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 10 Attorneys for Plaintiff Log Cabin Republicans

11 UNITED STATES DISTRICT COURT  
 12 CENTRAL DISTRICT OF CALIFORNIA

13 LOG CABIN REPUBLICANS, a non-  
 14 profit corporation,

15 Plaintiff,

16 vs.

17 UNITED STATES OF AMERICA and  
 18 ROBERT M. GATES, SECRETARY  
 19 OF DEFENSE, in his official capacity,

20 Defendants.  
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Case No. CV04-8425 VAP (Ex)

DECLARATION OF AARON A. KAHN IN SUPPORT OF PLAINTIFF'S OPPOSITION TO DEFENDANTS' MOTION TO CERTIFY ORDER FOR INTERLOCUTORY APPEAL AND STAY OF PROCEEDINGS PENDING RESOLUTION OF MOTION AND APPEAL

Date: November 16, 2009

Time: 10:00 a.m.

Place: Courtroom of Hon. Virginia A. Phillips

1 **DECLARATION OF AARON A. KAHN**

2 I, Aaron A. Kahn, declare that:

3 1. I am an attorney licensed to practice law before this Court. I am an  
4 associate with the law firm of White & Case LLP, counsel for plaintiff Log Cabin  
5 Republicans in this action. I have personal knowledge of the following facts, and if  
6 called as a witness I could and would competently testify thereto.

7 2. Attached as Exhibit A is a true and correct copy of the reporter's  
8 transcript of the Scheduling Conference held by the Court in this matter on July 6,  
9 2009.

10 3. Attached as Exhibit B is a true and correct copy of an e-mail message I  
11 received from Paul Freeborne, counsel to the government in this matter, on October  
12 15, 2009, as well as my email response to Mr. Freeborne later that day.

13 I declare under penalty of perjury under the laws of the State of California that  
14 the foregoing is true and correct, and that this declaration was executed on November  
15 2, 2009 at Los Angeles, California.

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18 Aaron A. Kahn  
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