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UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

MICHAEL D. ALMY, JASON D. KNIGHT,  
and ANTHONY J. 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. 10-cv-05627-RS

**[PROPOSED] ORDER GRANTING  
MOTION FOR PARTIAL SUMMARY  
JUDGMENT**

Date: August 9, 2012  
Time: 1:30 p.m.  
Courtroom: 3, 17<sup>th</sup> Floor  
Judge: Hon. Richard Seeborg

This matter coming before the Court on Plaintiff Almy’s Motion for Partial Summary Judgment, the Court, having considered the papers, all the record evidence and arguments of counsel, finds Plaintiff’s discharge proceedings and subsequent discharge violated his substantive due process rights.

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THEREFORE,

Plaintiff Almy’s Motion for Partial Summary Judgment is GRANTED, and the Defendants shall reinstate Plaintiff on active duty in the U.S. Air Force within 30 days.

IT IS SO ORDERED.

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

\_\_\_\_\_  
Hon. Richard Seeborg  
U.S. District Court Judge