

1 Lincoln D. Bandlow (SBN 170449)
 LATHROP & GAGE LLP
 2 1880 Century Park East, Suite 1004
 Los Angeles, California 90067
 3 Telephone: (310) 789-4600
 Fax: (310) 789-4601
 4 Email: lbandlow@lathropgage.com

5 Attorneys for Defendant
 JOHN MCCAIN

7 **UNITED STATES DISTRICT COURT**
 8 **CENTRAL DISTRICT OF CALIFORNIA**
 9 **WESTERN DIVISION**

10 JACKSON BROWNE, an individual
 11
 Plaintiff,

12 vs.

13 JOHN MCCAIN, an individual; THE
 14 REPUBLICAN NATIONAL
 COMMITTEE, a non-profit political
 15 organization; THE OHIO REPUBLICAN
 16 PARTY; a non-profit political
 organization,

17 Defendants.

CASE NO. CV08-05334 RGK (Ex)
 USCA9 No. 09-55357

**AMENDED NOTICE OF
 APPEAL TO THE UNITED
 STATES COURT OF APPEALS
 FOR THE NINTH CIRCUIT**

19
 20
 21
 22
 23
 24
 25
 26
 27
 28

1 John McCain (“Defendant”), one of the defendants herein, appeals to the United
2 States Court of Appeals for the Ninth Circuit from the Order of the District Court
3 denying Defendant’s Motion to Strike made pursuant to Cal. Code of Civil Procedure
4 § 425.16 (the “Anti-SLAPP Motion”). The denial of the Anti-SLAPP motion is
5 immediately appealable pursuant to the collateral order doctrine. *See e.g., Batzel v.*
6 *Smith*, 333 F.3d 1018, 1024-26 (9th Cir. 2003); *Zamani v. Carnes*, 491 F.3d 990, 994
7 (9th Cir. 2007).

8
9
10 Dated: March 20, 2009

LATHROP & GAGE LLP

11
12
13 By: 
Lincoln D. Bandlow

14 Attorneys for Defendant
15 JOHN MCCAIN
16
17
18
19
20
21
22
23
24
25
26
27
28