

CIVIL NO: 07-15763

**IN THE UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT**

RUSSELL ALLEN NORDYKE, et al.,

Plaintiffs and Appellants,

vs.

MARY V. KING, et al.,

Defendants and Appellees.

APPEAL FROM A JUDGMENT OF THE
UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF CALIFORNIA
HON. MARTIN J. JENKINS,
(CASE No. CV-99-04389-MJJ)

**REQUEST FOR CLARIFICATION OF
COURT'S ORDER**

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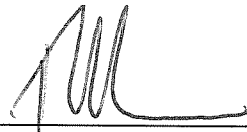
Attorneys for Defendants and Appellees

On July 29, 2009, the Court entered an Order in part requiring the parties to forward to the Clerk of the Court thirty additional copies of “the original briefs and excerpts of record.” Appellees understood that Order to refer to the briefs filed by the parties, and not to refer to amicus briefs or any other pleadings. Appellants appear to have a different view of the order, because in response to it, they have submitted additional copies of all amicus briefs supporting their cause and previously filed in connection with the argument before the three-judge panel, as well as numerous miscellaneous pleadings they filed after oral argument and while the matter was under submission by the panel. Appellees therefore request clarification whether the Court wishes appellees to submit additional copies of amicus briefs earlier filed in support of their cause.

DATED: August 7, 2009

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