

MARCIA M. WALDRON

CLERK



UNITED STATES COURT OF APPEALS

FOR THE THIRD CIRCUIT

21400 UNITED STATES COURTHOUSE  
601 MARKET STREET  
PHILADELPHIA, PA 19106-1790

Website: [www.ca3.uscourts.gov](http://www.ca3.uscourts.gov)

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July 10, 2009

Philip J. BergEsq.  
Kevin DeeleyEsq.  
Thomasenia DuncanEsq.  
Steve N. HajjarEsq.  
David KolkerEsq.  
John P. Lavelle Jr.Esq.

RE: Philip Berg v. Barack Obama  
Case Number: 08-4340  
District Case Number: 2-08-cv-04083

Dear Counsel:

The above-entitled case(s) has/have been tentatively listed on the merits on **Monday, October 26, 2009** in **PHILADELPHIA, PA**. It may become necessary for the panel to move this case to another day within the **week of October 26, 2009**. Counsel will be notified if such a change occurs.

The panel will determine whether there will be oral argument and if so, the amount of time allocated for each side. (See Third Circuit Internal Operating Procedures, Chapter 2.1.) No later than one (1) week prior to the disposition date you will be advised whether oral argument will be required, the amount of time allocated by the panel, and the specific date on which argument will be scheduled.

Counsel shall file an acknowledgment form **within seven (7) days** from the date of this letter, and advise the name of the attorney who will present oral argument. In addition, please indicate whether or not s/he is a member of the bar of this Court. Bar membership is not necessary if counsel represents a U.S. government agency or officer thereof or if the party is appearing pro se. If the attorney is not a member of the bar of this Court, an application for admission should be completed, which should be returned to this office without delay.

The hyperlinks for access to the [acknowledgment form](#), [application for admission](#), and [appearance form](#) are provided for your convenience, and are also available on the [Third Circuit](#) website. Please file your completed acknowledgment form through CM/ECF.

Very truly yours,

*Marcia M. Waldron*  
Marcia M. Waldron, Clerk

By: *Tiffany Washington*  
Tiffany Washington, Calendar Clerk- 267-299-4905