



**United States District Court**  
**NORTHERN DISTRICT OF ILLINOIS**  
**CHICAGO, ILLINOIS 60604**

**MICHAEL W. DOBBINS**

**January 4, 2010**

CLERK 312-435-5670

Mr William K. Suter, Clerk  
U.S. Supreme Ct.  
1 First Street, N.E.  
Washington D.C 20543

RE: National Rifle Association -v- The City of Chicago

U.S.D.C. DOCKET NO. 08 cv 3697

U.S.C.A. DOCKET NO. : 08-4241

U.S. Supreme Ct. 08-1521

Dear Mr. Suter

Please find attached the original record on appeal consisting of the following:

ELECTRONIC VOLUME(S) OF PLEADING(S): 1

ELECTRONIC VOLUME(S) of TRANSCRIPTS:

VOLUME(S) OF PLEADING(S)

VOLUME(S) OF TRANSCRIPT(S)

OTHER (SPECIFY):

SPECIAL NOTE:

Please acknowledge date of receipt of the above mentioned materials on the attached copy of this letter.

Very truly yours,

Michael W. Dobbins, Clerk

By /s/ D. Jordan, Deputy Clerk

**I, MICHAEL W. DOBBINS, CLERK** of the United States District Court for the Northern District of Illinois, do hereby certify to the United States Supreme Court , that the documents submitted herewith and annexed hereto are the original papers filed and entered of record in my office, on the dates in the List of Documents, and together with a true copy of docket entries as they appear in the official dockets in this office, consisting of:

1 Volume of Pleadings

In the cause entitled: NRA -v- The City of Chicago

USDC NO.: 08 cv 3697

USCA NO 08-4241

US Supreme Court # 08-1521

IN TESTIMONY WHEREOF, I hereunto subscribed my name and affixed the seal of the aforesaid Court at Chicago, Illinois, this 4th day of Jan. 2010.

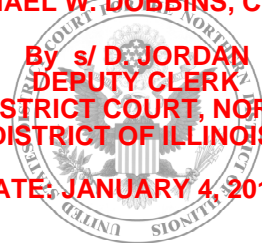
MICHAEL W. DOBBINS, CLERK

By:/s/ D. Jordan, Deputy Clerk

**A TRUE COPY-ATTEST  
MICHAEL W. DOBBINS, CLERK**

**By s/ D. JORDAN  
DEPUTY CLERK  
U.S. DISTRICT COURT, NORTHERN  
DISTRICT OF ILLINOIS**

**DATE: JANUARY 4, 2010**



APPEAL, SCHENKIER, TERMED

**United States District Court**  
**Northern District of Illinois - CM/ECF LIVE, Ver 4.0.3 (Chicago)**  
**CIVIL DOCKET FOR CASE #: 1:08-cv-03697**  
**Internal Use Only**

National Rifle Association of America, Inc. et al v. The	Date Filed: 06/27/2008
City of Chicago et al	Date Terminated: 12/18/2008
Assigned to: Honorable Milton I. Shadur	Jury Demand: Defendant
Case in other court:	Nature of Suit: 890 Other Statutory Actions
08-04241.	Jurisdiction: Federal Question

Cause: 28:2201 Constitutionality of State Statute(s)

**Plaintiff**

**National Rifle Association of  
America, Inc.**

represented by **Stephen P. Halbrook**  
Attorney at Law  
10560 Main St., Suite 404  
Fairfax, VA 22030  
(703) 352-7276  
Email: protell@aol.com  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Stephen A. Kolodziej**  
Brenner, Ford, Monroe & Scott, Ltd  
33 North Dearborn Street  
Suite 300  
Chicago, IL 60602  
(312) 781-1970  
Email:  
skolodziej@brennerlawfirm.com  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Dr. Kathryn Tyler**

represented by **Stephen P. Halbrook**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Stephen A. Kolodziej**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Anthony Burton**  
*TERMINATED: 12/18/2008*

represented by **Stephen P. Halbrook**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Stephen A. Kolodziej**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Van F Welton**

represented by **Stephen P. Halbrook**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Stephen A. Kolodziej**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

**Plaintiff**

**Brett Benson**

represented by **Stephen P. Halbrook**  
(See above for address)  
*LEAD ATTORNEY*  
*PRO HAC VICE*  
*ATTORNEY TO BE NOTICED*

**Stephen A. Kolodziej**  
(See above for address)  
*ATTORNEY TO BE NOTICED*

V.

