

FILED

UNITED STATES COURT OF APPEALS

JUL 22 2009

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK OF COURT
U.S. COURT OF APPEALS

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

Plaintiffs - Appellants,

and

POWELL'S BOOKS, INC.; OLD
MULTNOMAH BOOK 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,

V.

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

No. 09-35154

D.C. No. 3:08-cv-00501-MO

District of Oregon, Portland

ORDER

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. SCHUTT, Lake
County District Attorney, in his official
capacity; DOUGLASS HARCLEROAD,
Lane County District Attorney, in his
official capacity; BERNICE 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; JOHN KROGER, in his official capacity as Attorney General of the State of Oregon,

Defendants - Appellees.

The Opening Brief submitted on 7/17/09 is filed.

Within five (5) working days of the filing of this order, Appellant is ordered to file ten (10) copies of the brief in paper format, with a Blue cover, accompanied by certification (attached to the end of each copy of the brief) that the brief is identical to the version submitted electronically. A sample certificate is available on the Court's website, www.ca9.uscourts.gov, at the CM/ECF button.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

By: Fred Taylor
Deputy Clerk