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Mark J. Langer
Clerk of Court
U.S. Court of Appeals for District of Columbia
E. Barrett Prettyman U.S. Courthouse
333 Constitution Avenue, N.W., Fifth Floor
Washington, DC 20001-2866

ATTN: Shana Thurmond

Re: *In Re Aiken County*, No. 10-1050

Dear Mr. Langer:

I am writing on behalf of my clients, Robert Ferguson, William Lampson and Gary Petersen, plaintiffs in *Ferguson v. Obama et al.*, No. 10-1052 (consolidated under the case noted above). This case is scheduled for oral argument on Tuesday, March 22, 2011 as the third case in the morning.

My clients are individuals, each of whom has lived and worked in the state of Washington near a site that gives them standing to bring this action. Two of them will not be able to attend the argument, and it is unclear at this time if the third will be able to attend. One client is over 70 and recently had back surgery, so a flight across the country is not advised at this time. They have asked whether it might be possible for those that cannot attend to listen to the argument via a telephone hook up. I believe we can arrange to have them in one, and at worst, two locations. They understand and agree that they cannot and will not record it, nor will they permit others to listen without leave of the Court.

I have notified counsel to the parties and none object to this request.

Thank you very much for your consideration.

Respectfully submitted,



Barry M. Hartman

Counsel to Robert Ferguson, William Lampson
and Gary Petersen