

1 BENJAMIN C. MIZER  
 Principal Deputy Assistant Attorney General  
 2 BRIAN STRETCH  
 Acting United States Attorney  
 3 ANTHONY J. COPPOLINO  
 Deputy Branch Director  
 4 SUSAN K. ULLMAN  
 District of Columbia Bar No. 426874  
 5 Senior Trial Counsel  
 Civil Division, Federal Programs Branch  
 6 U.S. Department of Justice  
 20 Massachusetts Ave., NW  
 7 Washington, D.C. 20530  
 Telephone: (202) 616-0680  
 8 Facsimile: (202) 616-8470  
 9 E-mail: susan.ullman@usdoj.gov

10 Attorneys for Defendants

11 *Counsel for Plaintiffs Listed on Signature Page*

12 UNITED STATES DISTRICT COURT  
 13 NORTHERN DISTRICT OF CALIFORNIA  
 14 OAKLAND DIVISION

15 VIETNAM VETERANS OF AMERICA, et al.,  
 16  
 Plaintiffs,  
 17  
 v.  
 18  
 CENTRAL INTELLIGENCE AGENCY, et al.,  
 19  
 Defendants.  
 20

Case No. CV 09-0037-CW (EDL)

21 **STIPULATION (SECOND) TO  
 ENLARGE INJUNCTION  
 SUBMISSION DEADLINES AND  
 22 ~~PROPOSED~~ ORDER**

23 Pursuant to Federal Rule of Civil Procedure 6(b)(1) and Civil Local Rule 6-2, the parties,  
 24 by and through undersigned counsel, hereby respectfully move to enlarge the Court’s medical  
 25 care injunction submission deadlines, as explained below. In accordance with Civil L.R. 6-2(a),  
 26 this stipulation is supported by the Declaration of Susan Ullman (“Ullman Decl.”), filed  
 herewith, and is filed with the proposed order below.

1 On January 26, 2016, the Ninth Circuit issued an amended opinion that reversed the  
2 Court's denial of injunctive relief compelling the provision of medical care by the Army.  
3 See ECF No. 570. On February 8, 2016, the Court ordered the parties to meet and confer  
4 regarding the Ninth Circuit's opinion and to submit either a stipulated injunction by March 7,  
5 2016, or competing proposed injunctions along with a brief from each party supporting its  
6 respective proposal by March 14, 2016. See ECF No. 572. The parties promptly began the meet  
7 and confer process, but sought an extension of the deadlines to April 20, 2016 for a stipulated  
8 injunction, or to April 27, 2016 for competing proposed injunctions. See ECF No. 574. The  
9 Court granted the extension. See ECF No. 575. The parties believe an additional extension of  
10 the Court's deadlines would further the parties' efforts to fashion an appropriate injunction or  
11 potentially to resolve the case through a settlement. See Ullman Decl. ¶ 3. Accordingly, the  
12 parties jointly request an extension to the Court's injunction submission deadlines as follows,  
13 and submit that there is good cause for the requested enlargement of time:  
14

15 Extend the current deadline to submit a stipulated medical care injunction from  
16 April 20, 2016 to June 1, 2016;

17 Extend the current deadline to submit competing proposed injunctions and  
18 supporting briefs (if necessary) from April 27, 2016 to June 8, 2016.

19 There have been twenty-eight previous time modifications in this case. Because the Court has  
20 not set any other deadlines in this case, the requested enlargements of time will not otherwise  
21 affect the case schedule.  
22  
23  
24  
25  
26

1 Dated: April 13, 2016

Respectfully submitted,

2  
3 BENJAMIN C. MIZER  
Principal Deputy Assistant Attorney General  
4 BRIAN STRETCH  
Acting United States Attorney  
5 ANTHONY J. COPPOLINO  
Deputy Director, Federal Programs Branch  
6

7 /s/ Ben Patterson

/s/ Susan K. Ullman

8 JAMES P. BENNETT (CA SBN 65179)  
[JBennett@mofo.com](mailto:JBennett@mofo.com)  
9 STACEY M. SPRENKEL (CA SBN 241689)  
[SSprenkel@mofo.com](mailto:SSprenkel@mofo.com)  
10 BEN PATTERSON (CA SBN 268696)  
[BPatterson@mofo.com](mailto:BPatterson@mofo.com)  
11 GRANT C. SCHRADER (CA SBN 273498)  
[GSchrader@mofo.com](mailto:GSchrader@mofo.com)  
12 MORRISON & FOERSTER LLP  
13 425 Market Street  
14 San Francisco, California 94105-2482  
15 Telephone: 415.268.7000  
Facsimile: 415.268.7522

SUSAN K. ULLMAN  
District of Columbia Bar No. 426874  
Senior Trial Counsel  
U.S. Department of Justice  
Civil Division, Federal Programs Branch  
20 Massachusetts Ave., NW  
Washington, D.C. 20530  
Telephone: (202) 616-0680  
Facsimile: (202) 616-8470  
E-mail: susan.ullman@usdoj.gov

*Attorneys for Defendants*

16 *Attorneys for Plaintiffs*  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26

1 **PURSUANT TO STIPULATION, IT IS SO ORDERED.**

2  
3 Dated: April 15, 2016



4 The Honorable Claudia Wilken  
5 United States District Court  
6 for the Northern District of California

7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26