

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division**

<b>AARON TOBEY,</b>	)	
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>Civil Action No. 3:11cv154-HEH</b>
	)	
<b>JANET NAPOLITANO, et al.,</b>	)	
	)	
<b>Defendants.</b>	)	
_____	)	

**PROPOSED ORDER**

This matter is before the Court upon the motion of the federal defendants to modify one provision of the Scheduling Order issued by the Court on July 5, 2011 (docket # 37). Finding it is proper to do so, it is hereby

ORDERED that paragraph 1 of the July 5, 2011 Scheduling Order, which requires the federal defendants to file their answer within 11 days, is stayed; and it is

FURTHER ORDERED that, should the Court deny the federal defendants' pending Motion to Dismiss, the federal defendants shall file an Answer within 14 days of such a ruling on the pending dispositive motion.

Dated: \_\_\_\_\_

\_\_\_\_\_  
HENRY E. HUDSON  
UNITED STATES DISTRICT JUDGE