

FILED

UNITED STATES COURT OF APPEALS

NOV 26 2008

FOR THE NINTH CIRCUIT

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

DAVID C. GANNON,

Plaintiff - Appellant,

V.

JOHN E. POTTER, U.S. Postal Service,

Defendant - Appellee.

No. 07-15160

D.C. No. CV-05-02299-SBA

Northern District of California,
Oakland

MANDATE

The judgment of this Court, entered 11/4/08, takes effect this date.

This constitutes the formal mandate of this Court issued pursuant to Rule 41(a) of the Federal Rules of Appellate Procedure.

FOR THE COURT:

Molly C. Dwyer
Clerk of Court

By: Gabriela Van Allen
Deputy Clerk