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DEPARTMENT OF JUSTICE

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July 15, 2014

Molly C. Dwyer
Clerk of Court
United States Court of Appeals for the Ninth Circuit
P.O. Box 193939
San Francisco, CA 94119-3939

RE: *Friedrichs, et al. v. California Teachers Association, et al.*,
Ninth Circuit Case No. 13-57095

Dear Ms. Dwyer:

Please be advised that Defendant-Intervenor-Appellee Attorney General Kamala D. Harris does not intend to file a formal response to Appellants' Renewed Motion to Expedite and to Submit on the Papers, Dkt. No. 17, in the above-titled matter. The Attorney General opposes Appellants' motion and believes that it should be denied because Appellants have not shown good cause, *see* Circuit Rule 27-12; they cannot demonstrate that the decisional process would not be significantly aided by oral argument, Fed. R. App. P. 34(a)(2); and even if it were grounds for their motion, which it is not, *see id.*, they have not demonstrated a risk of irreparable injury, *see Winter v. Natural Resources Defense Council*, 555 U.S. 7, 22 (2008). However, because the Attorney General is in complete agreement with the arguments set forth in the Opposition of Defendants-Appellees California Teachers Association, et al., Dkt. No. 27, and has no additional arguments, in the interest of efficiency and conservation of resources, she will not file a separate brief.

Sincerely,

/s/ Alexandra Robert Gordon

ALEXANDRA ROBERT GORDON
Deputy Attorney General

For KAMALA D. HARRIS
Attorney General

CERTIFICATE OF SERVICE

Case Name: **Friedrichs, Rebecca, et al. v. California Teachers Assoc., et al. (Appeal)** No. **13-57095**

I hereby certify that on July 15, 2014, I electronically filed the following documents with the Clerk of the Court by using the CM/ECF system:

LETTER RE: FORMAL RESPONSE TO APPELLANTS' RENEWED MOTION TO EXPEDITE AND TO SUBMIT ON THE PAPERS

Participants in the case who are registered CM/ECF users will be served by the CM/ECF system.

I am employed in the Office of the Attorney General, which is the office of a member of the California State Bar at which member's direction this service is made. I am 18 years of age or older and not a party to this matter. I am familiar with the business practice at the Office of the Attorney General for collection and processing of correspondence for mailing with the United States Postal Service. In accordance with that practice, correspondence placed in the internal mail collection system at the Office of the Attorney General is deposited with the United States Postal Service with postage thereon fully prepaid that same day in the ordinary course of business.

I further certify that some of the participants in the case are not registered CM/ECF users. On July 15, 2014, I have caused to be mailed in the Office of the Attorney General's internal mail system, the foregoing document(s) by First-Class Mail, postage prepaid, or have dispatched it to a third party commercial carrier for delivery within three (3) calendar days to the following non-CM/ECF participants:

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I declare under penalty of perjury under the laws of the State of California the foregoing is true and correct and that this declaration was executed on July 15, 2014, at San Francisco, California.

N. Newlin
Declarant

/s/ N. Newlin
Signature