

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 CONTINUATION OF A STAY OF PROCEEDINGS

In accordance with the Court’s April 18, 2011, Order and paragraph 4(b)(ii) of the Court’s Special Procedures Order, plaintiff Anne Pearse-Hocker and defendant, the United States (the government), hereby jointly move for the continuation of a stay of proceedings while counsel for the parties work to complete and execute the settlement documents that will lead to a complete resolution of this case. Since the Court’s Order, plaintiff has made a formal written offer to the defendant. In turn, the defendant’s attorney of record and the Smithsonian Institution have recommended its approval. In order to complete this settlement, the parties hereby request an additional 8-day stay of all proceedings from today, June 2, 2011, to, and including, June 10, 2011, to obtain the necessary authorizations for this settlement.

Statement in Support of Motion

On April 18, 2011, the parties jointly moved for a 45-day continued stay of proceedings in this case based on progress made in settlement discussions. After the Court granted this motion, the parties have worked to complete the operative settlement documents. On May 24, 2011, the plaintiff submitted a formal written offer, enclosing a Settlement Agreement and

corresponding Stipulation for Entry of Judgment (the Stipulation). In response, defendant's attorney of record and the Smithsonian Institution have recommended approval of this offer.

As explained in the concurrently filed Joint Status Report, the defendant is now working to obtain the necessary authorizations for this settlement. Given that an executed settlement agreement appears imminent, the parties have agreed that a continued stay of all proceedings is appropriate in order to avoid the expense and time required to restart proceedings. Likewise, the parties believe that the requested stay will provide sufficient time for the parties to execute the Settlement Agreement and file the Stipulation with the Court.

Respectfully submitted,

THOMPSON HINE LLP

Dated: June 2, 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: June 2, 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