

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION**

Case No. 4:10-cv-142-D

)	
MARK DANIEL LYTTLE,)	
Plaintiff,)	FEDERAL DEFENDANTS’ NOTICE OF SUPPLEMENTAL AUTHORITY
v.)	
)	
UNITED STATES OF AMERICA, et al.,)	
Defendants.)	Local Rule 7.1(g)
)	

FEDERAL DEFENDANTS’ NOTICE OF SUPPLEMENTAL AUTHORITY

The United States, Dashanta Faucette, Dean Caputo, and Robert Kendall (collectively the “Federal Defendants”) respectfully submit the attached Ninth Circuit opinion in *Mirmehdi v. United States*, --- F.3d ----, No. 09-55846, 2011 WL 5222884 (9th Cir. Nov. 3, 2011), as supplemental authority that, although not binding because it is outside of the Fourth Circuit, is in our view persuasive and directly relevant to the issues presented by their currently pending motions to dismiss. *See* Docket Nos. 49-52.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on the 4th day of November, 2011, I electronically filed the foregoing with the Clerk of Court using the Court's CM/ECF system, which will send notification of such filing to all parties of record.

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