

Case: 09-55053 03/23/2009 Page: 2 of 2 DktEntry: 6858398

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

KEVIN VANGINDEREN

v.

CORNELL UNIVERSITY; BERT  
DEIXLER

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**USCA No. 09-55053****USDC No. 08-cv-00736-BTM-JMA****Date Transcripts Filed: No Transcripts Designated****CERTIFICATE OF RECORD**

This certificate is submitted in conformance with Circuit Rule 11-3 of the Rules of the U.S. Court of Appeals for the Ninth Circuit. The record on appeal, consisting of the trial transcript (if any) and the Trial Court Clerk's record, is ready for the purposes of the appeal. This record is available in the office of the U.S. District Clerk identified below.

The documents comprising the Trial Court Clerk's record have been numbered in conformance with Rule 11(b) of the Federal Rules of Appellate Procedure. These document numbers are reflected on the U.S. District Court docket sheet and should be used for reference purposes in the briefs.

The actual filing date for this document in the U.S. Court of Appeals will initiate the briefing schedule in civil cases (including habeas corpus cases). All parties in civil cases will receive separate notification of this filing date. In criminal cases, the briefing schedule is set by a Time Schedule Order from the U.S. Court of Appeals.

Date: February 5, 2009

W. Samuel Hamrick, Jr., Clerk of Court  
U.S. District Court for the Southern District of CaliforniaBy: 

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Angela Rowland, Deputy Clerk