

1 M. ANDREW WOODMANSEE (CA SBN 201780)
 MAWoodmansee@mofocom
 2 STEPHANIE L. FONG (CA SBN 240836)
 SFong@mofocom
 3 KIMBERLY R. GOSLING (CA SBN 247803)
 KGosling@mofocom
 4 JESSICA A. ROBERTS (CA SBN 265570)
 JRoberts@mofocom
 5 MORRISON & FOERSTER LLP
 12531 High Bluff Drive
 6 San Diego, California 92130-2040
 Telephone: 858.720.5100
 7 Facsimile: 858.720.5125

8 JOHN M. GOODMAN (DC SBN 383147)
 jgoodman@sldn.org
 9 SERVICEMEMBERS LEGAL DEFENSE NETWORK
 P. O. Box 65301
 10 Washington, DC 20035-5301
 Telephone: 202.328.3244
 11 Facsimile: 202.797.1635

12 Attorneys for Plaintiff
 MICHAEL D. ALMY

13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA

15 MICHAEL ALMY, JASON KNIGHT, and
 16 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.

Case No. cv 10-5627 (RS)

**DECLARATION OF
 JESSICA ROBERTS IN SUPPORT OF
 STIPULATED JOINT
 ADMINISTRATIVE MOTION AND
 [PROPOSED] ORDER FOR STAY OF
 CURRENT BRIEFING SCHEDULE
 AND TO CREATE BRIEFING
 SCHEDULE ON MOTION FOR
 PROTECTIVE ORDER**

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1 I, Jessica Roberts, hereby declare as follows:

2 1. I am a member of the bar of the State of California. I am an associate with the law
3 firm of Morrison & Foerster LLP, counsel for plaintiff Michael D. Almy. I have personal
4 knowledge of the facts set forth herein, and if called upon to do so, I could and would testify
5 competently thereto.

6 2. On August 10, 2012, Defendants in this matter are scheduled to file their
7 Opposition to Plaintiff Almy's motion for summary judgment and their own motion to dismiss, or
8 in the alternative, motion for summary judgment. *See* ECF No. 77.

9 3. Defendants have indicated that they intend to attach documents and quote from
10 documents that Plaintiff believes should be filed under seal. Defendants disagree with Plaintiff's
11 assessment of the confidentiality of these materials and, pursuant to Federal Regulation 29 CFR
12 50.9, believe that it is appropriate to file them on the public record.

13 4. Until the Court resolves Plaintiff's Motion for a Protective Order, the Parties
14 propose to stay the briefing schedule in this matter.

15 5. The briefing schedule at issue has been continued twice before. ECF No. 73, 76.

16 6. The proposed stay would continue the briefing until five (5) business days after the
17 Court's ruling on the Protective Order, and then continue pursuant to a revised briefing schedule
18 ordered by the Court.

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

20 Executed on August 9, 2012, at San Diego, California.

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By: /s/ Jessica Roberts
Jessica Roberts
jroberts@mof.com

MORRISON & FOERSTER LLP
Attorneys for Plaintiff
Michael D. Almy

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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record, who are deemed to have consented to electronic service, are being served this 9th day of August, 2012, with a copy of this document via the Court's CM/ECF system.

/s/ Jessica Roberts
Jessica Roberts