Appellants,

v.

Christine O. Gregoire; Sam Reed; Harold W. Clarke; State of Washington,

Defendants-Appellees.

---

NO. 06-35669

D.C. NO. CV-96-0076-RHW  
EASTERN WASHINGTON  
(TACOMA)

MOTION FOR A STAY OF  
THE MANDATE

The Defendants-Appellees (the State), by and through their attorneys, ROBERT M. MCKENNA, Attorney General, and JEFFERY T. EVEN, Deputy Solicitor General, moves this Court to stay the issuance of the mandate in this case, pursuant to Fed. R. App. P. 41(b). This motion is supported by the attached affidavit of Jeffery T. Even.

RESPECTFULLY SUBMITTED this 12th day of January, 2010.

ROBEERT M. MCKENNA  
Attorney General

s/Jeffrey T. Even

Jeffrey T. Even  
Deputy Solicitor General