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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 M. ANDREW
 WOODMANSEE IN SUPPORT OF
 STIPULATION TO CONTINUE
 DEADLINE FOR FINALIZING
 SETTLEMENT, AND JOINT STATUS
 REPORT**

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

2 1. I am a member of the bar of the State of California. I am a partner 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 July 5, 2012, Plaintiff Almy filed a Motion for Partial Summary Judgment.
7 (ECF No. 70.) The briefing schedule for Plaintiff's Motion for Partial Summary Judgment has
8 been continued twice and is currently stayed pending the outcome of Plaintiff's Motion for a
9 Protective Order. (See ECF No. 74, 77, and 79.)

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

16 4. On October 11, 2012, the parties filed a Stipulation to Stay Proceedings. (ECF
17 No. 93.) On October 15, 2012, the Court granted the stipulation and ordered: "All proceedings in
18 this case . . . shall be stayed pending the completion of the parties' attempts to achieve a
19 resolution outside this matter. The parties shall file a joint status report updating the Court on
20 their settlement attempts on November 15, 2012, and every 30 days thereafter[.]" (ECF No. 94 at
21 2.)

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

26 6. On January 22, 2013, the Court ordered: "If the case is not resolved without the
27 Court's involvement by February 15, 2013, the Court will reset hearing dates for and resume
28 briefing on and consideration of the Motion for Protective Order, Plaintiff's Motion for Partial

1 Summary Judgment, and Defendants’ Motion to Dismiss or, in the alternative, for Summary
2 Judgment.” (ECF No. 98.)

3 7. The parties have exchanged drafts of a settlement agreement and are currently in
4 the process of finalizing the language of the agreement. Accordingly, the parties have agreed to
5 request a two-week extension of the February 15 deadline set forth in the January 22 order, so
6 that they may complete this process.

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

8 Executed on February 13, 2013, at San Diego, California.

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By: /s/ M. Andrew Woodmansee
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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 13th day of February, 2013, with a copy of this document via the Court's CM/ECF system.

/s/ M. Andrew Woodmansee
M. Andrew Woodmansee