**Defendant**

**The City of Chicago**

represented by **Andrew W Worseck**  
City of Chicago, Department of Law  
30 North LaSalle Street  
Suite 900  
Chicago, IL 60602  
(312) 744-9010  
Email: aworseck@cityofchicago.org  
*ATTORNEY TO BE NOTICED*

**Rebecca Alfert Hirsch**  
city of chicago  
30 N. LaSalle St  
Suite 1230  
Chicago, IL 60602  
(312) 742-0260  
Email:  
rebecca.alfert@cityofchicago.org  
*ATTORNEY TO BE NOTICED*

**William Macy Aguiar**  
City of Chicago, Department of Law  
30 North LaSalle Street  
Suite 900  
Chicago, IL 60602  
(312) 744-9010  
Email: waguiar@cityofchicago.org  
*ATTORNEY TO BE NOTICED*

**Defendant**

**Richard M. Daley**  
*Mayor of the City of Chicago*  
*TERMINATED: 07/25/2008*

**Defendant**

**M.S.C.A. Vance Medical  
Administrator**

**Movant**

**Attorney Stephen P. Halbrook**

Date Filed	#	Docket Text
06/27/2008	<a href="#">1</a>	COMPLAINT filed by National Rifle Association of America, Inc., Kathryn Tyler, Anthony Burton, Van F Welton, Brett Benson. (jmp, ) (Entered: 06/30/2008)
06/27/2008	<a href="#">2</a>	CIVIL Cover Sheet.(jmp, ) (Entered: 06/30/2008)
06/27/2008	<a href="#">3</a>	ATTORNEY Appearance for Plaintiffs National Rifle Association of America, Inc., Kathryn Tyler, Anthony Burton, Van F Welton, Brett Benson by Stephen A. Kolodziej. (jmp, ) (Entered: 06/30/2008)
06/27/2008	<a href="#">4</a>	(Court only) RECEIPT regarding payment of filing fee paid on 6/27/2008 in the amount of \$350.00, receipt number 289 4288. (jmp, ) (Entered: 06/30/2008)
07/08/2008	<a href="#">5</a>	MOTION for Leave to Appear Pro Hac Vice Filing fee \$ 50, receipt number 0752000000002916808. (Attachments: # <a href="#">1</a> Exhibit Stephen P. Halbrook court admissions information)(Halbrook, Stephen) (Entered: 07/08/2008)
07/25/2008	<a href="#">6</a>	EXECUTIVE COMMITTEE ORDER: In accordance with the provisions of Local Rule 40.4, Finding of Relatedness, case reassigned to the Honorable Milton I. Shadur for all further proceedings. Signed by Executive Committee on 7/25/2008. (jmp, ) (Entered: 07/28/2008)
07/25/2008		(Court only) *** Defendant Richard Daley dismissed in accordance with court's ruling in 08-3645(srn, ) (Entered: 08/18/2008)
07/29/2008		(Court only) ***Attorney Stephen P. Halbrook for Brett Benson, National Rifle Association of America, Inc., Kathryn Tyler, Anthony Burton and Van F Welton added. (jmp, ) (Entered: 07/29/2008)
07/29/2008		(Court only) ***Attorney James W. Halbrooks, Jr for National Rifle Association of America, Inc., Kathryn Tyler, Anthony Burton, Van F Welton and Brett Benson added. (jmp, ) (Entered: 07/29/2008)
07/29/2008	<a href="#">7</a>	MINUTE entry before the Honorable Milton I. Shadur: Stephen P. Halbrooks motion for leave to appear pro hac vice <a href="#">5</a> is granted. Mailed notice <> (jmp, ). (Entered: 07/29/2008)
08/12/2008	<a href="#">8</a>	SUMMONS Issued as to Defendant City of Chicago. (aac, ) (Entered: 08/13/2008)
08/18/2008	<a href="#">9</a>	MINUTE entry before the Honorable Milton I. Shadur:Status hearing held on 8/18/2008. City of Chicago's Answer is due on or before September 2, 2008. Status hearing set for 9/10/2008 at 09:00 AM.Mailed notice (srn, ) (Entered: 08/18/2008)
09/02/2008	<a href="#">10</a>	ATTORNEY Appearance for Defendant The City of Chicago by William Macy Aguiar (Aguiar, William) (Entered: 09/02/2008)
09/02/2008	<a href="#">11</a>	ANSWER to Complaint with Jury Demand by The City of Chicago(Aguiar, William) (Entered: 09/02/2008)
09/02/2008	<a href="#">12</a>	NOTICE by The City of Chicago re answer to complaint <a href="#">11</a> (Aguiar,

