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

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

Attorneys for Plaintiff
MICHAEL D. ALMY

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)

STIPULATED JOINT ADMINISTRATIVE MOTION AND [~~PROPOSED~~] ORDER FOR STAY OF CURRENT BRIEFING SCHEDULE AND TO CREATE BRIEFING SCHEDULE ON MOTION FOR PROTECTIVE ORDER

In accordance with Northern District of California Local Rules 6-2, 7-11 and 7-12 plaintiff Michael Almy and the Government Defendants, by and through their respective counsel, file this stipulated joint administrative motion for a stay of the current briefing schedule and to create a briefing schedule on a motion for a protective order.

On August 10, 2012, Defendants in this matter are scheduled to file their Opposition to Plaintiff Almy's Motion for Summary Judgment and their own Motion to Dismiss, or in the alternative, Motion for Summary Judgment. Defendants have indicated that they intend to attach documents and quote from documents that Plaintiff believes should be filed under seal. Defendants disagree with Plaintiff's assessment of the confidentiality of these materials and, pursuant to Federal Regulation 29 CFR 50.9, believe that it is appropriate to file them on the public record.

The parties have met and conferred on this issue and have reached the following agreement, subject to the Court's approval:

- that the briefing schedule set out in ECF No. 77 be stayed pending resolution of a protective order regarding the material at issue;
- that Plaintiff files a Motion for Protective Order no later than August 24, 2012, which shall be noticed for October 4, 2012 at 1:30 p.m.;
- that Defendant files an Opposition to the Motion for Protective Order no later than September 7, 2012;
- that Plaintiff files a Reply to the Motion for Protective Order no later than September 14, 2012.

Due to the dispute over the nature of the materials, the briefing on the Protective Order shall be filed under seal pending resolution by the Court. To the extent the Court deems the material at issue not to be "sealable," the briefing regarding the Motion for Protective Order shall become public five (5) business days after the Court's ruling on the Motion for Protective Order.

///

///

///

Also, five (5) business days following the Court's ruling on the Motion for Protective Order, the briefing for Plaintiff s Motion for Summary Judgment and Defendant's Motion to Dismiss, or in the alternative, Motion for Summary Judgment shall resume pursuant to a revised briefing schedule ordered by the Court.

Dated: August 9, 2012

M. ANDREW WOODMANSEE
STEPHANIE L. FONG
KIMBERLY R. GOSLING
JESSICA ANNE ROBERTS
MORRISON & FOERSTER LLP

JOHN M. GOODMAN
SERVICEMEMBERS LEGAL DEFENSE NETWORK

By: /s/ M. Andrew Woodmansee
M. ANDREW WOODMANSEE

Attorneys for Plaintiff
MICHAEL ALMY

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: 8/9/12

United States District Court Judge