

Defendants, by and through undersigned counsel, hereby respectfully note the following:

1. On May 26, 2015, plaintiffs filed a Motion to Hold Defendants in Contempt (Doc. 14), alleging, *inter alia*, that Lawrence W. Powers erroneously was denied a concealed-carry permit. *See* Doc. No. 14 at ¶ 7. Plaintiffs attached a copy of a declaration from Mr. Powers and a letter he had received from the Metropolitan Police Department (MPD). *See* Doc. 14-1, 14-2.
2. Prior to filing this motion, plaintiffs' counsel did not discuss the motion with the undersigned, nor the basis for the relief sought.
3. Subsequent to the filing of plaintiffs' motion, MPD investigated plaintiffs' allegations and determined that the letter it sent to Mr. Powers had been issued in error. *See* Declaration of Sgt. Colin Hall (May 28, 2015) (copy attached), ¶ 6.
4. MPD immediately reviewed Mr. Powers' application and determined that he was qualified to receive a concealed-carry license, in light of the Court's ruling. *Id.*, ¶ 7.
5. MPD called Mr. Powers on Wednesday afternoon, May 27, 2015, to inform him of this fact, and told him he could retrieve his concealed-carry license. *Id.*, ¶ 8. He did so at approximately 4:30 p.m. *Id.*

6. Had plaintiffs' counsel complied with Local Rule 7(m) during his "meet and confer" telephone call, *see* Doc. 14 at ¶ 11, by informing the undersigned that plaintiffs intended to file a motion for contempt, that MPD had provided erroneous advice, or that Mr. Powers, specifically, had received such advice, the District would have been able to investigate and resolve the matter before plaintiffs filed their motion.

7. Nonetheless, because the District has promptly and fully corrected the issue, the motion is now moot and should be withdrawn or dismissed.

8. Additionally, MPD has informed the individual plaintiffs, Brian Wrenn, Joshua Akery, and Tyler Whidby, that they are preliminarily approved to receive concealed-carry licenses per 24 DCMR § 2336.4, so long as they complete the training requirements set forth in 24 DCMR §§ 2336.1 and 2336.2 within 45 days. Hall Decl., ¶ 9.

DATE: May 28, 2015

Respectfully submitted,

KARL A. RACINE
Attorney General for the District of Columbia

ELIZABETH SARAH GERE
Acting Deputy Attorney General
Public Interest Division

/s/ Toni M. Jackson
TONI M. JACKSON
Chief, Equity Section
Bar Number 453765
Office of the Attorney General
One Judiciary Square
Sixth Floor South
441 Fourth Street, N.W.
Washington, D.C. 20001
(202) 442-9784
E-mail: toni.jackson@dc.gov

/s/ Andrew J. Saindon

ANDREW J. SAINDON, D.C. Bar No. 456987

Senior Assistant Attorney General

Equity Section

441 Fourth Street, N.W., Sixth Floor South

Washington, D.C. 20001

Telephone: (202) 724-6643

Facsimile: (202) 730-1470

E-mail: andy.saindon@dc.gov