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8
 9 IN THE UNITED STATES DISTRICT COURT
 10 FOR THE CENTRAL DISTRICT OF CALIFORNIA

11
 12 **AIDEN STOCKMAN, et al.**
 13 Plaintiffs,
 14 v.
 15 **DONALD J. TRUMP, in his official
 16 capacity as President of the United
 States, et al.**
 17 Defendants.
 18

5:17-CV-01799-JGB-KKx

OPPOSITION TO MOTION TO STAY PENDING APPEAL

Date: January 7, 2019
 Time: 9:00 a.m.
 Courtroom: 1
 Judge: The Hon. Jesus G. Bernal

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 20 The government’s motion to stay the preliminary injunction pending appeal
 21 should be denied for the reasons stated in the opposition filed by Plaintiffs Aiden
 22 Stockman, Nicolas Talbot, Tamasyn Reeves, Jaquice Tate, John Does 1-2, Jane
 23 Doe, and Equality California (the “Opposition”).

24 Plaintiff-Intervenor the State of California additionally notes that, as discussed
 25 in the Opposition, the government has made no showing that it will suffer
 26 irreparable harm if a stay is denied. In contrast, allowing the transgender ban to
 27 become effective, or narrowing it to apply only to the individual plaintiffs in this
 28 case, would directly impact the State’s National Guard and the Reserve Officers’

1 Training Corps programs at California’s public universities and colleges. The
2 transgender ban would impede the California National Guard’s ability to recruit and
3 retain members; force California to violate its anti-discrimination laws and
4 discriminate against its own residents in staffing the California National Guard; and
5 threaten the State’s ability to safeguard its public institutions of higher education
6 from discrimination in their ROTC programs. *See* Mot. to Intervene, Dkt. No. 52 at
7 3-5; *id.*, Decl. of Enrique A. Monagas in Supp. of St. of Cal.’s Mot. to Intervene,
8 Dkt. No. 52-2.

9
10 Dated: December 17, 2018

Respectfully submitted,
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/s/ SHARON L. O’GRADY

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