

**UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

MORRIS D. DAVIS,

Plaintiff-Appellee,

v.

No. 11-5092

JAMES H. BILLINGTON, in his official
capacity as the Librarian of Congress,

Defendant,

DANIEL P. MULHOLLAN, in his individual
capacity,

Defendant-Appellant.

CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES

Plaintiff-Appellee Col. Morris D. Davis certifies as follows:

A. Parties.

Col. Morris D. Davis is the Plaintiff-Appellee in this matter. The Defendant-Appellant is Daniel P. Mulhollan. Dr. James H. Billington is a Defendant in the case before the district court; Dr. Billington was sued in his official capacity, and he is not a party to the appeal before this Court.

B. Rulings Under Review.

The ruling under review is an Order denying Defendant-Appellant Mulhollan's motion to dismiss based on qualified immunity, which was entered as Dkt. No. 34 in the court below. The Order was dated March 30, 2011, and issued by District Judge Reggie B. Walton. A Memorandum Opinion explaining the Order was issued on March 30, 2011. That Memorandum

Opinion was entered as Dkt. No. 35 in the court below, and is available at 2011 WL 1237919 (D.D.C. Mar. 30, 2011).

C. Related Cases.

This case has not previously been before this Court or any other court. Counsel are not aware of any related cases, as that term is defined in D.C. Circuit Rule 28(a)(1)(C).

Dated: May 16, 2011

/s/ Aden J. Fine
Aden J. Fine
American Civil Liberties Union
Foundation
125 Broad St., 18th Floor
New York, NY 10004
Phone: (212) 549-2693
Fax: (212) 549-2652
afine@aclu.org

Arthur B. Spitzer
Frederick V. Mulhauser
American Civil Liberties Union
of the Nation's Capital
1400 20th Street, N.W., Suite 119
Washington, D.C. 20036
Phone: (202) 457-0800
Fax: (202) 452-1868
artspitzer@aol.com
fmulhauser@aol.com

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 16th day of May, 2011, the foregoing Certificate as to Parties, Rulings, and Related Cases for Plaintiff-Appellee Morris D. Davis was filed electronically through the CM/ECF system, which caused the following parties or counsel to be served by electronic means:

Robert E. Kopp, Director
U.S. Department of Justice
Civil Division, Appellate Staff
950 Pennsylvania Avenue, NW
Washington, DC 20530-0001
Phone: (202) 514-2000
robert.kopp@usdoj.gov

I also certify that I caused the following counsel for Defendant-Appellant Daniel P. Mulhollan to be served by first-class United States mail:

Christopher R. Hall
Deanna L. Durrett
Trial Attorneys
U.S. Department of Justice
Civil Division
Federal Programs Branch
P.O. Box 883
Washington, DC 20530
Phone: (202) 514-4778

/s/ Aden J. Fine
Aden J. Fine
American Civil Liberties Union
Foundation
125 Broad St., 18th Floor
New York, NY 10004
Phone: (212) 549-2693
Fax: (212) 549-2652
afine@aclu.org