		William) (Entered: 09/02/2008)
09/03/2008	<a href="#">13</a>	ATTORNEY Appearance for Defendant The City of Chicago by Rebecca Alfert (Alfert, Rebecca) (Entered: 09/03/2008)
09/10/2008	<a href="#">14</a>	MINUTE entry before the Honorable Milton I. Shadur:Status hearing held on 9/10/2008. Status hearing set for 11/10/2008 at 09:00 AM.Mailed notice (srn, ) (Entered: 09/10/2008)
09/23/2008	<a href="#">15</a>	ATTORNEY Appearance for Defendant The City of Chicago by Andrew W Worsack (Worsack, Andrew) (Entered: 09/23/2008)
10/22/2008	<a href="#">16</a>	MOTION by Plaintiffs National Rifle Association of America, Inc., Kathryn Tyler, Anthony Burton, Van F Welton, Brett Benson to set a briefing schedule <i>Rule 16 Motion for Briefing and Disposition of Second Amendment Incorporation Issue and to Stay Discovery Pending Same</i> (Attachments: # <a href="#">1</a> Exhibit Defendant's First Document Request, # <a href="#">2</a> Exhibit Defendant's First Interrogatories, # <a href="#">3</a> Exhibit Letter to Defense Counsel of 10.17.08)(Kolodziej, Stephen) (Entered: 10/22/2008)
10/22/2008	<a href="#">17</a>	<i>Notice of Motion for Rule 16 Motion for Briefing and Disposition of Second Amendment Incorporation Issue and to Stay Discovery Pending Same</i> NOTICE of Motion by Stephen A. Kolodziej for presentment of motion by filer to set a briefing schedule, <a href="#">16</a> before Honorable Milton I. Shadur on 10/28/2008 at 09:15 AM. (Kolodziej, Stephen) (Entered: 10/22/2008)
10/23/2008	<a href="#">18</a>	MOTION by Plaintiffs National Rifle Association of America, Inc., Kathryn Tyler, Anthony Burton, Van F Welton, Brett Benson to strike <i>Motion to Strike Jury Demand</i> (Attachments: # <a href="#">1</a> Exhibit Oak Park Motion to Strike Jury Demand)(Kolodziej, Stephen) (Entered: 10/23/2008)
10/23/2008	<a href="#">19</a>	NOTICE of Motion by Stephen A. Kolodziej for presentment of motion to strike, <a href="#">18</a> before Honorable Milton I. Shadur on 10/28/2008 at 09:15 AM. (Kolodziej, Stephen) (Entered: 10/23/2008)
10/28/2008	<a href="#">20</a>	MINUTE entry before the Honorable Milton I. Shadur:Motion to set a briefing schedule <a href="#">16</a> is granted. Parties' submissions are due on or before December 1, 2008. Motion to strike jury demand <a href="#">18</a> is entered and continued to November 10, 2008 at 9:15 a.m. Motion hearing held on 10/28/2008 Status hearing set for 12/4/2008 at 09:00 AM.Mailed notice (srn, ) (Entered: 10/29/2008)
11/07/2008	<a href="#">21</a>	MINUTE entry before the Honorable Milton I. Shadur:Motion to strike jury demand <a href="#">18</a> is denied as moot. By agreement of the parties the jury demand is withdrawn. The November 10, 2008 status date is stricken. Status hearing set for 12/4/2008 at 09:00 AM.Mailed notice (srn, ) (Entered: 11/07/2008)
12/01/2008	<a href="#">22</a>	MEMORANDUM by National Rifle Association of America, Inc., Kathryn Tyler, Anthony Burton, Van F Welton, Brett Benson <i>Memorandum in Support of Claim that the Second Amendment is Incorporated into the Fourteenth Amendment so as to be Applicable to States and Localities</i> (Kolodziej, Stephen) (Entered: 12/01/2008)

