

IN THE 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,)	
)	
Appellee,)	
)	
DANIEL P. MULHOLLAN, in his individual)	
capacity,)	
Defendant-Appellant.)	
)	

APPELLANT’S CERTIFICATE OF COUNSEL AS TO
PARTIES, RULINGS, AND RELATED CASES

Pursuant to Circuit Rule 28(a)(1), the undersigned counsel certifies as follows:

A. Parties and Amici.

The plaintiff in this case, who is appellee in this Court, is Morris D. Davis.

The defendants in this case are James H. Billington, in his official capacity as the Librarian of Congress, who is appellee in this appeal; and Daniel P. Mulhollan, in his individual capacity, who is appellant in this appeal.

There were no amici in the district court.

B. Rulings Under Review.

This appeal is from the district court's order in *Davis v. Billington*, Civil Action No. 1:10-cv-0036-RBW, Dkt. 34 (D.D.C. Mar. 30, 2011) (Walton, J.), denying the motion to dismiss the claims against individual-capacity defendant Daniel P. Mulhollan. The district court's accompanying memorandum opinion, Dkt. 35, is published at ___ F. Supp.2d ___, 2011 WL 1237919. The notice of appeal was filed on Apr. 13, 2011.

C. Related Cases.

The case on review has not previously been before this Court or any other court of appeals. There are no related cases within the meaning of D.C. Cir. Rule 28(a)(1)(C) of which we are aware.

/s/ Sharon Swingle
Sharon Swingle