

1 TONY WEST
 Assistant Attorney General
 2 ANDRE BIROTTE, Jr.
 United States Attorney
 3 JOSEPH H. HUNT
 VINCENT M. GARVEY
 4 PAUL G. FREEBORNE
 W. SCOTT SIMPSON
 5 JOSHUA E. GARDNER
 RYAN B. PARKER
 6 U.S. Department of Justice
 Civil Division
 7 Federal Programs Branch
 Post Office Box 883
 8 Washington, D.C. 20044
 Telephone: (202) 353-0543
 9 Facsimile: (202) 616-8460
 E-mail: paul.freeborne@usdoj.gov

10 *Attorneys for Defendants United States*
 11 *of America and Secretary of Defense*

12 **UNITED STATES DISTRICT COURT**
 13 **FOR THE CENTRAL DISTRICT OF CALIFORNIA**
EASTERN DIVISION

14 LOG CABIN REPUBLICANS,
 15 Plaintiff,
 16 v.
 17 UNITED STATES OF AMERICA AND
 ROBERT M. GATES, Secretary of
 18 Defense,
 19 Defendants.

No. CV04-8425 VAP (Ex)

[PROPOSED] ORDER
 GRANTING DEFENDANTS'
 EX PARTE APPLICATION FOR
 THE ENTRY OF AN
 EMERGENCY STAY

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 23 The Court, having considered defendants' *Ex Parte* Application For the
 24 Entry of an Emergency Stay and all materials and argument submitted in relation
 25 thereto, hereby orders as follows:
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1 IT IS HEREBY ORDERED that Defendants' *Ex Parte* Application is
2 GRANTED. The Court's October 12 Order enjoining enforcement of the Don't
3 Ask, Don't Tell statute and its implementing regulations is stayed pending appeal.

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6 DATED: October ____, 2010

7
8 HON. VIRGINIA A. PHILLIPS
UNITED STATES DISTRICT JUDGE

9 PRESENTED BY:
10 TONY WEST
Assistant Attorney General
11 ANDRE BIROTTE, Jr.
United States Attorney
12 JOSEPH H. HUNT
VINCENT M. GARVEY

13
14 /s/ Paul G. Freeborne

15 PAUL G. FREEBORNE
W. SCOTT SIMPSON
16 JOSHUA E. GARDNER
RYAN B. PARKER
17 Trial Attorneys
U.S. Department of Justice
18 Civil Division
Federal Programs Branch
19 Post Office Box 883
Washington, D.C. 20044
20 Telephone: (202) 353-0543
Facsimile: (202) 616-8460
21 E-mail: paul.freeborne@usdoj.gov

22 *Attorneys for Defendants United States*
23 *of America and Secretary of Defense*