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June 15, 2009

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  
Pending Case – Filed April 20, 2009.  
*En Banc* Vote Pending pursuant to May 18, 2009 Order.  
Original Panel: Arthur L. Alarcon, Diarmuid F. O'Scannlain  
and Ronald M. Gould

Your Honors:

This letter is intended to comply with Federal Rule of Appellate Procedure 28(j). In an FRAP 28(j) letter lodged with this Court on June 8, 2009, Plaintiff-Appellants brought to this Court's attention a decision out of the Seventh Circuit Court of Appeals: National Rifle Association of America, Inc., et al., v. City of Chicago, Illinois and Village of Oak Park, Illinois. Case Nos.: 08-4241, 08-4243 & 08-4244.

Petitions for *certiorari* have been filed with the United States Supreme Court in those cases. True and correct copies of the docket reports from the Supreme Court web site are attached.

Respectfully Submitted,

/s/

Donald Kilmer  
Attorney for Appellants

encl: Docket Report (2)

No. 08-1497

Title: National Rifle Association of America, Inc., et al., Petitioners  
v.  
City of Chicago, Illinois, et al.

Docketed: June 4, 2009

Lower Ct: United States Court of Appeals for the Seventh Circuit

Case Nos.: (08-4241, 08-4243, 08-4244)

Decision Date: June 2, 2009

~~~~~Date~~~~~ ~~~~~Proceedings and Orders~~~~~  
Jun 3 2009 Petition for a writ of certiorari filed. (Response due July 6, 2009)

~~~~~Name~~~~~ ~~~~~Address~~~~~ ~~~~~Phone~~~~~  
**Attorneys for Petitioners:**  
Stephen P. Halbrook 10560 Main Street, Suite 404 (703) 352-7276  
Fairfax, VA 22030  
Party name: National Rifle Association of America, Inc., et al.

No. 08-1521

Title: Otis McDonald, et al., Petitioners  
v.  
City of Chicago, Illinois

Docketed: June 11, 2009

Lower Ct: United States Court of Appeals for the Seventh Circuit

Case Nos.: (08-4241, 08-4243, 08-4244)

Decision Date: June 2, 2009

~~~Date~~~ ~~~~~Proceedings and Orders~~~~~  
Jun 9 2009 Petition for a writ of certiorari filed. (Response due July 13, 2009)

| ~~~Name~~~                        | ~~~~~Address~~~~~                                                                                               | ~~~Phone~~~    |
|-----------------------------------|-----------------------------------------------------------------------------------------------------------------|----------------|
| <b>Attorneys for Petitioners:</b> |                                                                                                                 |                |
| Alan Gura                         | Gura & Possessky, PLLC<br>101 N. Columbus Street<br>Suite 405<br>Alexandria, VA 22314<br>alan@gurapossessky.com | (703) 835-9085 |

Party name: Otis McDonald, et al.

CERTIFICATE OF SERVICE  
When All Case Participants are Registered for the  
Appellate CM/ECF System

U.S. Court of Appeals Docket Number(s): 07-15763

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on (date) \_\_\_\_\_ .

I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

Signature

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CERTIFICATE OF SERVICE  
When Not All Case Participants are Registered for the  
Appellate CM/ECF System

U.S. Court of Appeals Docket Number(s): 07-15763

I hereby certify that I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system on (date) Jun 15, 2009 \_\_\_\_\_ .

Participants in the case who are registered CM/ECF users will be served by the appellate CM/ECF system.

I further certify that some of the participants in the case are not registered CM/ECF users. I have mailed the foregoing document by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within 3 calendar days to the following non-CM/ECF participants:

Alan Gura, 101 N. Columbus St., Ste 405, Alexandria VA 22314  
C.D. Michel, 180 E. Ocean Blvd., Ste 200, Long Beach CA 90802  
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Signature

