

IN THE UNITED STATES COURT OF APPEALS  
FOR THE DISTRICT OF COLUMBIA CIRCUIT

STEPHEN DEARTH, et al.,

Plaintiffs-Appellants,

v.

ERIC H. HOLDER, JR.,

Defendant-Appellee.

No. 12-5305

**CERTIFICATE AS TO PARTIES, RULINGS, AND RELATED CASES**

Pursuant to Circuit Rule 28(a)(1), the undersigned counsel hereby certifies as follows:

A. Parties and Amici.

The plaintiffs-appellants are Stephen Dearth and the Second Amendment Foundation, Inc. The defendant-appellee is Eric Holder, Jr., Attorney General of the United States. There have been no amici curiae.

Maxwell Hodgkins was a plaintiff in earlier district court proceedings in this case but is no longer a party to this action.

B. Rulings Under Review.

The ruling under review is a Memorandum Opinion of the United States District Court for the District of Columbia, which granted defendant-appellee's motion for summary judgment. *Dearth v. Holder*, No. 09-587 (D.D.C. Sept. 27, 2012) (Wilkins, J.).

C. Related Cases.

This case was previously before this Court. The docket number was 10-5062. The Court's decision is published as *Dearth v. Holder*, 641 F.3d 499 (D.C. Cir. 2011).

Plaintiffs have brought similar suits in the Southern District of Ohio, *Dearth v. Gonzales*, No. 06-1012, 2007 WL 1100426 (S.D. Ohio Apr. 10, 2007) (dismissing suit for lack of venue), *appeal dismissed sub. nom. Dearth v. Mukasey*, 516 F.3d 413 (6th Cir. 2008); and the Northern District of Texas, *Hodgkins v. Gonzales*, No. 06-2114 (N.D. Tex. Aug. 15, 2007) (dismissing suit for lack of venue), *appeal dismissed sub. nom. Hodgkins v. Mukasey*,

271 Fed. Appx. (5th Cir. 2008).

Respectfully submitted.

/s/ Anisha S. Dasgupta  
ANISHA S. DASGUPTA

Attorney for Defendant-Appellee  
Civil Division, Room 7237  
U.S. Department of Justice  
950 Pennsylvania Ave., N.W.  
Washington, DC 20530-0001  
202-514-5428  
anisha.dasgupta@usdoj.gov

NOVEMBER 2012

## CERTIFICATE OF SERVICE

I hereby certify that on November 1, 2012, I caused the foregoing Certificate of Parties, Rulings, and Related Cases to be filed with the Court through the CM-ECF system. I further certify that plaintiffs' counsel is a registered CM/ECF user and that service will be accomplished through the CM/ECF system.

/s/ Anisha S. Dasgupta  
ANISHA S. DASGUPTA