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UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

LOG CABIN REPUBLICANS, a non-
profit corporation,

Plaintiff,

vs.

UNITED STATES OF AMERICA and
ROBERT M. GATES (substituted for
Donald H. Rumsfeld pursuant to FRCP
25(d)), SECRETARY OF DEFENSE, in
his official capacity,

Defendants.

Case No. CV04-8424 (GPS)

[PROPOSED] ORDER GRANTING
LOG CABIN REPUBLICANS' *EX*
PARTE APPLICATION TO VACATE
STAY

1 On May 30, 2008, plaintiff Log Cabin Republicans (“Plaintiff”) submitted to
2 the Court, the Hon. George P. Schiavelli presiding, Plaintiff’s *ex parte* application for
3 an order vacating the stay of this action issued by the Court in light of the Ninth
4 Circuit’s May 21, 2008 decision in Witt v. Department of Air Force, et al. Having
5 considered the papers and evidence submitted by the parties, all other pleadings and
6 records on file herein, and GOOD CAUSE APPEARING,

7 IT IS HEREBY ORDERED that:

8 The Court vacates its May 23, 2008 Order Staying Action in Light of Ninth
9 Circuit’s May 21, 2008 Decision in *Witt v. Department of Air Force, et al.*

10 IT IS SO ORDERED.

11
12 Dated: _____

Honorable George P. Schiavelli
United States District Judge

13
14 Respectfully Submitted by:
15 WHITE & CASE LLP

16
17 By: _____ /S/
Patrick Hunnius
18 Attorney for plaintiff Log Cabin Republicans