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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)

**SUPPLEMENTAL CASE
 MANAGEMENT STATEMENT AND
 PROPOSED ORDER**

**DATE: FEBRUARY 9, 2012
 TIME: 10:00 A.M.
 COURTROOM: 3, 17TH FLOOR
 JUDGE: HON. RICHARD SEEBORG**

1 Pursuant to Civil L.R. 16-10(d), the parties to the above-entitled action certify that they
2 were in email communication regarding this matter 10 days prior to the subsequent case
3 management conference scheduled in this case. The parties conducted a meet and confer on
4 February 1, 2012. As a result of that meet and confer, the parties jointly submit this
5 Supplemental Case Management Statement and Proposed Order and request the Court to adopt it
6 as a Supplemental Case Management Order in this case.

7 **DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS**

8 **1. The following progress or changes have occurred since the last case**
9 **management statement filed by the parties:**

10 The parties remain optimistic that this case may be resolved without the need for further
11 judicial intervention.

12 One of the plaintiffs, Jason Knight, has been reinstated to active duty in the United States
13 Navy. A dismissal for this plaintiff shall follow shortly.

14 The paperwork for reaccession of the remaining two plaintiffs, Michael Almy and
15 Anthony Loverde, remains under review. The parties remain hopeful that the process as to
16 Plaintiff Almy and Plaintiff Loverde will soon be completed.

17 **2. The parties jointly request the Court to make the following Supplemental**
18 **Case Management Order:**

19 Another Case Management Conference shall be set for March 22, 2012 at 10:00 a.m.

20 In the interim, the parties shall appear telephonically at the Case Management Conference
21 on February 9, 2012, to answer any further questions the Court may have regarding the status of
22 this case.

23 In the event the Court feels that a telephonic hearing on February 9, 2012, is not
24 necessary, both parties are amenable to the Court postponing the CMC until March 22, 2012, or
25 such date as is convenient for the Court.

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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 February 2, 2012, in the City of San Diego, State of California.

/s/ M. Andrew Woodmansee
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SUPPLEMENTAL CASE MANAGEMENT ORDER

The Supplemental Case Management Statement and Proposed Order are hereby adopted by the Court as a Supplemental Case Management Order for the case and the parties are ordered to comply with this Order:

The Case Management Conference on February 9, 2012 meeting will [will not] go forward as scheduled.

A Case Management Conference will be set for March 22, 2012.

Dated: _____

United States District Judge