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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

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

Plaintiffs,

v.

GORDON H. MANSFIELD, Acting Secretary of
Veterans Affairs, *et al.*,

Defendants.

Case No. C-07-3758-SC

CLASS ACTION

**[PROPOSED] ORDER DENYING
DEFENDANTS' MOTION TO
DISMISS**

Date: December 14, 2007
Time: 10:00 a.m.
CRM: Courtroom 1, 17th Floor
Judge: Hon. Samuel Conti

Complaint Filed: July 23, 2007

1 Defendants' Motion to Dismiss Plaintiffs Veterans for Common Sense and Veterans United
2 for Truth, Inc.'s ("Plaintiffs") Complaint pursuant to Rules 12(b)(1) and 12(b)(6) of the Federal
3 Rules of Civil Procedure came on for hearing on December 14, 2007.

4 Having considered the written and oral arguments of the parties, the pleadings and papers
5 filed in this matter, the matters included in Plaintiffs' Request for Judicial Notice, and the evidence
6 submitted therein, Defendants' Motion to Dismiss is hereby DENIED. Pursuant to Federal Rule of
7 Evidence 201, Plaintiffs' Request for Judicial Notice is hereby GRANTED. Defendants shall file an
8 answer Plaintiffs' Complaint within 10 days of the date of filing of this Order.

9 **IT IS SO ORDERED.**

10 Dated: _____, 2007

11 _____
12 THE HONORABLE SAMUEL CONTI
13 United States District Judge

14 Proposed Order Submitted by:

15 SIDNEY M. WOLINSKY
16 MELISSA W. KASNITZ
17 JENNIFER WEISER BEZOZA
18 KATRINA KASEY CORBIT
19 DISABILITY RIGHTS ADVOCATES

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27 By: _____
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