

UNITED STATES COURT OF APPEALS FOR THE NINTH CIRCUIT

Circuit Mediation Office

Phone (415) 355-7900 Fax (415) 355-8566

<http://www.ca9.uscourts.gov/mediation>

MEDIATION QUESTIONNAIRE

The purpose of this questionnaire is to help the court's mediators provide the best possible mediation service in this case; it serves no other function. Responses to this questionnaire are *not* confidential. Appellants/Petitioners must electronically file this document within 7 days of the docketing of the case. 9th Cir. R. 3-4 and 15-2. Appellees/Respondents may file the questionnaire, but are not required to do so.

9th Circuit Case Number(s):	14-36049		
District Court/Agency Case Number(s):	3:13-CV-00336-BLW		
District Court/Agency Location:	D. Idaho		
Case Name:	Morris	v.	U.S. Army Corps of Engineers
If District Court, docket entry number(s) of order(s) appealed from:	Dkt. # 67		
Name of party/parties submitting this form:	U.S. ARMY CORPS OF ENGINEERS; MCHUGH; BOSTICK; KEM; KELLY		

Please briefly describe the dispute that gave rise to this lawsuit.

Plaintiffs argue that a U.S. Army Corps of Engineers regulation restricting firearm use on Army Corps land violates the Second Amendment.

Briefly describe the result below and the main issues on appeal.

The district court held that the Army Corps regulation violated the Second Amendment and entered permanent injunctive relief.

Describe any proceedings remaining below or any related proceedings in other tribunals.

There are no remaining proceedings.

Provide any other thoughts you would like to bring to the attention of the mediator.

The government is currently defending the regulation on appeal in the Eleventh Circuit. See GeorgiaCarry.org v. U. S. Army Corps of Engineers, No. 14-13739. In denying preliminary relief, the district court in the GeorgiaCarry decision upheld the regulation at issue in this appeal and rejected plaintiffs' Second Amendment arguments.

Any party may provide additional information *in confidence* directly to the Circuit Mediation Office at ca09_mediation@ca9.uscourts.gov. Please provide the case name and Ninth Circuit case number in your message. Additional information might include interest in including this case in the mediation program, the case's settlement history, issues beyond the litigation that the parties might address in a settlement context, or future events that might affect the parties' willingness or ability to mediate the case.

CERTIFICATION OF COUNSEL

I certify that:

a current service list with telephone and fax numbers and email addresses is attached

(see 9th Circuit Rule 3-2).

I understand that failure to provide the Court with a completed form and service list

may result in sanctions, including dismissal of the appeal.

Signature

("s/" plus attorney name may be used in lieu of a manual signature on electronically-filed documents.)

Counsel for

Note: Use of the Appellate ECF system is mandatory for all attorneys filing in this Court, unless they are granted an exemption from using the system. **To file this form electronically** in Appellate ECF, complete the form, and then print the filled-in form to PDF (File > Print > PDF Printer/Creator). Then log into Appellate ECF and choose Forms/Notices/Disclosure > File a Mediation Questionnaire.

REPRESENTATION STATEMENT

Defendants-Appellants: U.S. ARMY CORPS OF ENGINEERS; JOHN MCHUGH, Secretary of the Army; THOMAS BOSTICK, Lieutenant General, Commanding General and Chief Engineers; JOHN S. KEM, Colonel, Northwestern Division Commander; ANDREW D. KELLY, Lieutenant Colonel, Walla Walla District Commander and District Engineer

Michael Raab
Abby C. Wright
Attorneys, Appellate Staff
Civil Division, Room 7252
U.S. Department of Justice
950 Pennsylvania Ave., N.W.
Washington, DC 20530
Telephone: (202) 514-0664, Facsimile: (202) 514-8151
michael.raab@usdoj.gov
abby.wright@usdoj.gov

Plaintiffs-Appellees: ELIZABETH MORRIS; ALAN C. BAKER

Steven J. Lechner, Esq. (CO No. 19853)
Mountain States Legal Foundation
2596 South Lewis Way
Lakewood, Colorado 80227
(303) 292-2021
(303) 292-1980 (facsimile)
jmanley@mountainstateslegal.com
lechner@mountainstateslegal.com

John L. Runft, Esq. (ISB No. 1059)
Runft and Steele Law Offices, PLLC
1020 West Main Street, Suite 400
Boise, Idaho 83702
(208) 333-8506
(208) 343-3246 (facsimile)
jrunft@runftsteele.com