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Honorable Ronald B. Leighton

UNITED STATES DISTRICT COURT
WESTERN WASHINGTON
AT TACOMA DIVISION

MAJOR MARGARET WITT,

Plaintiff,

v.

UNITED STATES DEPARTMENT OF
THE AIR FORCE; ET AL.,

Defendants.

No. C06-5195 RBL

**STIPULATION AND ORDER
REGARDING SETTLEMENT
CONFERENCE AND MEDIATION
PER CR 39.1(C)(3)**

I. STIPULATION

Over the past couple of weeks, the parties have engaged in good faith attempts to negotiate a settlement of this action, but were unable to reach a resolution. Given the fact that the parties engaged in good faith to resolve the case and given the significance of the constitutional issues at stake, the parties do not believe that the case is suitable for mediation. Currently, the deadline for mediation pursuant to Rule 39.1(c)(3) is August 16, 2010. *See* September 2, 2009 Minute Order Setting Trial, Pretrial Dates and Ordering Mediation (Dkt. No. 54) at 1 (hereinafter “September 2 Minute Order”).

1 Accordingly, the parties to this action, by and through their respective attorneys of
2 record, hereby stipulate and agree that the deadline for mediation by August 16, 2010, shall be
3 stricken from the September 2 Minute Order.

4
5 Respectfully submitted,

6 DATED this 21st day of July, 2010.

DATED this 21st day of July, 2010.

7 AMERICAN CIVIL LIBERTIES UNION OF
8 WASHINGTON FOUNDATION

U.S. DEPARTMENT OF JUSTICE

9 By:

By:

/s/ Sarah A. Dunne

/s/ Peter J. Phipps

10 Sarah A. Dunne, WSBA #34869

Peter J. Phipps

11 Sher S. Kung, WSBA #42077

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Attorneys for Defendants

17
18 *Attorneys for Plaintiff*

1 **II. ORDER**

2 Based on the foregoing stipulation and good cause shown, it is hereby ORDERED that
3 the August 16, 2010 mediation deadline is stricken from the September 2 Minute Order.

4 **IT IS SO ORDERED.**

5 Dated this _____ day of July, 2010

6
7 _____
8 Honorable Ronald B. Leighton
9 United States District Judge

10 Presented by:

11 DATED this 21st day of July, 2010.

12 DATED this 21st day of July, 2010.

13 AMERICAN CIVIL LIBERTIES UNION OF
14 WASHINGTON FOUNDATION

15 U.S. DEPARTMENT OF JUSTICE

16 By:

17 By:

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