

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

JIM LEMON, <i>et al.</i>,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 05-949 (RCL)
)	
THE HONORABLE FRANCIS J. HARVEY,)	
SECRETARY OF THE ARMY, <i>et al.</i>,)	
)	
Defendants.)	
)	

ORDER

Upon consideration of defendants' Motions [26, 27, 28] to Dismiss for Lack of Jurisdiction, or in the alternative, Motions for Summary Judgment, plaintiffs' opposition thereto, defendants' reply, the record herein, and the applicable law, it is hereby:

ORDERED that plaintiffs' Motion [36] for Leave to File Second Amended Complaint is GRANTED; further, it is

ORDERED that defendants' Motions [26, 27, 28] to Dismiss for Lack of Jurisdiction, or in the alternative, Motions for Summary Judgment are GRANTED; further, it is

ORDERED that defendants' Motion [40] to Strike is DENIED as MOOT.

The case now stands DISMISSED for lack of jurisdiction.

SO ORDERED.

Signed by Royce C. Lamberth, United States District Judge, August 25, 2006.