

1 Jeremy D. Tedesco, Ariz. Bar No. 023497
2 ALLIANCE DEFENSE FUND
3 15100 N. 90th Street
4 Scottsdale, Arizona 85260
5 (480) 444-0020; (480) 444-0028 (fax)

6 Timothy D. Chandler, CA Bar No. 234325
7 ALLIANCE DEFENSE FUND
8 101 Parkshore Drive, Suite 100
9 Folsom, California 95630
10 (916) 932-2850; (916) 932-2851 (fax)

11 Attorneys for Plaintiffs

12 **UNITED STATES DISTRICT COURT**
13 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

14 **EVERY NATION CAMPUS MINISTRIES AT**
15 **SAN DIEGO STATE UNIVERSITY, et al.,**

16 **Plaintiffs,**

17 **v.**

18 **REED, et al.,**

19 **Defendants.**

20 Case No. 05CV2186 LAB (AJB)

21 HONORABLE LARRY ALAN BURNS

22 **PLAINTIFFS ALPHA DELTA CHI-DELTA**
23 **CHAPTER, ALPHA GAMMA OMEGA-**
24 **EPSILON CHAPTER, MELISSA PEREA**
25 **(FORMERLY “TRAVIS”), JACKIE**
26 **LEWIS, JAMES ROSENBERG, AND**
27 **DAVID SHOKAIR’S NOTICE OF APPEAL**


28 NOTICE IS HEREBY GIVEN that Alpha Delta Chi-Delta Chapter, a sorority at San Diego State University; Alpha Gamma Omega-Epsilon Chapter, a fraternity at San Diego State University; Melissa Perea (formerly “Travis”), an individual; Jackie Lewis, an individual; James Rosenberg, an individual; and David Shokair, an individual, plaintiffs in the above named case,¹ hereby appeal to the United States Court of Appeals for the Ninth Circuit from the Order Granting Defendants Charles B. Reed, Steven L. Weber, and Douglas Case’s² Motion for Summary Judgment and Denying Plaintiffs’ Motion for

¹ Plaintiffs Every Nation Campus Ministries at San Diego State University, Every Nation Campus Ministries at Long Beach State University, Trevor Stokes, Gwendolyn Davis, and Haley Hawthorne, are not participating in the appeal of this case.

² Since the California State University, Long Beach plaintiffs—Every Nation Campus Ministries at Long Beach State University (“ENCM-LB”) and Haley Hawthorne—are not participating in this appeal, plaintiffs are excluding from the appeal the Defendants responsible for denying recognition to ENCM-LB and Ms. Hawthorne, F. King Alexander and Jeffrey Klaus.

1 Summary Judgment [Doc. #115], and the Judgment terminating the action [Doc. #116], both entered in
2 this action on the 6th day of February, 2009. Pursuant to Ninth Circuit Rule 3-2, attached hereto is a
3 Representation Statement naming all parties to the appeal and their respective counsel.

4
5 Respectfully submitted this 19th day of February, 2009.

6
7 By: 
8 Jeremy D. Tedesco
9 ALLIANCE DEFENSE FUND
10 Attorney for Plaintiffs
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

PROOF OF SERVICE

The undersigned counsel hereby certifies that on February 19, 2009, I served the foregoing Notice of Appeal via U.S. Mail on the following:

Christine Helwick (SBN 057274)
Susan Westover (SBN 151211)
CALIFORNIA STATE UNIVERSITY
OFFICE OF GENERAL COUNSEL
401 Golden Shore, 4th Floor
Long Beach, CA 90802-4210
Tel: (562) 951-4500
Fax: (562) 951-4956

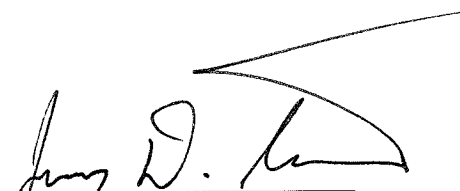
John David Blair-Loy
ACLU of San Diego and Imperial Counties
PO Box 87131
San Diego, CA 92138
Tel: (619)232-2121
Fax: (619)232-0036

Attorney for Amicus Curiae ACLU

Attorney for Defendants

I declare under penalty of perjury under the laws of the State of Arizona that the above is true and correct.

