



Plaintiff Jen Kopfsstein and Servicemembers Legal Defense Network staff

the outcome of those casualties," Hill said.

Stuart Delery is an attorney with the prestigious firm of Wilmer Cutler Pickering Hale and Dorr, which has taken on the case at no charge. He recounted how the firm has a long involvement in civil rights issues. In 1954, it defended the rights of servicemembers under scurrilous attacks from U.S. Sen. Joseph McCarthy, R-Wis.

The lawsuit aggressively challenges the premise that "don't ask, don't tell" poses an unacceptable risk to military morale, good order, discipline and unit cohesion. It reads, in part: "There is no credible evidence that the presence of plaintiffs and other gay, lesbian and bisexual servicemembers in the military has hurt military effectiveness. ['Don't ask, don't tell'] lacks any rational, important or compelling basis and serves no legitimate government or military interest."

The case takes particular aim at the congressional "findings" that asserted anti-gay myths, saying that those conclusions did not flow from the very reports that the Pentagon itself had commissioned on the subject. The courts traditionally give great deference to Congress and the military on matters of national defense. "We want to take [those findings] head on," said Osburn.

Many U.S. allies have begun to allow gays and lesbians to serve openly in the 11 years since "don't ask, don't tell" was adopted, and that experience further undercuts the congressional findings.

The attorneys decided to file suit in Massa-

chusetts because one of the plaintiffs resides there and because the First Circuit has yet to consider the policy of "don't ask, don't tell." Greer said last year's same-sex marriage decision was under state law and did not influence the choice of venue on this matter, which is being contested under federal law.

Osburn said this lawsuit differs from the one filed Oct. 12 by Log Cabin Republicans in Los Angeles. That suit was filed on behalf of unnamed members of the gay GOP group who continue to serve in the military. As an "associational" lawsuit, it faces an additional hurdle in gaining the court's attention.

Osburn believes that filing the suit while the country is engaged in a war on terrorism "is exactly the right time to do this." The military has continued difficulty in recruiting and retaining skilled people, he noted, and gays and lesbians have demonstrated that they are capable of serving and should not be denied that opportunity.

Reinforcing the argument, a lawsuit filed that same day in Washington, D.C., by eight National Guardsmen is challenging the Pentagon's "stop-loss" policy. Under the policy, the military requires that soldiers stay with their units if they are deployed overseas, even if they have completed their terms of enlistment. It says the policy enhances unit cohesion.

The soldiers say it violates the contract that they signed with the government when they enlisted. **JM**

BOB ROEHR is a free-lance reporter based in Washington, D.C.

Got financial questions?

Get answers.

- Comprehensive Financial Planning
- Retirement Planning
- Life & Disability Insurance*
- Estate Tax Analysis

- College Savings Plans
- Mutual Funds Investing
- IRAs, Roth IRAs, Rollovers
- Tax Advantaged Investments
- Long Term Care Insurance*

* Offered through arrangements with insurance companies



Investing. With a plan.®

Call Anne today. **503.238.6036** ext. 119

500 Northeast Multnomah Street • Suite 278 • Portland, OR 97232

503-238-7056 FAX • Toll Free 888-892-9049 • anneeelye@wradvisers.com



ANNE SEELYE
FINANCIAL ADVISOR

Injured? ...Call me

Free Consultation
No Fee Unless You Recover

Hala Gores, P.C.
Attorney at Law

503/295-1940
12th Floor, 621 SW Morrison
Portland



*Integrity,
Experience
& Results*



Proudly serving
our community since 1989
in personal injury claims
including:

- Auto & Motorcycle Accidents
- Bicycle & Pedestrian Accidents
- Medical Malpractice
- Wrongful Death
- Defective Products
- Insurance Claims

You Deserve
Full Compensation
for:

- Pain & Suffering
- Medical Expenses
- Lost Earnings
- Property Damage
- Car Rental

*As we celebrate our 25th anniversary,
we would like to thank all of our clients
and associates for your continuous support.
In appreciation, we have made a
commemorative contribution to
the following organizations:*

*Our House
Habitat for Humanity
Clackamas Women's Services*



503.287.9370

bridgetownrealty.com



Corner of Sandy Blvd. & NE 64th
3106 NE 64th
Portland, OR 97213
503-280-8080

It's My Pleasure

Gifts for Romance in an Elegant Setting



Multnomah Antiques

Annual January Sale — 10%-50% off!

Dining Tables & Chairs

China ~ Silver ~ Glass ~ Table Linens

Mon.-Sat. 10:00am - 5:30pm • Sun. Noon-4:00pm

In Multnomah Village • 7764 SW Capitol Hwy. • 503.245.8283