

FOR PUBLICATION
UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

MITCHELL BARNES-WALLACE;
MAXWELL BREEN,
Plaintiffs-Appellees,
v.
CITY OF SAN DIEGO,
Defendant,
and
BOY SCOUTS OF AMERICA-DESERT
PACIFIC COUNCIL,
Defendant-Appellant.

No. 04-55732
D.C. No.
CV-00-01726-
NAJ/AJB
Southern District of
California,
San Diego

MITCHELL BARNES-WALLACE;
MAXWELL BREEN; LORI BARNES-
WALLACE, Guardian Ad Litem;
LYNN BARNES-WALLACE, Guardian
Ad Litem; MICHAEL BREEN,
Guardian Ad Litem; VALERIE
BREEN, Guardian Ad Litem,
Plaintiffs-Appellants,
v.
CITY OF SAN DIEGO; BOY SCOUTS OF
AMERICA-DESERT PACIFIC COUNCIL,
Defendants-Appellees.

No. 04-56167
D.C. No.
3:00-CV-01726-
J-AJB
Southern District of
California,
San Diego
ORDER

Filed May 15, 2009

Before: William C. Canby, Jr., Andrew J. Kleinfeld, and
Marsha S. Berzon, Circuit Judges.

ORDER

On April 1, 2009, the California Supreme Court denied this court's request for decision of certified questions without prejudice to renewal of the request after resolution of the issue of standing becomes final. Accordingly, further proceedings in this court are stayed pending the final determination of the Supreme Court of the United States of the petition for certiorari filed by the Defendants-Appellees on March 31, 2009 (Sup. Ct. Docket No. 08-1222), and pending the decision by the Supreme Court of *Buono v. Salazar*, No. 08-472, cert. granted, Feb. 23, 2009.

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