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HIGHER EDUCATION, LIFELONG LEARNING
AND COMPETITIVENESS

July 2, 2008

Cathy Catterson
Clerk, U.S. Court of Appeals for the Ninth Circuit
95 Seventh Street
P.O. Box 193939
San Francisco, CA 94103-1526

Re: *Animal Protection and Rescue League v. State of California*, No. 08-55319
Amicus Letter in Support of Petition for Rehearing En Banc

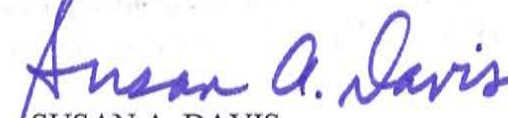
Dear Ms. Catterson:

I am writing to respectfully request the filing of this letter brief, which all parties have consented to, pursuant to Rule 29 of the Federal Rules of Appellate Procedure and Circuit Rule 29-2, in support of the Animal Protection and Rescue League's Petition for Rehearing En Banc in the above-entitled case.

The issue regarding the Children's Pool and seals in La Jolla has been of great concern to San Diego and its residents for over a decade. Recently, many of my constituents voiced their concern at the state court's ruling regarding the Children's Pool. Because of the ongoing controversy in this matter and because the issues raised are of such public importance and interest to San Diego and raise substantial questions regarding the proper enforcement of federal law, I feel that this case deserves review by the en banc court.

As a member of Congress and a resident of San Diego, I have seen how contentious this issue has become. I hope that the en banc court will take the opportunity to review this case and ensure that federal law is being properly interpreted and applied. If you have any questions or concerns about this request, please contact Ricardo Flores of my staff at (619) 280-5353.

Sincerely,


SUSAN A. DAVIS
Member of Congress