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FILED
CLERK, U.S. DISTRICT COURT
SEP - 7 2007
CENTRAL DISTRICT OF CALIFORNIA
BY [Signature] DEPUTY

10 Attorneys for Federal Defendants
National Aeronautics and Space
Administration; Michael Griffin,
11 Director of NASA; Department of
Commerce; Carlos M. Gutierrez,
12 Secretary of Commerce

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CLERK U.S. DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
LOS ANGELES
ML

13 UNITED STATES DISTRICT COURT
14 FOR THE CENTRAL DISTRICT OF CALIFORNIA
15 WESTERN DIVISION

16 Robert M. Nelson, William
Bruce Banerdt, Julia Bell,
17 Josette Bellan, Dennis V.
Byrnes, George Carlisle, Kent
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25 Walker and Paul R. Weissman,

Case No. CV-07-05669 ODW(VBKx)

**STIPULATION AND PROPOSED
ORDER RE: BRIEFING SCHEDULE
FOR PRELIMINARY INJUNCTION**

DATE: September 24, 2007
[Requested date: October 1, 2007]

TIME: 1:30 p.m.
COURTROOM: 11

Honorable Otis D. Wright II

26 Plaintiffs,

27 v.

28 National Aeronautics and
Space Administration, an

DOCKETED ON CM
SEP 10 2007
BY [Signature] (1)

9

1 Agency of the United States;)
 2 Michael Griffin, Director of)
 3 NASA, in his official)
 4 capacity only; Department of)
 5 Commerce; Carlos M.)
 6 Gutierrez, Secretary of)
 7 Commerce, in his official)
 8 capacity only; California)
 9 Institute of Technology;)
 10 and Does 1-100,)
 11)
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 Defendants.)

8 WHEREAS, good cause exists for the requested extension because
 9 Defendants need the additional time in order to review the papers and voluminous
 10 exhibits filed by the Plaintiffs and determine the appropriate responses. In
 11 addition, Plaintiffs originally selected a September 24, 2007 hearing date in order
 12 to allow for consideration of their Motion by September 28, 2007, the date by
 13 which they understood they would need to complete the paperwork necessary to
 14 comply with the new security requirements that they have challenged. This date
 15 arose out of the National Aeronautics and Space Administration (NASA)
 16 requirement that all employees at the Jet Propulsion Laboratory (JPL) at the
 17 California Institute of Technology who have unescorted access to JPL be eligible
 18 to receive a federal identification badge by October 27, 2007, irrespective of
 19 access to classified materials. In order to meet NASA's deadline, JPL has now set
 20 October 5, 2007 (and not September 28) as the date by which JPL employees must
 21 have submitted all required documents to become eligible for a badge. JPL has
 22 notified its employees that they must complete their submission of an SF85 and a
 23 release form, as well as have their fingerprints taken, by October 5, 2007. If
 24 necessary, JPL can fingerprint and process the named plaintiffs on October 5,
 25 2007.

26 Therefore, IT IS HEREBY STIPULATED by and between the parties
 27 hereto, through their undersigned counsel, subject to the order of the Court, that
 28

1 Defendants may have an 11-day extension of time, up to and including September
2 21, 2007, to file and serve their response to Plaintiffs' Motion for Preliminary
3 Injunction. Plaintiffs will then have until September 27, 2007 to serve and file
4 their reply in further support of their Motion. Plaintiffs' Motion for Preliminary
5 Injunction shall be heard on October 1, 2007, at 1.30 p.m., in the Courtroom of
6 Hon. Otis Wright II, or at such time between October 1 and October 5, 2007 that
7 would be convenient for the Court.

8
9 Dated: September 6, 2007



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Attorney for Federal Defendants

16
17 Dated: September 6, 2007



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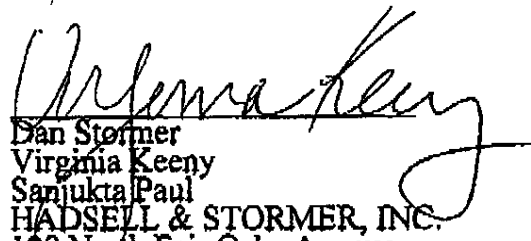
*Attorneys for California Institute
of Technology*

Sep-06-07 13:47 From-

1-626-577-7079

T-515 P 02/02 F-549

1 Dated: September 6, 2007



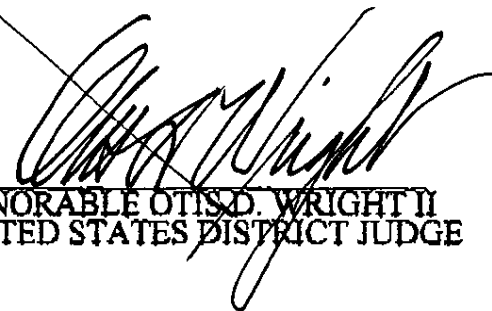
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Attorneys for Plaintiffs

ORDER

IT IS SO ORDERED that Defendants shall have up to and including September 21, 2007 to file and serve their response to Plaintiffs' Motion for Preliminary Injunction. Plaintiffs shall have until September 27, 2007 to file and serve their reply. A hearing on Plaintiffs' Motion for Preliminary Injunction shall be held on October 1, 2007 at 4:00 p.m.

DATED: September 6, 2007


HONORABLE OTIS D. WRIGHT II
UNITED STATES DISTRICT JUDGE

PROOF OF SERVICE

I, Allison L. Mayo Andrews, am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action; my business address is Kirkland & Ellis 777 S. Figueroa Street. Los Angeles, CA 90017

On September 6, 2007 I served the foregoing document(s) described as **STIPULATION AND PROPOSED ORDER RE: BRIEFING SCHEDULE FOR PRELIMINARY INJUNCTION** on the interested parties in this action as follows:

By placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at Los Angeles, California addressed as set forth below. I am familiar with the firm's practice of collection and processing correspondence for mailing. Under that practice it would be deposited with the U.S. postal service on that same day with postage thereon fully prepaid in the ordinary course of business.

By transmitting via facsimile the above listed document(s) to the fax number(s) set forth below on this date.

By causing personal delivery of the document(s) listed above to the person at the address(es) set forth below.

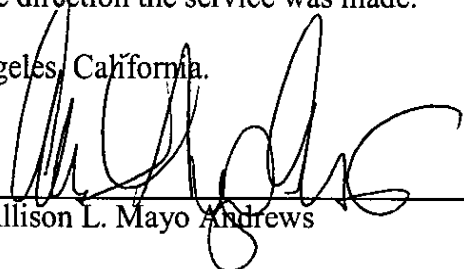
By placing the document(s) listed above in a sealed overnight courier envelope addressed as set forth below and routing the envelope for pick up within our offices by Federal Express. I am familiar with the firm's practice of collection for pick up and overnight delivery by Federal Express. It is routed for daily pick up in our offices by Federal Express on that same day with overnight courier charges thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if the delivery date is more than one day after date of deposit with Federal Express in this affidavit.

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**Dan Stormer
Virginia Keeny
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128 North Fair Oaks Avenue, Suite 204
Pasadena, CA 91103**

(Federal) I declare under penalty of perjury that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed September 6, 2007 at Los Angeles, California.



Allison L. Mayo Andrews