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11	Attorneys for Defendant CHUCK HAGEL					
12	UNITED STATES DISTRICT COURT					
13	NORTHERN DISTRICT OF CALIFORNIA					
14	SAN FRANCISCO DIVISION					
15						
16	MARY JENNINGS HEGAR, JENNIFER HUNT, ALEXANDRA ZOE BEDELL, COLLEEN FARRELL, and SERVICE WOMEN'S ACTION	CASE NO. C 12-06005 EMC				
17	NETWORK,	STIPULATION AND [P <del>ROPOS</del> ED]				
18	Plaintiffs,	ORDER TO CONTINUE INITIAL CASE MANAGEMENT				
19	v.	CONFERENCE SET FOR JULY 18, 2013 AND ADR DEADLINES				
20	CHUCK HAGEL, Secretary of Defense,					
21	Defendant.					
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	20948469 2 NO_C 12-06005 EMC					

1	Defendant Chuck Hagel, <sup>1</sup> Secretary of Defense ("Secretary") and Plaintiffs Mary		
2	Jennings Hegar, Jennifer Hunt, Alexandra Zoe Bedell, Colleen Farrell, and Service		
3	Women's Action Network (collectively, "the parties"), by and through their respective		
4	counsel, hereby stipulate as follows:		
5	1. On November 27, 2012, Plaintiffs filed their Complaint for Declaratory and		
6	Injunctive Relief challenging as unconstitutional the 1994 direct ground combat definition		
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	and assignment rule, and the Court issued an Order Setting Initial Case Management		
8	Conference and ADR Deadlines;		
9	2. On January 24, 2013, the Secretary rescinded the 1994 direct ground combat		
10	definition and assignment rule and directed the Military Services to submit plans to him by		
11	May 15, 2013, for implementation of this policy change;		
12	3. In light of the above, on January 29, 2013, the parties filed a stipulation with		
13	the Court agreeing to meet and confer within three weeks of the deadline for submitting the		
14	implementation plans and to allow the Secretary thirty (30) days after that meet and confer		
15	to respond to the Complaint;		
16	4. On February 7, 2013, the parties filed a stipulation and proposed order with		
17	the Court to continue the initial case management conference and ADR deadlines, and on		
18	February 8, 2013, the Court ordered revision of the initial case management conference and		
19	ADR deadlines set forth in the November 27, 2012 Order as follows:		
20	6/15/2013 Last day to: meet and confer re: initial disclosures, early settlement,		
21	ADR process selection, and discovery plan; file ADR Certification		
22	signed by Parties and Counsel; file either Stipulation to ADR Process		
23	or Notice of Need for ADR Phone Conference		
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27	<sup>1</sup> Pursuant to Rule 25(d)(1) of the Federal Rules of Civil Procedure, Chuck Hagel,		
28	Secretary of Defense, is automatically substituted for Leon Panetta, former Secretary of Defense, who is named in the Complaint.		
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1	7/11/2013 Last day to file Rule 26(f) Report, complete initial disclosures or state		
2	objection in Rule 26(f) Report, and file Case Management Statement		
3	per the Court's Standing Order re Contents of Joint Case		
4	Management Statement		
5	7/18/2013 Initial Case Management Conference		
6	5. Consistent with the parties' agreement to meet and confer within three weeks		
7	of the May 15, 2013 deadline for the Military Services' submission of their implementation		
8	plans, the parties held a telephone conference on May 30, 2013. During the conference,		
9	undersigned counsel for defendant conveyed that the Military Services have submitted their		
10	implementation plans to the Secretary and that the plans are pre-decisional and deliberative		
11	and therefore will not be disclosed publicly or to Plaintiffs. Undersigned counsel for		
12	defendant further conveyed that, consistent with the National Defense Authorization Act of		
13	2013, section 526, H.R. 4310, the Department of Defense ("DoD") plans to report to		
14	Congress in July 2013 on the feasibility of developing gender-neutral occupational		
15	standards for military occupational specialties currently closed to women. Counsel for		
16	defendant further stated that DoD anticipates that the report will provide some information		
17	about the Services' implementation plans.		
