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16 IN THE UNITED STATES DISTRICT COURT
17 FOR THE EASTERN DISTRICT OF CALIFORNIA

18	Ivan Peña, et al.,)	Case No. 2:09-CV-01185-FCD-KJM
19	Plaintiffs,)	
20)	<u>EXHIBIT N</u>
21	v.)	
22)	In Support of Plaintiffs' Motion
23	Wilfredo Cid,)	For Summary Judgment
24	Defendant.)	
25	_____)	

26 Respectfully Submitted on Sept. 1, 2009

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By: /s/ Donald E.J. Kilmer, Jr.
Donald E. J. Kilmer, Jr., Attorney for Plaintiffs

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

DICK ANTHONY HELLER, *et al.*)
)
)
 Plaintiffs,)
)
 v.) Civil Action No.08-01289 (RMU)
)
 DISTRICT OF COLUMBIA, *et al.*,)
)
)
 Defendants.)

TRACEY AMBEAU HANSON, *et al.*)
)
)
 Plaintiffs,)
)
 v.) Civil Action No. 09-00454 (RMU)
)
 DISTRICT OF COLUMBIA, *et al.*,)
)
)
 Defendants.)

NOTICE OF EMERGENCY RULEMAKING

The defendants respectfully note that, today, June 25, 2009, the Metropolitan Police Department (“MPD”) adopted emergency rules to “exemp[t] certain single action pistols manufactured before 1985 from the application of section 504 of the Act, and establishes that certain other types of pistols manufactured before 1985 are deemed included on the newly created District Roster of Handguns Determined Not to be Unsafe.”

“The rulemaking will make the District’s safe gun laws identical to the State of Maryland as to Pre-1985 pistols.”

It is anticipated that the regulations will be published in next Friday's edition of the D.C. Register, 56 D.C. Reg. ____ (July 3, 2009).¹ A copy of the emergency regulations is attached hereto.

The District believes that these emergency regulations will render moot the claims of one of the instant plaintiffs. The District continues to discuss this rulemaking with opposing counsel, and the parties plan to file timely their joint status report proposing a revised briefing schedule tomorrow.

DATE: June 25, 2009

Respectfully submitted,

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/s/ Ellen A. Efros
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¹ Under District law, emergency regulations are effective immediately, and will expire in 120 days or the publication of a Final Rulemaking, whichever occurs first. *See* D.C. Official Code § 2-505(c).