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 MICHAEL D. ALMY

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 MICHAEL ALMY, JASON KNIGHT, and
 16 ANTHONY LOVERDE,

17 Plaintiffs,

18 v.

19 UNITED STATES DEPARTMENT OF
 20 DEFENSE; ROBERT M. GATES, Secretary
 of Defense; DEPARTMENT OF THE AIR
 21 FORCE; MICHAEL B. DONLEY, Secretary,
 Department of the Air Force; DEPARTMENT
 22 OF THE NAVY; and RAY MABUS,
 Secretary, Department of the Navy,

23 Defendants.

Case No. cv 10-5627 (RS)

**STIPULATION TO CONTINUE
 DEADLINE FOR FINALIZING
 SETTLEMENT**

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1 **STIPULATION**

2 Pursuant to Civil Local Rules 6-2, 7-11, and 7-12, and for the reasons set forth below,
3 plaintiff Michael Almy and the Government Defendants file this stipulation for a one-week
4 extension of the March 1, 2013 deadline for finalizing a settlement, as set forth in the Court's
5 February 14, 2013 order (ECF No. 100).

6 On October 11, 2012, the parties filed a Stipulation to Stay Proceedings. (ECF No. 93.)
7 On October 15, 2012, the Court granted the stipulation and ordered: "All proceedings in this case
8 . . . shall be stayed pending the completion of the parties' attempts to achieve a resolution outside
9 this matter. The parties shall file a joint status report updating the Court on their settlement
10 attempts on November 15, 2012, and every 30 days thereafter[.]" (ECF No. 94 at 2.)

11 Pursuant to that order, the parties filed joint status reports on November 15, 2012 (ECF
12 No. 95), December 17, 2012 (ECF No. 96), and January 14, 2013 (ECF No. 97). In these status
13 reports, the parties indicated that they had continued their settlement discussions and were in the
14 process of finalizing a resolution of this matter.

15 On January 22, 2013, the Court ordered: "If the case is not resolved without the Court's
16 involvement by February 15, 2013, the Court will reset hearing dates for and resume briefing on
17 and consideration of the Motion for Protective Order, Plaintiff's Motion for Partial Summary
18 Judgment, and Defendants' Motion to Dismiss or, in the alternative, for Summary Judgment."
19 (ECF No. 98.)

20 On February 13, 2013, the parties filed a stipulation and joint status report stating that they
21 had exchanged drafts of a settlement agreement and were currently in the process of finalizing the
22 language of the agreement. (ECF No. 99.) Accordingly, the parties jointly requested that the
23 Court grant a two-week extension of the February 15 deadline set forth in the January 22 order, so
24 that they could complete this process. On February 14, 2013, the Court granted this stipulation
25 and extended the deadline to March 1, 2013. (ECF No. 100.)

26 The parties have been working diligently to finalize the settlement. Despite their best
27 efforts to complete this process by March 1, they need an additional week to address a few
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1 remaining details. The parties therefore request an additional one-week extension of the March 1
2 deadline so that they may complete their efforts to bring this case to a conclusion.

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Dated: March 1, 2013

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By: /s/ M. Andrew Woodmansee
M. ANDREW WOODMANSEE

Attorneys for Plaintiff
MICHAEL ALMY

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DECLARATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3).

I, M. ANDREW WOODMANSEE, hereby declare pursuant to Civil Local Rule 5-1(i)(3), that I have obtained the concurrence in the filing of this document from each of the other signatories listed below.

I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on March 1, 2013, in the City of San Diego, State of California.

/s/ M. Andrew Woodmansee
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Attorneys for the Federal Defendants

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that all counsel of record, who are deemed to have consented to electronic
3 service, are being served this 1st day of March, 2013, with a copy of this document via the
4 Court's CM/ECF system.
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6 /s/ M. Andrew Woodmansee
7 M. Andrew Woodmansee
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