

IN THE UNITED STATES COURT OF FEDERAL CLAIMS

ANNE PEARSE-HOCKER,)	
)	
Plaintiff,)	
)	No. 10-269 C
v.)	Judge Edward J. Damich
)	
THE UNITED STATES,)	
)	
Defendant.)	
)	

JOINT MOTION FOR A STAY OF PROCEEDINGS

Plaintiff Anne Pearse-Hocker and defendant, the United States (the government), hereby jointly move for a stay of proceedings while counsel for the parties engage in further settlement discussions that they believe may lead to a complete resolution of this case. Specifically, the parties understand that the plaintiff will be preparing a written offer to government counsel, who, in turn, will recommend its approval by the Smithsonian Institution and the Department of Justice. Accordingly, the parties request a 61-day stay of all proceedings (including discovery and summary judgment briefing) from today, February 16, 2010, to, and including, April 18, 2011.

Statement in Support of Motion

As represented in earlier filings and discussions with the Court, the parties have been engaged in regular settlement discussions since the preliminary status conference held on December 7, 2010. In recent weeks, counsel for the parties have reached agreement on several major aspects of a proposed settlement and anticipate reaching an agreement on the remaining aspects in the near future.

Based on the progress made during these discussions, the parties have agreed that the requested stay of all proceedings is appropriate in order to avoid the expense and time required to conduct discovery and continue briefing of the summary judgment motion filed by the government under the Court's schedule. The parties believe that the requested stay will provide sufficient time for the parties to negotiate a settlement in this case, to draft an appropriate written settlement offer, and to obtain the necessary approvals of the principals involved.

Respectfully submitted,

THOMPSON HINE LLP

Dated: February 16, 2011

By: s/Eric N. Heyer by Walter W. Brown

Eric N. Heyer
1920 N Street, N.W., Suite 800
Washington, D.C. 20036
Telephone: (202) 331-8800
Fax: (202) 331-8330
eric.heyer@thompsonhine.com

Counsel for Plaintiff Anne Pearse-Hocker

TONY WEST
Assistant Attorney General

JOHN FARGO
Director

Dated: February 16, 2011

s/Walter W. Brown
Walter W. Brown
Attorney
Commercial Litigation Branch
Civil Division
Department of Justice
Washington, D. C. 20530
Telephone: (202) 307-0341
Facsimile: (202) 307-0345

Attorneys for the United States