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7 Attorneys for Defendants
 CITY AND COUNTY OF SAN FRANCISCO,
 8 MAYOR EDWIN LEE and ACTING POLICE CHIEF
 JEFF GODOWN
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 11 UNITED STATES DISTRICT COURT
 12 NORTHERN DISTRICT OF CALIFORNIA
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14 ESPANOLA JACKSON, PAUL COLVIN,
 THOMAS BOYER, LARRY BARSETTI,
 15 DAVID GOLDEN, NOEMI MARGARET
 ROBINSON, NATIONAL RIFLE
 16 ASSOCIATION OF AMERICA, INC. SAN
 FRANCISCO VETERAN POLICE
 17 OFFICERS ASSOCIATION,

18 Plaintiffs,

19 vs.

20 CITY AND COUNTY OF SAN
 FRANCISCO, MAYOR EDWIN LEE, in his
 21 official capacity; ACTING POLICE CHIEF
 JEFF GODOWN, in his official capacity, and
 22 Does 1-10,

23 Defendants.
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Case No. C09-2143 RS

**STATEMENT OF RECENT DECISION IN
 SUPPORT OF DEFENDANTS' MOTION TO
 DISMISS FOR LACK OF JURISDICTION**

Hearing Date: May 5, 2011
 Time: 1:30 p.m.
 Place: Courtroom 3, 17th Floor

1 Defendants hereby submit this week's decision in *Nordyke v. King*, 9th Cir. Case No. 07-15763
2 (May 2, 2011) in support of their motion to dismiss the amended complaint for lack of jurisdiction,
3 and direct the Court's attention to the discussion of the varying legal treatment of "fundamental" rights
4 in section II.C, at pp. 5642-5644. The decision is attached.

5 Due to an ongoing family medical emergency, defendants learned of the decision for the first
6 time late last night and have had no opportunity to submit it to the Court before now.

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8 Dated: May 5, 2011

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12 By: s/Sherri Kaiser
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14 Attorneys for Defendants City and County of San
Francisco, et al.