12/01/2008	<a href="#">23</a>	NOTICE by National Rifle Association of America, Inc., Kathryn Tyler, Anthony Burton, Van F Welton, Brett Benson re memorandum, <a href="#">22</a> <i>Notice of Filing</i> (Kolodziej, Stephen) (Entered: 12/01/2008)
12/03/2008	<a href="#">24</a>	MINUTE entry before the Honorable Milton I. Shadur:The December 4, 2008 status date is stricken. This Court will set a new status date after the completion of the trial that it is currently conducting.Mailed notice (srn, ) (Entered: 12/03/2008)
12/04/2008	<a href="#">25</a>	MINUTE entry before the Honorable Milton I. Shadur:Enter Memorandum Opinion and Order. Status hearing set for 12/9/2008 at 08:45 AM.Mailed notice (srn, ) (Entered: 12/04/2008)
12/04/2008	<a href="#">26</a>	MEMORANDUM Opinion and Order Signed by the Honorable Milton I. Shadur on 12/4/2008:Mailed notice(srn, ) (Entered: 12/04/2008)
12/09/2008	<a href="#">27</a>	MINUTE entry before the Honorable Milton I. Shadur:Status hearing held on 12/9/2008. Counsel is to submit a draft order for consideration. Status hearing set for 12/18/2008 at 08:45 AM.Mailed notice (srn, ) (Entered: 12/09/2008)
12/09/2008	<a href="#">28</a>	MOTION by Plaintiff Anthony BurtonDrop Party Plaintiff <i>Rule 21 Motion to Drop Party Plaintiff</i> (Kolodziej, Stephen) (Entered: 12/09/2008)
12/09/2008	<a href="#">29</a>	NOTICE of Motion by Stephen A. Kolodziej for presentment of motion for miscellaneous relief <a href="#">28</a> before Honorable Milton I. Shadur on 12/18/2008 at 09:15 AM. (Kolodziej, Stephen) (Entered: 12/09/2008)
12/18/2008	<a href="#">30</a>	STIPULATION of Dismissal <i>Stipulation of Dismissal of Count III of the Complaint With Prejudice</i> (Kolodziej, Stephen) (Entered: 12/18/2008)
12/18/2008	<a href="#">31</a>	NOTICE by National Rifle Association of America, Inc., Kathryn Tyler, Van F Welton, Brett Benson re stipulation of dismissal <a href="#">30</a> <i>Notice of Filing Stipulation of Dismissal of Count III of the Complaint With Prejudice</i> (Kolodziej, Stephen) (Entered: 12/18/2008)
12/18/2008	<a href="#">32</a>	NOTICE of appeal by National Rifle Association of America, Inc., Kathryn Tyler, Van F Welton, Brett Benson regarding orders <a href="#">31</a> Filing fee \$ 455, receipt number 0752000000003368579. (Kolodziej, Stephen) (Entered: 12/18/2008)
12/18/2008	<a href="#">33</a>	Amended Notice of Appeal by National Rifle Association of America, Inc., Kathryn Tyler, Van F Welton, Brett Benson (Kolodziej, Stephen) (Entered: 12/18/2008)
12/18/2008	<a href="#">37</a>	MINUTE entry before the Honorable Milton I. Shadur: Status hearing held. Plaintiff's motion to drop party plaintiff is granted [28-1] Anthony Burton is dropped as a party plaintiff. Pursuant to the Stipulation of Dismissal filed 12/1/2008, Count III of the Complaint is hereby dismissed with prejudice. Enter Order. This Court hereby grants the oral motion of the City of Chicago pursuant o Fed. R. Civ. P. 12 for judgment on the pleadings on Counts I and II of the Complaint. Judgment is hereby entered in favor of the City of Chicago and against Plaintiffs on Counts I and II of the complaint. Anthony Burton terminated., Civil case terminated. [For further detail see separate



