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 10 UNITED STATES DISTRICT COURT
 CENTRAL DISTRICT OF CALIFORNIA

<p>11 LOG CABIN REPUBLICANS, a non- 12 profit corporation, 13 14 Plaintiff, 15 16 vs. 17 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, 18 19 Defendants.</p>	<p>) Case No. CV04-8425 GPS (ex))) LOG CABIN REPUBLICANS') NOTICE OF APPEAL TO THE) UNITED STATES COURT OF) APPEALS FOR THE NINTH CIRCUIT</p>
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1 Pursuant to Federal Rule of Appellate Procedure 3, notice is hereby given
2 that plaintiff Log Cabin Republicans hereby appeals to the United States Court of
3 Appeals for the Ninth Circuit from the Order Staying Action in Light of Ninth
4 Circuit's May 21, 2008 Decision in Witt v. Department of Air Force, et al., entered
5 May 21, 2008 (attached hereto as Exhibit A).

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8 DATED: July 22, 2008

WHITE & CASE LLP

9
10 By: 

11 Patrick Hunnius
12 Attorneys for Plaintiff Log Cabin Republicans
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REPRESENTATION STATEMENT

The undersigned represents the Log Cabin Republicans, plaintiff in this action, and no other party. Attached is a service list that shows all of the parties to the action, and identifies their counsel by name, firm, address, and telephone number where appropriate.

DATED: July 22, 2008

WHITE & CASE LLP
By: 
Patrick Hunnius
Attorneys for Plaintiff Log Cabin Republicans

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SERVICE LIST

I am employed in the County of Los Angeles, State of California. I am over the age of 18 and not a party to the within action. My business address is 633 W. Fifth Street, Suite 1900, Los Angeles, CA 90071-2007. I am employed by a member of the Bar of this Court at whose direction the service was made.

On July 22, 2008, I served the foregoing document(s) described as LOG CABIN REPUBLICANS' NOTICE OF APPEAL TO THE UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT on the person(s) below, as follows:

United States District Court, Central District
Attention: Honorable George P. Schiavelli
312 N. Spring Street
Court Room No. 7, 2nd Floor
Los Angeles, CA 90012
Telephone: (213) 894-1565 or (213) 894-2215

X **(BY PERSONAL SERVICE)** I personally delivered the document(s) to the person(s) at the address(es) listed above. (1) For a party represented by an attorney, delivery was made to the attorney or at the attorney's office by leaving the document(s) in an envelope or package clearly labeled to identify the attorney being served with a receptionist or an individual in charge of the office. (2) For a party, delivery was made to the party or by leaving the document(s) at the party's residence with some person not less than 18 years of age between the hours of 8:00 a.m. and 6:00 p.m.

Jeffrey Bucholtz
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Telephone: (202) 353-0543
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Via Federal Express
Counsel for the United States of America and Ronald M. Gates

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Paul G. Freeborne
U.S. Department of Justice
Civil Division
Federal Programs Branch
P.O. Box 883
Washington, DC 20044

Via Federal Express

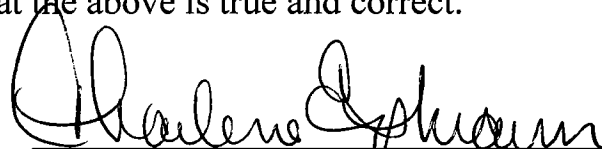
Counsel for the United States of
America and Ronald M. Gates

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8202

X **(BY OVERNIGHT DELIVERY)** I enclosed the document(s) in an envelope or package provided by an overnight delivery carrier and addressed to the person(s) at the address(es) listed above. I placed the envelope or package for collection and overnight delivery at an office or a regularly utilized drop box of the overnight delivery carrier, or delivered it to an authorized courier or driver authorized by the carrier to receive documents, with delivery fees paid.

Executed July 22, 2008, at Los Angeles, California.

I declare under penalty of perjury under the laws of the State of California and the United States of America that the above is true and correct.



Charlene Ephraim