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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)

**SUPPLEMENTAL CASE  
 MANAGEMENT STATEMENT AND  
 PROPOSED ORDER**

**DATE: MAY 17, 2012**

**TIME: 10:00 A.M.**

**COURTROOM: 3, 17<sup>TH</sup> 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/voicemail communication regarding this matter 10 days prior to the subsequent  
3 case management conference scheduled in this case. The parties jointly submit this Supplemental  
4 Case Management Statement and Proposed Order and request the Court to adopt it as a  
5 Supplemental Case Management Order in this case.

6 **DESCRIPTION OF SUBSEQUENT CASE DEVELOPMENTS**

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

9 As the Court is aware, Mr. Daniels has been reinstated into the Navy. Mr. Loverde's  
10 application for reinstatement has also now been granted, and he will be sworn back into the Air  
11 Force on May 23rd and will begin his duties on June 6th. Mr. Almy's application for  
12 reinstatement is being processed and the parties expect a decision on the application soon. Given  
13 that the parties have resolved the claims of two of the three plaintiffs, the parties continue to  
14 evaluate whether this case may be resolved in its entirety without the need for further judicial  
15 intervention.

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

18 Another Case Management Conference shall be set for June 15, 2012 at 10:00 a.m.

19 In the interim, the parties shall appear telephonically at the Case Management Conference  
20 on May 17, 2012, to answer any further questions the Court may have regarding the status of this  
21 case.

22 In the event the Court feels that a telephonic hearing on May 17, 2012, is not necessary,  
23 both parties are amenable to the Court postponing the CMC until June 15, 2012, or such date as is  
24 convenient for the Court.

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

Executed on May 10, 2012, in the City of San Diego, State of California.

Attorneys for Plaintiffs

Attorneys for Federal Defendants

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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 May 17 2012 meeting will [will not] go forward as scheduled, and the parties shall appear telephonically.

A Case Management Conference will be set for June 15, 2012.

Dated:\_\_\_\_\_

\_\_\_\_\_  
United States District Judge