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DEPARTMENT OF JUSTICE

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November 28, 2016

The Hon. Molly Dwyer, Clerk
United States Court of Appeals for the Ninth Circuit
95 7th Street
San Francisco, CA 94103

RE: *Barry Bauer, et al. v. Kamala Harris, et al.*
United States Court of Appeals for the Ninth Circuit, No. 15-15428

Dear Ms. Dwyer:

In response to the Court's notice that this case is being considered for the March 2017 San Francisco oral argument calendar, I write to advise the Court that I am also lead counsel in a separate appeal that the Court is considering for the same calendar. *See Pena v. Lindley* (9th Cir. No. 15-15449) (Doc. No. 51).

Accordingly, I respectfully request that this case (i.e., *Bauer v. Harris*) be considered for the April 2017 San Francisco oral argument calendar, as opposed to the March calendar. I have discussed this matter with opposing counsel, Sean Brady, and he has no objection to *Bauer v. Harris* being placed on the April calendar.

Sincerely,

/s/ Anthony R. Hakl

ANTHONY R. HAKL
Deputy Attorney General

For KAMALA D. HARRIS
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