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 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 M. ANDREW  
 WOODMANSEE IN SUPPORT OF  
 STIPULATION TO STAY  
 PROCEEDINGS**

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I, M. Andrew Woodmansee, hereby declare as follows:

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

2. On July 5, 2012, Plaintiff Almy filed a Motion for Partial Summary Judgment. (ECF No. 70.) The briefing schedule for Plaintiff's Motion for Partial Summary Judgment has been continued twice and is currently stayed pending the outcome of Plaintiff's Motion for a Protective Order. (See ECF No. 74, 77, and 79.)

3. On August 24, 2012, Plaintiff Almy filed a Motion for Protective Order under seal. Defendants filed an opposition under seal on September 7, 2012, and Plaintiff filed a reply under seal on September 14, 2012. The briefing schedule for Plaintiff's Motion for Protective Order has been continued twice and was most recently set to be heard by this Court on October 15, 2012, at 1:30 p.m. (ECF No. 86 and 89.) On October 10, 2012, the Court vacated the October 15 hearing and the motion was submitted without oral argument. (ECF No. 90.)

4. The proposed stay is agreed to by both sides and would continue pending the completion of the parties' attempts to achieve a resolution outside this matter.

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

Executed on October 11, 2012, at San Diego, California.

By: /s/ M. Andrew Woodmansee  
M. Andrew Woodmansee  
MAWoodmansee@mfo.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 11th day of October, 2012, with a copy of this document via the Court's CM/ECF system.

/s/ M. Andrew Woodmansee  
M. Andrew Woodmansee