

**FILED**

UNITED STATES COURT OF APPEALS

FEB 09 2011

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALS

LOG CABIN REPUBLICANS,  
a non-profit corporation,

Plaintiff - Appellee/  
Cross-Appellant,

v.

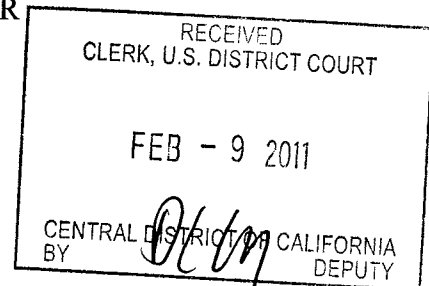
UNITED STATES OF AMERICA and  
ROBERT M. GATES, Secretary of  
Defense, in his official capacity,

Defendants - Appellants/  
Cross-Appellees.

Nos. 10-56634, 10-56813

D.C. No. 2:04-cv-08425-VAP  
Central District of California,  
Los Angeles

ORDER



Before: CANBY and LEAVY, Circuit Judges.

Proposed intervenor Joseph Zernik's motion to intervene is denied. All other pending motions filed by Mr. Zernik are denied as moot.

The briefing schedule set in this court's January 28, 2011 order remains in effect.

ln/MOATT