

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

UNITED FARM WORKERS)
)
 and)
)
 FARMWORKER JUSTICE,)
) C.A. No. 07-2241 (HHK)
 Plaintiffs,)
)
 v.)
)
 DEPARTMENT OF LABOR,)
)
 Defendant.)
 _____)

**PLAINTIFFS' UNOPPOSED MOTION TO WITHDRAW
FUNDS FROM THE COURT'S REGISTRY**

Pursuant to Rule 67 of the Federal Rules of Civil Procedure, and 28 U.S.C. § 2042, plaintiffs request that the Court enter an order granting plaintiffs leave to withdraw from the Court's registry the funds plaintiffs deposited on February 27, 2008. *See* Doc. 10. Plaintiffs deposited \$810.65 to the Court's registry to obtain time-sensitive materials responsive to certain requests under the Freedom of Information Act (FOIA), 5 U.S.C. § 552, pending this Court's resolution of plaintiffs' claim that they are entitled to a waiver of fees associated with the requests. After plaintiffs filed their cross motion for summary judgment (Doc. 13), defendant U.S. Department of Labor (DOL) conceded that plaintiffs "have met the requirements for establishing a waiver of fees under 5 U.S.C. § 552(a)(4)(A)(iii) and 29 C.F.R. § 70.41 in all seven of [their] waiver requests associated with this litigation." Doc. 15-3 (Carlson letter of April 25, 2008). Thus, the Court should enter an order allowing plaintiffs to withdraw their funds. DOL does not oppose this motion.

Respectfully submitted,

/s/ Michael T. Kirkpatrick

Michael T. Kirkpatrick (DC Bar #486293)
Adina H. Rosenbaum (DC Bar #490928)
PUBLIC CITIZEN LITIGATION GROUP
1600 20th Street, NW
Washington, DC 20009
(202) 588-1000

Bruce Goldstein (DC Bar #446848)
Virginia Ruiz (DC Bar #483800)
Marni Willenson (Bar# IL0011)
FARMWORKER JUSTICE
1126 16th Street, NW, Suite 270
Washington, DC 20036
(202) 293-5420

Dated: May 1, 2008

Attorneys for Plaintiffs

CERTIFICATE OF CONFERENCE

On April 30, 2008, I exchanged voice messages with Michelle N. Johnson, counsel for DOL, who stated that DOL will not oppose this motion.

/s/ Michael T. Kirkpatrick