

JOHN R. KROGER  
 Attorney General of Oregon  
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 Civil/Administrative Appeals  
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Counsel for Appellees

IN THE UNITED STATES COURT OF APPEALS  
 FOR THE NINTH CIRCUIT

POWELL'S BOOKS, INC.; OLD  
 MULTNOMAH BOOKS STORE,  
 LTD., DBA Annie Bloom's Books;  
 DARK HORSE COMICS, INC.;  
 COLETTE'S GOOD FOOD +  
 HUNGRY MINDS, LLC; BLUEJAY,  
 INC., DBA Paulina Springs Books; ST.  
 JOHN'S BOOKSELLERS, LLC;  
 AMERICAN BOOKSELLERS  
 FOUNDATION FOR FREE  
 EXPRESSION; ASSOCIATION OF  
 AMERICAN PUBLISHERS, INC.;  
 FREEDOM TO READ  
 FOUNDATION, INC.; COMIC BOOK  
 LEGAL DEFENSE FUND,

Plaintiffs-Appellants,

and,

AMERICAN CIVIL LIBERTIES  
 UNION OF OREGON; CANDACE  
 MORGAN; PLANNED  
 PARENTHOOD OF THE  
 COLUMBIA/WILLAMETTE, INC.;  
 CASCADE AIDS PROJECT,

Plaintiffs,

v.

*Continued...*

U.S.C.A. No. 09-35153

NOTICE OF CHANGE OF COUNSEL

HARDY MYERS, in his official capacity as Attorney General of the State of Oregon; MATT SHIRTCLIFF, Baker County District Attorney, in his official capacity; JOHN HAROLDSON, Benton County District Attorney, in his official capacity; JOHN FOOTE, Clackamas County District Attorney, in his official capacity; JOSHUA MARQUIS, Clatsop County District Attorney, in his official capacity; STEVE ATCHISON, Columbia County District Attorney, in his official capacity; PAUL FRASIER, Coos County District Attorney, in his official capacity; GARY WILLIAMS, Crook County District Attorney, in his official capacity; EVERETT DIAL, Curry County District Attorney, in his official capacity; MICHAEL DUGAN, Deschutes County District Attorney, in his official capacity; JACK BANTA, Douglas County District Attorney, in his official capacity; MARION WEATHERFORD, Gilliam County District Attorney, in his official capacity; RYAN JOSLIN, Grant County District Attorney, in his official capacity; TIM COLAHAN, Harney County District Attorney, in his official capacity; JOHN SEWELL, Hood River County District Attorney, in his official capacity; MARK HUDDLESTON, Jackson County District Attorney, in his official capacity; PETER L. DEUEL, Jefferson County District Attorney, in his official capacity; STEPHEN D. CAMPBELL, Josephine County District Attorney, in his official capacity; EDWIN I. CALEB, Klamath County District Attorney, in his official capacity; DAVID A. SCHUTTK, Lake County District Attorney, in his official capacity; DOUGLAS HARCLEROAD, Lane County District Attorney, in his official capacity; BERNICE

*Continued...*

BARNETT, Lincoln County District Attorney, in her official capacity; JASON CARLILE, Linn County District Attorney, in his official capacity; DAN NORRIS, Malheur County District Attorney, in his official capacity; WALTER M. BEGLAU, Marion County District Attorney, in his official capacity; ELIZABETH BALLARD, Morrow County District Attorney, in her official capacity; MICHAEL D. SCHRUNK, Multnomah County District Attorney, in his official capacity; JOHN FISHER, Polk County District Attorney, in his official capacity; WADE M. McLEOD, Sherman County District Attorney, in his official capacity; WILLIAM BRYAN PORTER, Tillamook County District Attorney, in his official capacity; DEAN GUSHWA, Umatilla County District Attorney, in his official capacity; TIM THOMPSON, Union County District Attorney, in his official capacity; DANIEL OUSLEY, Wallowa County District Attorney, in his official capacity; ERIC J. NISLEY, Wasco County District Attorney; in his official capacity; ROBERT HERMANN, Washington County District Attorney, in his official capacity; THOMAS W. CUTSFORTH, Wheeler County District Attorney, in his official capacity; BRAD BERRY, Yamhill County District Attorney, in his official capacity,

Defendants-Appellees.

Appellees hereby give notice of change of counsel in the above-captioned matter. Effective March 16, 2009, Denise G. Fjordbeck, Attorney-in-Charge, Civil/Administrative Appeals, will represent appellees in all further proceedings

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in this case. Please address all correspondence and serve any brief or other document on the undersigned.

Respectfully submitted,

JOHN R. KROGER #077207  
Attorney General  
ERIKA L. HADLOCK #912978  
Acting Solicitor General

/s/ Denise G. Fjordbeck  
DENISE G. FJORDBECK #822578  
Attorney-in-Charge  
Civil/Administrative Appeals

Attorneys for Defendants-Appellees

## CERTIFICATE OF SERVICE

I hereby certify that on March 16, 2009, I directed the Notice of Change of Counsel to be electronically filed with the Clerk of the Court for the United States Court of Appeals for the Ninth Circuit by using the appellate CM/ECF system.

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:

Rachel G. Balaban  
Sonnenschein Nath & Rosenthal LLP  
1221 Avenue of the Americas  
24th Floor  
New York, NY 10020

/s/ Denise G. Fjordbeck  

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DENISE G. FJORDBECK  
Attorney-in-Charge  
Civil/Administrative Appeals  
  
Attorney for Defendants-Appellees

DGF:blt/1317299