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

LOG CABIN REPUBLICANS,

 Plaintiff,

 v.

 UNITED STATES OF AMERICA AND
 ROBERT M. GATES, Secretary of
 Defense,

 Defendants.

No. CV04-8425 VAP (Ex)

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

The Court, having considered defendants' *Ex Parte* Application For the
 Entry of an Emergency Stay and all materials and argument submitted in relation
 thereto, hereby orders as follows:

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

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8 HON. VIRGINIA A. PHILLIPS
UNITED STATES DISTRICT JUDGE

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

14 /s/ Paul G. Freeborne

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