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January 19, 2011

Via: E-File

U.S. Court of Appeals for the Ninth Circuit  
95 7<sup>th</sup> Street  
San Francisco, California 94103-1526

Re: Nordyke, et al., v. King, et al., Case No.: 07-15763  
Matter was Argued and Submitted on October 19, 2010.  
Before: Arthur L. Alarcon, Diarmuid F. O'Scannlain and  
Ronald M. Gould

Your Honors:

This letter is filed in response to Docket Entry # 174 filed by the Appellees on January 10, 2011, calling to this Court's attention the case of *Williams v. Maryland*.

The difference between the Maryland case and *United States v. Chester*; 2010 U.S. App. Lexis 26505, is that the Maryland Court failed to conduct the historical analysis of the scope of the Second Amendment outside the home. That historical analysis is briefed and already before the Court in this case. Furthermore the type of analysis necessary for Second Amendment adjudication was conducted by the *Chester* Court. Therefore *Chester* is the more persuasive case.

Respectfully Submitted,

/s/

Donald Kilmer  
Attorney for Appellants