

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)

**STIPULATION TO CONTINUE  
 DEADLINE FOR FINALIZING  
 SETTLEMENT, AND JOINT STATUS  
 REPORT**

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**STIPULATION AND JOINT STATUS REPORT**

Pursuant to Civil Local Rules 6-2, 7-11, and 7-12, and for the reasons set forth below, plaintiff Michael Almy and the Government Defendants file this stipulation for a two-week extension of the February 15, 2013 deadline for finalizing a settlement, as set forth in the Court’s January 22, 2013 order (ECF No. 98).

On October 11, 2012, the parties filed a Stipulation to Stay Proceedings. (ECF No. 93.) On October 15, 2012, the Court granted the stipulation and ordered: “All proceedings in this case . . . shall be stayed pending the completion of the parties’ attempts to achieve a resolution outside this matter. The parties shall file a joint status report updating the Court on their settlement attempts on November 15, 2012, and every 30 days thereafter[.]” (ECF No. 94 at 2.)

Pursuant to that order, the parties filed joint status reports on November 15, 2012 (ECF No. 95), December 17, 2012 (ECF No. 96), and January 14, 2013 (ECF No. 97). In these status reports, the parties indicated that they had continued their settlement discussions and were in the process of finalizing a resolution of this matter.

On January 22, 2013, the Court ordered: “If the case is not resolved without the Court’s involvement by February 15, 2013, the Court will reset hearing dates for and resume briefing on and consideration of the Motion for Protective Order, Plaintiff’s Motion for Partial Summary Judgment, and Defendants’ Motion to Dismiss or, in the alternative, for Summary Judgment.” (ECF No. 98.)

The parties have exchanged drafts of a settlement agreement and are currently in the process of finalizing the language of the agreement. Accordingly, the parties jointly request that the Court grant a two-week extension of the February 15 deadline set forth in the January 22 order, so that they may complete this process.

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Dated: February 13, 2013

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

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**DECLARATION PURSUANT TO CIVIL LOCAL RULE 5-1(i)(3).**

I, M. ANDREW WOODMANSEE, hereby declare pursuant to Civil Local Rule 5-1(i)(3), that I have obtained the concurrence in the filing of this document from each of the other signatories listed below.

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

Executed on February 13, 2013, in the City of San Diego, State of California.

/s/ M. Andrew Woodmansee  
M. ANDREW WOODMANSEE  
12531 High Bluff Drive  
San Diego, CA 92130  
Phone: (858) 720-5100  
Fax: (858) 720-5125  
Email: mawoodmansee@mofoc.com

Attorneys for Plaintiff Michael D. Almy

/s/ Paul G. Freeborne  
PAUL G. FREEBORNE  
United States Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Avenue, NW, Room 6108  
Washington DC 20001  
Phone: (202) 353-0543  
Fax: (202) 616-8460  
Email: paul.freeborne.usdoj.gov

Attorneys for the Federal Defendants

1 **CERTIFICATE OF SERVICE**

2 I hereby certify that all counsel of record, who are deemed to have consented to electronic  
3 service, are being served this 13th day of February, 2013, with a copy of this document via the  
4 Court's CM/ECF system.  
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6 /s/ M. Andrew Woodmansee  
7 M. Andrew Woodmansee  
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