18	6. In light of the information provided by counsel for defendant, the parties		
19	have agreed to hold a further meet-and-confer by no later than August 20, 2013. The parties		
20	have stipulated that the Secretary will have thirty (30) days after this further meet and		
21	confer to respond to the Complaint, and a stipulation to that effect has been filed with this		
22	Court. As a result, the parties respectfully submit that it is appropriate to continue the Case		
23	Management Conference and related deadlines as well.		
24	7. The parties therefore request that the Court continue the scheduling dates		
25	established by the February 8, 2013 Order so that they will occur after the parties' meet and		
26	confer (which will occur by August 20, 2013). Specifically, the parties request that: the		
27	June 15, 2013 deadline for them to meet and confer and to file ADR-related materials be		
28	continued to August 30, 2013; that the Initial Case Management Conference be continued		
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1	from July 18, 2013, to October 3, 2013, which is 14 days after the Secretary's response to			
2	the Complaint is due; and that the deadline for the parties' Rule 26(f) Report, initial			
3	disclosures or statement of objection in Rule 26(f) Report, and Case Management Statement			
4	be continued to September 12, 2013.			
5	ACCORDINGLY, the parties respectfully request that the Court revise the initial			
6	case management conference and ADR deadlines set forth in the February 8, 2013 Order as			
7	follows:			
8	8/30/2013	Last day to: meet and	confer re: initial disclosures, early settlement,	
9		ADR process selection	, and discovery plan; file ADR Certification	
10		signed by Parties and C	Counsel; file either Stipulation to ADR Process	
11		or Notice of Need for A	ADR Phone Conference	
12	9/26/2013	Last day to file Rule 26	5(f) Report, complete initial disclosures or state	
13		objection in Rule 26(f)	Report, and file Case Management Statement	
14		per the Court's Standin	g Order re Contents of Joint Case	
15		Management Statemen	t	
16	10/3/2013	Initial Case Manageme	nt Conference	
17	IT IS SO ST	PULATED.		
18	DATED: June 7, 2013			
19				
20	MUNGER, TOLLES		STUART F. DELERY Principal Deputy Assistant Attorney General	
21	STEVEN M. PERRY ROSEMARIE T. RI		MELINDA HAAG United States Attorney	
22	AMERICAN CIVIL	LIBERTIES UNION	ALEX TSE Chief, Civil Division	
23	FOUNDATION OI CALIFORNIA, IN		ANTHONY J. COPPOLINO Deputy Branch Director	
24	ELIZABETH GILL,		Deputy Draiten Director	
25				
26	<u>/s/ Steven M. Perry</u> STEVEN M. PERRY	V	<u>/s/ Caroline Lewis Wolverton</u> CAROLINE LEWIS WOLVERTON	
27	Attorneys for Plainti	ffs	U.S. Department of Justice	
28	(Electronic signature verbally to counsel)	authorized	Attorneys for Defendant	
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1	PURSUANT TO THE PARTIES' STIPULATION, IT IS HEREBY ORDERED
2	THAT:
3	The initial case management conference and ADR deadlines are revised as follows:
4	8/30/2013 Last day to: meet and confer re: initial disclosures, early settlement,
5	ADR process selection, and discovery plan; file ADR Certification
6	signed by Parties and Counsel; file either Stipulation to ADR Process
7	or Notice of Need for ADR Phone Conference
8	9/26/2013 Last day to file Rule 26(f) Report, complete initial disclosures or state
9	objection in Rule 26(f) Report, and file Case Management Statement
10	per the Court's Standing Order re Contents of Joint Case
11	Management Statement
12	10/3/2013 Initial Case Management Conference
13	E ATTER 6/11 2010
14	DATED:, 2013
15	Edward M. Ch United States I Judge Edward M. Chen
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