Executed on February 19, 2009, at Scottsdale, Arizona.



Jeremy D. Tedesco
Attorney for Plaintiffs
jtedesco@telladf.org

TABLE OF CONTENTS OF EXHIBITS

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

<u>Exhibit</u>	<u>Pages</u>
EXHIBIT A, Representation Statement.....	1-2

1 Jeremy D. Tedesco, Ariz. Bar No. 023497
2 ALLIANCE DEFENSE FUND
3 15100 N. 90th Street
4 Scottsdale, Arizona 85260
5 (480) 444-0020; (480) 444-0028 (fax)

6 Timothy D. Chandler, CA Bar No. 234325
7 ALLIANCE DEFENSE FUND
8 101 Parkshore Drive, Suite 100
9 Folsom, California 95630
10 (916) 932-2850; (916) 932-2851 (fax)

11 Attorneys for Plaintiffs

12 **UNITED STATES DISTRICT COURT**
13 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

14 **EVERY NATION CAMPUS MINISTRIES AT**
15 **SAN DIEGO STATE UNIVERSITY, *et al.*,**

16 **Plaintiffs,**

17 **v.**

18 **REED, *et al.*,**

19 **Defendants.**

Case No. 05CV2186 LAB (AJB)

HONORABLE LARRY ALAN BURNS

**PLAINTIFFS ALPHA DELTA CHI-DELTA
CHAPTER, ALPHA GAMMA OMEGA-
EPSILON CHAPTER, MELISSA PEREA,
JACKIE LEWIS, JAMES ROSENBERG,
AND DAVID SHOKAIR'S
REPRESENTATION STATEMENT**

20 Plaintiffs:

21 Alpha Delta Chi-Delta Chapter, a sorority at San Diego State University
22 Alpha Gamma Omega-Epsilon Chapter, a fraternity at San Diego State University
23 Melissa Perea
24 Jackie Lewis
25 James Rosenberg
26 David Shokair

27 Attorneys for Plaintiffs:

28 Benjamin W. Bull, Ariz. Bar No. 009940
Jeremy D. Tedesco, Ariz. Bar No. 023497
ALLIANCE DEFENSE FUND
15100 N. 90th Street
Scottsdale, Arizona 85260
(480) 444-0020; (480) 444-0028 (fax)

1 David A. French, TN Bar No. 016692
2 ALLIANCE DEFENSE FUND
3 12 Public Square
4 Columbia, Tennessee 38401
5 (931) 490-0591; (931) 490-7989 (fax)

6 Jordan Lorence, MN Bar No. 125210
7 ALLIANCE DEFENSE FUND
8 801 G St. NW, Suite 509
9 Washington, D.C. 20001
10 (202) 637-4610; (202) 347-3622 (fax)

11 John M. Stewart, CA Bar No. 147954
12 LAW OFFICES OF STEWART & STEWART
13 333 City Blvd. West, 17th Floor
14 Orange, California 92868
15 (714) 283-3451; (714) 283-3051 (fax)

16 Defendants:

17 Charles B. Reed, in his official capacity as Chancellor of the California State University
18 Steven L. Weber, in his official capacity as President of San Diego State University
19 Douglas Case, individually and in his official capacity as Coordinator of Fraternity and Sorority Life at
20 San Diego State University

21 Attorneys for Defendants:

22 Christine Helwick, CA Bar No. 057274
23 Susan Westover, CA Bar No. 151211
24 CALIFORNIA STATE UNIVERSITY
25 OFFICE OF GENERAL COUNSEL
26 401 Golden Shore, 4th Floor
27 Long Beach, CA 90802-4210
28 Tel: (562) 951-4500
Fax: (562) 951-4956

Respectfully submitted this 19th day of February, 2009.

By: 

Jeremy D. Tedesco
ALLIANCE DEFENSE FUND
Attorney for Plaintiffs