

E-Filed 9/2/11

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 MICHAEL D. ALMY, JASON D. KNIGHT,
 13 AND ANTHONY J. LOVERDE

14 UNITED STATES DISTRICT COURT
 15 NORTHERN DISTRICT OF CALIFORNIA

16 MICHAEL ALMY, JASON KNIGHT, and
 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.
24

Case No. cv 10-5627 (RS)

**PLAINTIFFS' JOINT STIPULATION
 SETTING FORTH REVISED
 BRIEFING SCHEDULE DEADLINES**

Date: October 27, 2011

Time: 1:30 p.m.

Courtroom: 3, 17th Floor

JUDGE: HON. RICHARD SEEBORG

RECITALS

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1. Plaintiffs’ response to Defendants’ Motion to Dismiss or, in the alternative, Cross-Motion for Summary Judgment (“Defendants’ Motion”) is currently due on September 2, 2011. *See* ECF No. 46. Plaintiffs’ Reply in Support of their Partial Motion for Summary Judgment is due the same day. *See id.*

2. Defendants’ Reply in Support of Defendants’ Motion is currently due on September 9, 2011. *See id.*

3. To explore the possibility of resolution outside the Court, the parties have stipulated, pursuant to Local Rule 6-1, to an extension of the date for Plaintiffs’ response to the Defendants’ Motion from September 2, 2011 to October 6, 2011.

4. Defendants would then file a reply brief in support of Defendants’ Motion on or before October 20, 2011.

5. The parties’ motions would be heard on October 27, 2011, if that date is available on the Court’s calendar.

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STIPULATION

Plaintiffs will respond to the Defendants’ Motion and in support of their own Motion for Partial Summary Judgment on or before October 6, 2011, pursuant to the agreement of parties under Local Rule 6-1.

Defendants will then file a reply brief in support of Defendants’ Motion on or before October 20, 2011.

The parties’ motions would then be heard on October 27, 2011, if that date is available on the Court’s calendar.

Pursuant to Local Rule 6-2 and 7-12, the parties jointly request an order changing the date for the hearing on Plaintiffs’ Motion for Partial Summary Judgment and Defendants’ Motion to October 27, 2011, and an order setting forth the above briefing schedule regarding the parties’ motions.

Dated: September 2, 2011

M. ANDREW WOODMANSEE
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KIMBERLY R. GOSLING
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By: /s/ M. ANDREW WOODMANSEE
M. ANDREW WOODMANSEE

Attorneys for Plaintiffs
MICHAEL ALMY, JASON KNIGHT,
AND ANTHONY LOVERDE

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DECLARATION PURSUANT TO GENERAL ORDER 45, § X.B.

I, M. ANDREW WOODMANSEE, hereby declare pursuant to General Order 45, § X.B., 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 September 2, 2011, in the City of San Diego, State of California.

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

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PROPOSED ORDER

It is hereby **ORDERED** that, Plaintiffs will file their (1) Reply in Support of their Partial Motion for Summary Judgment, ECF Nos. 43-44, and (2) Opposition to Defendants' Motion to Dismiss or, in the alternative, Cross-Motion for Summary Judgment ("Defendants' Motion"), ECF 49, on or before October 6, 2011. Defendants will then file a reply brief in support of Defendants' Motion, on or before October 20, 2011. The parties' motions would then be heard on October 27, 2011 at 1:30 p.m.

IT IS SO ORDERED,

Dated: 9/2 _____, 2011



Judge Richard Seeborg
United States District Court