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March 12, 2015

Molly C. Dwyer
Clerk of the Court
U.S. Court of Appeals for the Ninth Circuit
P.O.B. 193939
San Francisco, CA 94119

Cathy A. Catterson
Office of the Chief Executive
U.S. Courts for the Ninth Circuit
P.O.B. 193939
San Francisco, CA 94119

VIA ECF & USPS

Re: *American Freedom Defense Initiative v. King County*, No. 14-35095

Dear Mss. Dwyer and Catterson:

We write regarding the above-referenced case that was removed from the August 28, 2014, Seattle calendar with submission deferred pending issuance of the mandate in *Seattle Mideast Awareness Campaign v. King County*, No. 11-35914, or until further order of the court.

The Advisory Committee notes to Circuit Rule 25-2(3) provide that if a decision has not been issued within nine months after submission, the parties are “encouraged to communicate this fact to the Court.” Accordingly, we write to bring to the Court’s attention the fact that the *Seattle Mideast Awareness Campaign v. King County*—the case upon which our case hinges and which serves as the basis for our delay—has been *sub judice* post-submission since October 3, 2012—more than two years and five months.

We make special note of the fact that because our clients have been deprived of their rights under the First Amendment, they have suffered, and will continue to suffer, irreparable harm as a result of this delay. *Elrod v. Burns*, 427 U.S. 347, 373 (1976) (“The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury.”).

Thank you for your attention to this important matter.

Sincerely,

A handwritten signature in black ink, appearing to be 'DY', with a long horizontal stroke extending to the right.

David Yerushalmi

A handwritten signature in black ink, appearing to be 'RJM', with a long horizontal stroke extending to the right.

Robert J. Muise

cc: all counsel of record via ECF