

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

MAJOR TIMOTHY M. WARD,)
)
 Plaintiff,)
)
 v.) Civ. A. No. 00-740 (RCL)
)
LOUIS CALDERA, Secretary of)
the Army,)
)
 Defendant.)
_____)

ORDER

Consistent with the Memorandum Opinion issued this date, it is hereby

ORDERED that the defendant's motion to dismiss [2-1] is GRANTED with respect to the plaintiff's facial challenge to the defendant's policy on selection board membership and the plaintiff's non-promotion claim based on 10 U.S.C. § 1731(b) and DENIED in all other respects; further, it is

ORDERED that the plaintiff's non-promotion claim based on 10 U.S.C. § 1731(b) is DISMISSED WITH PREJUDICE; further, it is

ORDERED that the plaintiff's facial challenge to the defendant's policy on selection board membership is DISMISSED WITH PREJUDICE; further, it is

ORDERED that the defendant's motion to extend time filed on January 9, 2001 [16-1] is GRANTED; further, it is

ORDERED that the defendant's motion for leave to file a

response to plaintiff's praecipe [17-1] is GRANTED; further, it is

ORDERED that the defendant's motion to extend time filed on January 18, 2001 [18-1]; further, it is

ORDERED that the plaintiff's January 26, 2001 motion to commence discovery on certain issues and continue the consideration of the defendant's motion to dismiss [21-1,2] is DISMISSED WITHOUT PREJUDICE AS MOOT; further, it is

ORDERED that the defendant's motion to extend time filed on February 9, 2001 [22-1,2] is GRANTED; further, it is

ORDERED that the defendant's motion to extend time filed on February 16, 2001 [23-1,2] is GRANTED; further, it is

ORDERED that the plaintiff's motion to strike filed on March 1, 2001 [25-1] is DISMISSED WITHOUT PREJUDICE AS MOOT; further, it is

ORDERED that the plaintiff's motion to extend time filed on March 1, 2001 [26-1] is DENIED; further, it is

ORDERED that the parties shall, within 10 days of this date, confer pursuant to Local Civil Rule 16.3 and provide a report and proposed scheduling order to govern further proceedings.

SO ORDERED.

Date: _____

ROYCE C. LAMBERTH
UNITED STATES DISTRICT JUDGE