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11 **[see next page for additional counsel for Plaintiffs]**

12 Attorneys for Plaintiffs
 13 VETERANS FOR COMMON SENSE and
 14 VETERANS UNITED FOR TRUTH, INC.

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

18 VETERANS FOR COMMON SENSE, and
 19 VETERANS UNITED FOR TRUTH, INC.,

20 Plaintiffs,

21 v.

22 JAMES B. PEAKE, M.D., Secretary of Veterans
 Affairs, *et al.*,

23 Defendants.

Case No. C-07-3758-SC

CLASS ACTION

**STIPULATED REQUEST TO
 EXTEND TIME FOR OPPOSITION
 TO DEFENDANTS' MOTION TO
 DISMISS CLAIMS AGAINST
 DEFENDANTS WILLIAM P.
 GREENE, JR. AND MICHAEL B.
 MUKASEY**

Complaint Filed July 23, 2007

1 **ADDITIONAL COUNSEL FOR PLAINTIFFS:**

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1 WHEREAS on January 18, 2008, Defendants filed a Motion to Dismiss Claims Against
2 Defendants William P. Greene, Jr. and Michael B. Mukasey;

3 WHEREAS the date for Plaintiffs' response to the Motion to Dismiss is February 1, 2008;

4 WHEREAS Plaintiffs anticipate that they will require one extra week to file their
5 memorandum in opposition to the Motion to Dismiss as a result the recent health issues experienced
6 by the attorney primarily responsible for drafting the opposition, Heather Moser, in addition to the
7 numerous other filings due during the same time period;

8 WHEREAS Plaintiffs are evaluating whether they wish to pursue these claims and require an
9 additional week in which to do so;

10 WHEREAS Defendants anticipate that they will require a week to file their reply brief in
11 support of the Motion to Dismiss, as allowed under the Civil Local Rules for the Northern District of
12 California; and

13 WHEREAS the parties have agreed to a mutual extension of time for the opposition to the
14 Motion to Dismiss and the reply in support of the Motion to Dismiss;

15 IT IS HEREBY STIPULATED by and between the parties to this action, through their
16 counsel of record, as follows:

17 1. Plaintiffs' memorandum in opposition to Defendants' Motion to Dismiss Claims
18 Against Defendants William P. Greene, Jr. and Michael B. Mukasey shall be due on February 8,
19 2008.

20 2. Defendants' reply memorandum of points and authorities in support of the motion for
21 a protective order to stay discovery shall be due on February 15, 2008.

22 3. The hearing date will be moved to February 29, 2008, the same date currently set for
23 the hearing on Defendants' Motion for Protective Order to Stay Discovery from the U.S. Court of
24 Appeals for Veterans Claims.

1 Dated: January 31, 2008

GORDON P. ERSPAMER
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6 By: /s/ Heather A. Moser
Heather A. Moser

7 Attorneys for Plaintiffs

8
9 Dated: January 31, 2008

PETER D. KEISLER
SCOTT N. SCHOOLS
RICHARD LEPLEY
DANIEL BENSING
STEVEN Y. BRESSLER
KYLE R. FREENY
UNITED STATES DEPARTMENT
OF JUSTICE

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14 By: /s/ Daniel Bensing
Daniel Bensing

15 Attorneys for Defendants

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18 I, Heather A. Moser, am the ECF User whose ID and password are being used to file
19 this Stipulated Request to Extend Time for Opposition to Motion for Protective Order to Stay
20 Discovery and Reply Memorandum in Support of Motion for Protective Order to Stay Discovery. In
21 compliance with General Order 45, X.B., I hereby attest that Daniel Bensing has concurred in this
22 filing.

23 Dated: January 31, 2008

MORRISON & FOERSTER LLP

24
25
26 By: /s/ Heather A. Moser
Heather A. Moser

27 Attorneys for Plaintiffs

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2 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

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4 DATED:

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6 THE HONORABLE SAMUEL CONTI
7 UNITED STATES DISTRICT COURT JUDGE
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