		order(s).] Mailed notice (jmp, ) (Entered: 12/22/2008)
12/18/2008	<a href="#">38</a>	ENTER ORDER Signed by the Honorable Milton I. Shadur on 12/18/2008: Mailed notice (jmp, ) (Entered: 12/22/2008)
12/18/2008	<a href="#">39</a>	ENTERED JUDGMENT (jmp, ) (Entered: 12/22/2008)
12/19/2008	<a href="#">34</a>	NOTICE of Appeal Due letter sent to counsel of record (dj, ) (Entered: 12/19/2008)
12/19/2008	<a href="#">35</a>	TRANSMITTED to the 7th Circuit the short record on notice of appeal <a href="#">32</a> . Notified counsel (dj, ) (Entered: 12/19/2008)
12/19/2008	<a href="#">36</a>	TRANSMITTED to the 7th Circuit the short record on the amended notice of appeal <a href="#">32</a> . Notified counsel (dj, ) (Entered: 12/19/2008)
12/19/2008	<a href="#">40</a>	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal <a href="#">32</a> ; USCA Case No. 08-4239. (jmp, ) (Entered: 12/22/2008)
12/19/2008	<a href="#">41</a>	ACKNOWLEDGEMENT of receipt of short record on appeal regarding notice of appeal <a href="#">32</a> ; USCA Case No. 08-4241. (jmp, ) (Entered: 12/22/2008)
12/19/2008	<a href="#">42</a>	CIRCUIT Rule 3(b) Notice regarding appeal 08-4241. (jmp, ) (Entered: 12/22/2008)
12/19/2008	<a href="#">43</a>	NOTICE of case opening regarding appeal #8-4239. by plaintiffs. (jmp, ) (Entered: 12/22/2008)
12/19/2008	<a href="#">44</a>	NOTICE of case opening regarding apeal #8-4241 by plaintiffs. (jmp, ) (Entered: 12/22/2008)
01/07/2009	<a href="#">45</a>	USCA ORDER dated 1/7/2009 regarding notice of appeal <a href="#">32</a> ; USCA No. 08-4239. Upon consideration of the MOTION for voluntary dismissal of appeal No. 08-4239 filed on January 6, 2009 by counsel for the appellants, IT IS ORDERED that the motion is granted and this appeal is dismissed pursuant to Federal Rule of Appellate Procedure 42(b). (jmp,) (Entered: 01/09/2009)
01/07/2009	<a href="#">46</a>	NOTICE OF ISSUANCE OF MANDATE of USCA dated 1/7/2009 regarding notice of appeal <a href="#">32</a> ; USCA No. 08-4239 j. Herewith is the mandate of this court in this appeal, along with the bill of costs, if any. A certified copy of the opinion order of the court and judgment, if any, and any direction as to costs shall constitute the mandate. (jmp, ) (Entered: 01/09/2009)
01/20/2009	<a href="#">47</a>	TRANSMITTED to the USCA for the 7th Circuit the long record on appeal <a href="#">32</a> (USCA no. 08-4241) consisting of 1 volume of pleadings. (ef, ) (Entered: 01/20/2009)
01/20/2009	<a href="#">48</a>	USCA RECEIVED on 1/20/09 the long record regarding notice of appeal <a href="#">32</a> (dj, ) (Entered: 01/22/2009)
01/29/2009	<a href="#">49</a>	CIRCUIT Rule 3(b) Notice. (jmp, ) (Entered: 01/29/2009)
01/29/2009	<a href="#">50</a>	LETTER from the USCA retaining the record on appeal in USCA no. 08-4241. Record to be returned at a later date; Notice of Issuance of Mandate. (jmp, ) (Entered: 01/29/2009)

02/02/2009	<a href="#">51</a>	CERTIFIED copy of order dated 2/2/09 from the USCA regarding notice of appeal <a href="#">32</a> ; Appellate case no. : 08-4241 (cdy, ) (Entered: 02/03/2009)
02/02/2009	<a href="#">52</a>	(Court only) RECEIPT regarding payment of filing fee paid for Notice of Appeal on 2/2/2009 in the amount of \$455.00, receipt number 4624016262 (08A4241)(cdy, ) (Entered: 02/03/2009)
06/24/2009	<a href="#">53</a>	BILL OF COSTS Taxed in favor of City of Chicago in amount of \$ 190.80 and against National Rifle Association of America, Inc., et al. (jmp, ) (Entered: 06/24/2009)
06/24/2009	<a href="#">54</a>	LETTER from the Seventh Circuit returning the record on appeal in USCA no. 08-4241, 08-4244, 08-4243 consisting of three (3) volume pleadings. (kj, ) Modified on 6/26/2009 (kj, ). (Entered: 06/26/2009)

**KEY**

**All items are included in this record.**  
**All crossed out items are not included in the record.**  
**S/C: These items are sent under a separate certificate.**  
**N/A: These items are not available.**