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Attorneys for Plaintiffs
MICHAEL D. ALMY, JASON D. KNIGHT,
AND ANTHONY J. LOVERDE

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

MICHAEL ALMY, JASON KNIGHT, and
ANTHONY LOVERDE,

Plaintiffs,

v.

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

Defendants.

Case No. cv 10-5627 (RS)

**JOINT STIPULATION TO STAY
BRIEFING ON PARTIES' CROSS-
MOTIONS AND TO VACATE
HEARING DATE**

Date: October 27, 2011

Time: 1:30 p.m.

Courtroom: 3, 17th Floor

JUDGE: HON. RICHARD SEEBORG

RECITALS

1. Plaintiffs' response to Defendants' Motion to Dismiss or, in the alternative, Cross-Motion for Summary Judgment ("Defendants' Motion") is currently due on October 6, 2011. *See* ECF No. 53. 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 October 20, 2011. *See id.*
3. To continue exploring the possibility of resolution outside of this matter, the parties have stipulated, pursuant to Local Rule 6-2, to stay the briefing on these motions and to vacate the hearing date while attempts to achieve such resolution continue.
4. As a result, it is also stipulated that the hearing shall be taken off calendar while the parties continue attempts to reach such resolution outside this matter.
5. It is further stipulated that the hearing will be rescheduled at the request of the Court or the parties should the parties be unable to resolve this matter without the Court's involvement in a timely manner.

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STIPULATION

Pursuant to Local Rule 6-2 and 7-12, the parties jointly request an order staying the briefing on Plaintiffs' Motion for Partial Summary Judgment and Defendants' Motion.

It is also stipulated that the current hearing date shall be vacated while attempts to resolve the matter outside this action continue.

Should a hearing on the Motions become necessary, either party may move for a new hearing date and briefing schedule.

Dated: September 29, 2011

M. ANDREW WOODMANSEE
STEPHANIE L. FONG
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JESSICA ANNE ROBERTS
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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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I declare under penalty of perjury that the foregoing declaration is true and correct.

Executed on September 29, 2011, in the City of San Diego, State of California.

Attorneys for Plaintiffs

Attorneys for the Federal Defendants