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12 **UNITED STATES DISTRICT COURT**
 13 **NORTHERN DISTRICT OF CALIFORNIA**

14	MICHAEL D. ALMY, ANTHONY J.)	Case No. 3:10-cv-5627 (RS)
15	LOVERDE, and JASON D. KNIGHT,)	
16)	[PROPOSED] ORDER GRANTING
17	Plaintiffs,)	DEFENDANTS' MOTION TO
18	v.)	DISMISS OR, IN THE ALTERNATIVE,
19)	CROSS-MOTION FOR SUMMARY
20	UNITED STATES DEPARTMENT OF)	JUDGMENT
21	DEFENSE, ROBERT M. GATES, Secretary of)	
22	Defense; DEPARTMENT OF THE AIR FORCE;)	
23	MICHAEL B. DONLEY, Secretary, Department)	
24	of the Air Force; DEPARTMENT OF THE)	
25	NAVY; and RAY MABUS, Secretary,)	
26	Department of the Navy,)	
27)	
28	Defendants.)	

1 This matter is before the Court on Plaintiffs’ Motion for Partial Summary Judgment and
2 Defendants’ Motion to Dismiss or, in the Alternative, Cross-Motion for Summary Judgment.
3 Having considered the parties’ submissions and heard argument on the motions, the Court
4 hereby GRANTS Defendants’ Motion and DENIES Plaintiffs’ Motion for Partial Summary
5 Judgment. Plaintiffs’ action is therefore dismissed with prejudice.

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7 Dated: _____

Judge Richard Seeborg
United States District Court

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