

1 IAN GERSHENGORN
 Deputy Assistant Attorney General
 2 MELINDA L. HAAG
 United States Attorney
 3 VINCENT M. GARVEY
 Deputy Branch Director
 4 PAUL G. FREEBORNE
 Senior Trial Counsel
 5 Virginia Bar No. 33024
 RYAN B. PARKER
 6 Trial Attorney
 Civil Division, Federal Programs Branch
 7 U.S. Department of Justice
 P.O. Box 883
 8 Washington, D.C. 20044
 Telephone: (202) 353-0543
 9 Facsimile: (202) 616-8460
 E-mail: paul.freeborne@usdoj.gov
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11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA

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

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15 Plaintiffs,

16 v.

17 UNITED STATES DEPARTMENT OF
 18 DEFENSE *et al.*,

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20 Defendants.

CASE NO.: CV 3:10-CV-5627 (RS)
 DEFENDANTS' ADMINISTRATIVE
 MOTION FOR A CONTINUANCE OF THE
 HEARING DATE FOR PLAINTIFF
 ALMY'S PARTIAL MOTION FOR
 SUMMARY JUDGMENT
 HONORABLE RICHARD SEEBORG
 COURTROOM: SAN FRANCISCO
 COURTHOUSE, COURTROOM 3 – 17TH
 FLOOR, 450 GOLDEN GATE AVENUE,
 SAN FRANCISCO CA 94102

1 Defendants respectfully request a continuance of the hearing date for Plaintiff Almy's
2 motion for partial summary judgment, Dkt. No. 70. Defendants have good cause for this motion.
3 Plaintiff Almy filed his partial motion for summary judgment on July 5, 2012, and noticed the
4 motion for hearing on August 9, 2012. Defendants will oppose Plaintiff Almy's motion and file
5 a motion to dismiss or, in the alternative, for summary judgment. For the convenience of the
6 parties and the Court, Defendants request that the parties' respective motions be briefed and
7 heard together and propose the following schedule:
8

- 9 • August 3 – Defendants will file their Opposition to Plaintiff Almy's motion and
10 their motion to dismiss or, in the alternative, for summary judgment;
- 11 • August 17 – Plaintiff Almy will file his reply in support of his motion and his
12 opposition to Defendants' motion;
- 13 • August 30 – Defendants will file their reply in support of their motion; and
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- 15 • September 13 – the parties' respective motions will be heard.
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17 Counsel for Defendants consulted with counsel for Plaintiff Almy regarding this motion on July
18 12, 2012, and Plaintiff Almy does not object to this motion or the proposed schedule set forth
19 above. A declaration and proposed order accompany this motion.
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1 DATED: July 12, 2012

Respectfully submitted,

2 IAN HEATH GERSHENGORN
3 Deputy Assistant Attorney General,
4 Civil Division

5 MELINDA L. HAAG
6 United States Attorney

7 VINCENT M. GARVEY
8 Deputy Director

9
10 /s/Ryan B. Parker
11 PAUL G. FREEBORNE
12 RYAN B. PARKER
13 U.S. Department of Justice, Civil Division
14 *Attorneys for the Federal Defendants*
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