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 10 Rights Organization; Bruce Price; Franklin D. Rochelle; Larry  
 Meirow; Eric P. Muth; David C. Dufrane; Tim Michael Josephs;  
 11 and William Blazinski

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UNITED STATES DISTRICT COURT  
 NORTHERN DISTRICT OF CALIFORNIA, OAKLAND DIVISION

VIETNAM VETERANS OF AMERICA, *et al.*,  
 Plaintiffs,  
 v.  
 CENTRAL INTELLIGENCE AGENCY, *et al.*,  
 Defendants.

Case No. CV 09-0037-CW

**STIPULATION AND  
 [PROPOSED] ORDER  
 ENLARGING TIME FOR  
 SETTLEMENT PROPOSAL**

Complaint filed January 7, 2009

1 Pursuant to Civil Local Rules 6-2 and 7-12, the parties hereby respectfully stipulate,  
2 subject to the Court's consideration and approval, as follows:

3 1. On October 29, 2010, the Court ordered that "Plaintiffs shall provide to  
4 Defendants a written proposal regarding notice, secrecy oath and principles for provision of  
5 health care and adjudication, no later than thirty days from today." (Doc. 174.);

6 2. Pursuant to the Court's October 29, 2010 Order, Plaintiffs' settlement  
7 proposal is currently due on November 29, 2010.<sup>1</sup> (See Declaration of Timothy W. Blakely in  
8 Support of Stipulation and [Proposed] Order Enlarging Time for Settlement Proposal ("Blakely  
9 Decl."), ¶ 2.)

10 3. The current deadline falls immediately after the Thanksgiving Holiday  
11 weekend, and the individual and organizational Plaintiffs need additional time to confer regarding  
12 the settlement proposal. (*Id.* at ¶ 3.)

13 4. Plaintiffs request fourteen (14) additional days to provide Defendants with  
14 a written proposal regarding notice, secrecy oath and principles for provision of health care and  
15 adjudication. (*Id.* at ¶ 3.)

16 5. On November 22, 2010 counsel for Plaintiffs and Defendants met and  
17 conferred by telephone regarding a proposed extension to the current schedule. (*Id.* at ¶ 4.)

18 6. The parties agree to a brief fourteen-day extension of the November 29,  
19 2010 deadline so that Plaintiffs may have until December 13, 2010 to provide Defendants a  
20 written proposal regarding notice, secrecy oath and principles for provision of health care and  
21 adjudication. (*Id.* ¶ 5.)

22 7. This agreed-upon extension of the schedule for the parties' settlement-  
23 related exchange is not submitted for the purpose of delay. The stipulated continuance reflects  
24 the parties' good-faith and reasonable attempt to accommodate Plaintiffs' request for additional  
25 time in light of the holiday. (*Id.* at ¶ 6.)

26 <sup>1</sup> The due date set by the Court's Order would fall on Sunday, November 28, 2010.  
27 Pursuant to Federal Rule of Civil Procedure 6, that deadline would be continued until the end of  
28 the next business day, Monday, November 29, 2010.

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**IT IS SO STIPULATED.**

Dated: November 24, 2010

GORDON P. ERSPAMER  
TIMOTHY W. BLAKELY  
STACEY M. SPRENKEL  
DANIEL J. VECCHIO  
DIANA LUO  
MORRISON & FOERSTER LLP

By: /s/ TIMOTHY W. BLAKELY  
Timothy W. Blakely  
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Attorneys for Plaintiffs

Dated: November 24, 2010

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UNITED STATES DEPARTMENT OF  
JUSTICE  
CIVIL DIVISION  
FEDERAL PROGRAMS BRANCH

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Attorneys for Defendants

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~~PROPOSED~~ ORDER

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: December 6, 2010

*Elizabeth D. Laporte*

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The Honorable Elizabeth D. Laporte  
Magistrate Judge, United States District Court  
for the Northern District of California

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**GENERAL ORDER 45 ATTESTATION**

I, Timothy W. Blakely, am the ECF User filing this Stipulation Regarding Confidential Settlement Discussions. In compliance with General Order 45, X.B., I hereby attest that Joshua E. Gardner has concurred in this filing.

Dated: November 24, 2010

/s/ TIMOTHY W. BLAKELY  
Timothy W. Blakely

Attorneys for Plaintiffs