

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**Stephen B. Burbank, Anita L. Allen-  
Castellitto, Regina Austin, C. Edwin Baker,  
Eric Feldman, Douglas Frenkel, Frank  
Goodman, Seth F. Kreimer, Anne E. Kringel,  
Friedrich Kubler, Alan M. Lerner, Howard  
Lesnick, Bruce H. Mann, Stephen Morse,  
Wendell Prichett, Edward Rubin, Louis S.  
Rulli, Catherine T. Struve, Dina Lynn  
Schlossberg, Kim Lane Scheppele, Clyde W.  
Summers, Erica Flores, Terri Keeley, Ellen  
London, Loren Stewart, Bryan Tallevi, Carlos  
Uriarte, Thaomee Xiong, and Lambda Law,**

**Plaintiffs,**

**v.**

**DONALD H. RUMSFELD, Secretary  
of Defense, in his Official Capacity,**

**Defendant.**

**Civil Action No. 03-5497**

**PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

Plaintiffs in the above captioned action hereby move this Honorable Court for summary judgment, pursuant to Fed. R. Civ. P. 56, on Count I of the Complaint, and, alternatively, on Counts II and III of the Complaint. A copy of the Complaint, with all exhibits, is Attachment 1 hereto. In support of this Motion, Plaintiffs submit the affidavits of Mr. Stephen Burbank, Ms. Ellen London, Mr. Bryan Tallevi, Ms. Jo-Ann Verrier, and Ms. Wendy White, Attachments 2, 3, 4, 5, and 6 respectively, and Memorandum of Law in Support of Plaintiffs' Motion for Summary Judgment and in Opposition to Defendant's Motion to Dismiss.

Dated: February 2, 2004

Respectfully submitted,

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