

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF TEXAS  
SAN ANTONIO DIVISION**

JOHN EAKIN,  
Plaintiff,

v.

UNITED STATES DEPARTMENT OF  
DEFENSE; ROBERT M. GATES,  
Secretary of Defense,  
Defendants.

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NO. SA-10-CA-0784-FB-NSN

**JOINT REPORT ON ALTERNATIVE DISPUTE RESOLUTION**

COME NOW, John Eakin, *Pro Se* Plaintiff and the United States of America, Defendant herein, by and through John E. Murphy, United States Attorney for the Western District of Texas, and files this Joint Report on Alternative Dispute Resolution in compliance with the Court's Scheduling Order and Local Rule CV-88, and would show the Court the following.

1. The parties have not discussed settlement of this case.
2. The persons responsible for settlement negotiations are: John Eakin, 9865 Tower View Road, Helotes, Texas 78023, *Pro Se* Plaintiff, and Assistant United States Attorney, Dimitri N. Rocha, 601 N.W. Loop 410, Suite 600, San Antonio, Texas 78216, for Defendant United States of America.
3. The parties believe that non-biding ADR may be appropriate in this case.

Respectfully submitted,

**JOHN E. MURPHY**  
UNITED STATES ATTORNEY

By: /s/ Dimitri N. Rocha  
**DIMITRI N. ROCHA**  
Assistant United States Attorney  
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**ATTORNEYS FOR DEFENDANT**

By:   
**JOHN EAKIN**  
9865 Tower View Road  
Helotes, Texas 78023

**PRO SE PLAINTIFF**

**CERTIFICATE OF SERVICE**

I hereby certify that on this the 24th day of February, 2010, a true and correct copy of the foregoing Joint Report on Alternative Dispute Resolution was electronically filed via the Court's CM/ECF system and served on the following via certified mail, return receipt requested:

John Eakin, *Pro Se*  
9865 Tower View Road  
Helotes, Texas 78023

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7179 1000 1642 5371 4376

/s/ Dimitri N. Rocha  
**DIMITRI N. ROCHA**