

SPECIALIST JEREMY HALL, et al.,  
Plaintiffs,  
  
v.  
  
MAJOR FREDDY J. WELBORN, et al.,  
Defendants.

Case No. 08-2098-JWL-DJW

Plaintiffs, Jeremy Hall and the Military Religious Freedom Foundation, and Defendants, Robert Gates and Freddy J. Welborn, in their official capacities, by and through undersigned counsel, hereby move the Court to continue the scheduling conference now set for October 7, 2008, and to stay all pretrial and Rule 26 proceedings, until Defendants' motion to dismiss has been resolved. In support of this motion, the parties state as follows:

- Dockets.Justia.com

4. The parties expect that Defendants' motion to dismiss, if granted, will dispose of all legal issues and result in dismissal of this action. Accordingly, to conserve judicial resources and minimize litigation costs, there is good cause to defer the scheduling conference, and to stay all pretrial and Rule 26 proceedings, until Defendants' motion to dismiss has been resolved.

5. All parties join in this motion and consent to the relief requested herein.

WHEREFORE, the parties respectfully request that the Court continue the scheduling conference now set for October 7, 2008, and stay all pretrial and Rule 26 proceedings, until Defendants' motion to dismiss has been resolved.

Dated: September 24, 2008

Respectfully submitted,

IRIGONEGARAY & ASSOCIATES  
1535 S.W. 29th Street  
Topeka, KS 66611-1901  
Telephone: (785) 267-6115

By: /s/ Robert V. Eye, #10689

ROBERT V. EYE

*Attorney for Plaintiffs*

GREGORY G. KATSAS  
Assistant Attorney General

ERIC MELGREN  
United States Attorney

VINCENT M. GARVEY  
Deputy Director, Federal Programs Branch

/s/ Eric B. Beckenhauer  
ERIC B. BECKENHAUER  
Cal. Bar No. 237526  
Trial Attorney  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Ave. NW  
Washington, DC 20530  
Telephone: (202) 514-3338  
Facsimile: (202) 616-8470  
E-mail: eric.beckenhauer@usdoj.gov

*Counsel for the United States of America*

ELECTRONICALLY FILED

**CERTIFICATE OF SERVICE**

I hereby certify that on this date, September 24, 2008, the foregoing was electronically filed with the Clerk of the Court by using the CM/ECF system, which will send a notice of electronic filing to the following:

Counsel for Plaintiffs:

Elizabeth R. Herbert, erh@irigonegaray.com

Pedro L. Irigonegaray, pli@plilaw.com

Robert V. Eye, bob@plilaw.com

I further certify that on this date the foregoing document and the notice of electronic filing were mailed by first-class mail to the following non-CM/ECF participants:

None.

/s/ Eric B. Beckenhauer

ERIC B. BECKENHAUER

Trial Attorney

U.S. Department of Justice