

**FILED**UNITED STATES COURT OF APPEALS  
FOR THE NINTH CIRCUIT

MAY 07 2009

MOLLY C. DWYER, CLERK  
U.S. COURT OF APPEALSAMERICAN CIVIL LIBERTIES UNION  
OF OREGON; et al.,

Plaintiffs - Appellants,

v.

JOHN KROGER, in his official capacity  
as Attorney General of the State of  
Oregon; et al.,

Defendants - Appellees.

No. 09-35154

D.C. No. 3:08-cv-00501-MO  
District of Oregon,  
Portland**ORDER**

Appellees' motion to amend the case caption is construed as a motion to substitute John Kroger as Attorney General of the State of Oregon. So construed, the motion is granted.

Pursuant to Federal Rule of Appellate Procedure 43(c)(2), court records shall be amended to reflect that Hardy Myers is no longer a party to this case.

The briefing schedule is unchanged.

For the Court:

MOLLY C. DWYER  
Clerk of the Court

Lorela Bragado-Sevillena  
Deputy Clerk  
Ninth Circuit Rule 27-7/Advisory Note  
to Rule 27 and Ninth Circuit Rule 27-10