

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

**ASSOCIATION OF CHRISTIAN,)
SCHOOLS INTERNATIONAL,)
et al.)**

Plaintiffs-Appellants)

No. 08-56320

v.)

ROMAN STEARNS, *et al.*,)

Defendants-Appellees)

_____)

**ON APPEAL FROM THE UNITED STATES DISTRICT COURT FOR THE
CENTRAL DISTRICT OF CALIFORNIA**

**MOTION FOR LEAVE TO FILE A BRIEF *AMICUS CURIAE* OF
THE NATIONAL LEGAL FOUNDATION**

*in support of Plaintiffs-Appellants
Urging reversal*

Counsel of Record for both the Plaintiffs-Appellants and the Defendants-Appellees have consented to the filing of the accompanying Brief. Therefore, pursuant to Rule 29 of the Federal Rules of Appellate Procedure and the corresponding local rules of this Court, it is the understanding of the undersigned that The National Legal Foundation has leave to file a Brief *Amicus Curiae* in *Association of Christian Schools International, et al. v. Stearns, et al.*, No. 08-56320.

CONCLUSION

For the reasons set forth herein, Movant prays this Court to grant its Motion for Leave to File a Brief *Amicus Curiae*.

Respectfully submitted,
this 4th day of February 2009

s/ Steven W. Fitschen

Steven W. Fitschen

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CERTIFICATE OF SERVICE

I hereby certify that on February 4, 2009, I have electronically filed the foregoing Motion for Leave to File a Brief *Amicus Curiae* of The National Legal Foundation in the case of *Association of Christian Schs. Int'l, et al. v. Stearns, et al.*, No. 08-56320, with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document First-Class Mail, postage prepaid, to the following non-CM/ECF participant:

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