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May 4, 2010

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The Honorable Mark J. Langer
United States Court of Appeals
District of Columbia Circuit
333 Constitution Avenue NW
Washington, DC 20001-2866

Re: *In re: Aiken County, Ferguson v. DOE, South Carolina v. DOE, Washington v. DOE*
Consolidated Case Nos. 10-1050, 10-1052, 10-1069, 10-1082

Dear Mr. Langer:

I represent the State of South Carolina in No. 10-1069 above. The Court yesterday entered an order requiring the parties to confer on a briefing schedule, and further ordered that the Clerk calendar these cases for argument on the first available date in September following the completion of briefing.

I will, in all likelihood, be one of the counsel presenting oral argument. I had previously made international travel plans for the first part of September, involving nonrefundable airline and hotel reservations for two people. I can be available, without changing those plans, as early as Thursday, September 16, 2010, and would therefore request that the cases be set no earlier than that. I realize that counsel's travel plans must sometimes be abandoned, but appreciate any consideration you can give to this request. I understand that there are relatively few available argument days in September prior to September 16, so any delay would be very slight, as a practical matter.

With highest regards, I am

Sincerely yours,

s/ Kenneth P. Woodington

Kenneth P. Woodington
Counsel for the State of South Carolina

CERTIFICATE OF SERVICE

Pursuant to Fed. R. App. P. 25(c), D.C. Circuit Rule 25(c), and this Court's Administrative Order of May 15, 2009, I hereby certify that on this date, May 4, 2010, I caused the foregoing letter to be filed upon the Court through the use of the D.C. Circuit CM/ECF electronic filing system, and thus also served on counsel of record. The resulting service is consistent with the preferences articulated by counsel of record in the Service Preference Report.

s/ Kenneth P. Woodington