Exhibit 1

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FILED

OCT 15 2009

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

NOT FOR PUBLICATION

UNITED STATES COURT OF APPEALS

FOR THE NINTH CIRCUIT

JOHN DOE #1, an individual; JOHN DOE #2, an individual; PROTECT MARRIAGE WASHINGTON, Plaintiffs - Appellees, v. SAM REED, in his official capacity as Secretary of State of Washington; BRENDA GALARZA, in her official capacity as Public records Officer for the Secretary of State of Washington, Defendants - Appellants.	No. 09-35818 DC No. 3:09-CV-05456 BHS W.D. Wash. **O R D E R**
JOHN DOE #1, an individual; JOHN DOE #2, an individual; PROTECT MARRIAGE WASHINGTON, Plaintiffs - Appellees, v. SAM REED, in his official capacity as Secretary of State of Washington; BRENDA GALARZA, in her official capacity as Public records Officer for the Secretary of State of Washington,	No. 09-35826 DC No. 3:09-CV-05456 BHS W.D.Wash.

Defendants,

and

WASHINGTON COALITION FOR OPEN GOVERNMENT,

Defendant-intervenor - Appellant.

JOHN DOE #1, an individual; JOHN DOE #2, an individual; PROTECT MARRIAGE WASHINGTON,

Plaintiffs - Appellees,

v.

WASHINGTON FAMILIES STANDING TOGETHER,

Intervenor - Appellant,

SAM REED, in his official capacity as Secretary of State of Washington; BRENDA GALARZA, in her official capacity as Public records Officer for the Secretary of State of Washington,

Defendants.

No. 09-35863

DC No. 3:09-CV-05456 BHS
W.D. Wash.

Before: PREGERSON, TASHIMA, and N.R. SMITH, Circuit Judges.

The court, after consideration of the record and briefs of the parties, and oral argument, has determined that the district court's Order Granting Plaintiffs' Motion for Preliminary Injunction (the "Preliminary Injunction Order"), filed September 10, 2009, relies on an incorrect legal standard and, therefore, must be reversed.

It is therefore **ordered**:

1. Appellants' motion for a stay pending appeal is granted and the Preliminary Injunction Order is hereby stayed, effective immediately, pending final resolution of these appeals.

2. An opinion setting forth the reasons for the court's reversal of the Preliminary Injunction Order shall be issued expeditiously and in due course.