

IN THE UNITED STATES COURT OF APPEALS  
FOR THE ELEVENTH CIRCUIT

GEORGIACARRY.ORG, INC., et al.,

Plaintiffs-Appellants,

V.

U.S. ARMY CORPS OF ENGINEERS,  
et al.,

Defendants-Appellees.

No. 16-13486

**JOINT MOTION TO PLACE THIS APPEAL IN MEDIATION AND  
REMOVE ARGUMENT FROM CALENDAR**

**CERTIFICATE OF INTERESTED PERSONS AND  
CORPORATE DISCLOSURE STATEMENT**

Pursuant to 11th Cir. R. 26.1-1, Appellees certify that the following individuals and entities have an interest in this case:

Anderson, Melissa, Bureau of Alcohol, Tobacco, Firearms & Explosives

Barrs, Brian

Beranek, Lori M.

Bowerman, Alexander B., Hogan Lovells US LLP

Brinkmann, Beth S., United States Department of Justice

Chytka, Col. John J.

Delery, Stuart F.

Dunn, David, Hogan Lovells US LLP

Everytown for Gun Safety [no stock issued and not publicly traded]

Feinberg, Ira M., Hogan Lovells US LLP

Frassetto, Mark Anthony, Everytown for Gun Safety

GeorgiaCarry.Org

Hogan Lovells US LLP

James, David

Kelleher, Diane,

Mizer, Benjamin C.

Monroe, John R.

Murphy, The Hon. Harold L.

Novak, Suzanne

Quillian-Yates, Sally

Readler, Chad A.

Riess, Daniel

Raab, Michael S.

Tickner, Thomas J.

U.S. Army Corps of Engineers

Wimberly, Mary Helen

Wright, Abby C.

No publicly traded corporation has an interest in this suit.

**JOINT MOTION TO PLACE THIS APPEAL IN MEDIATION AND  
REMOVE ARGUMENT FROM CALENDAR**

The parties respectfully request that this appeal be placed in mediation and that the Court remove this case from its oral argument calendar of April 5, 2017, to allow for possible resolution of the matter by the parties. The Army Corps of Engineers is reconsidering the firearms policy challenged in this case, as well as plaintiffs' requests for permission to carry firearms on Army Corps property.

1. The United States Army Corps of Engineers (Army Corps) constructs, operates, and maintains infrastructure and other public works projects on federal land throughout the United States. As authorized by Congress, the Army Corps allows public access to its land for recreational purposes when consistent with the public interest and national security. An Army Corps regulation generally restricts visitors from carrying loaded firearms and ammunition while on Army Corps land. 36 C.F.R. § 327.13. The regulation permits loaded firearms if possessed by a law enforcement officer, or if used at designated hunting areas or at Army Corps shooting ranges. *Id.* § 327.13(1)-(3).

Plaintiffs are two Georgia residents who wish to bring their firearms onto Army Corps land for self-defense, along with an organizational plaintiff. Plaintiffs brought this lawsuit asserting that the Army Corps regulation violates the Second Amendment. The district court denied plaintiff's motion for a preliminary injunction, and this Court affirmed. The district court entered final judgment in the case on April

25, 2016. Plaintiffs appealed, and argument before this Court is currently scheduled for April 5, 2017.

2. The Army Corps of Engineers is reconsidering the firearms policy challenged in this case, as well as plaintiffs' requests for permission to carry firearms on Army Corps property. This reconsideration has the potential to fully resolve plaintiffs' objections. At a minimum, any resulting modifications would be relevant to this Court's resolution of plaintiffs' Second Amendment challenge. The parties have agreed to a mediation date of March 9 at 2pm EST. In light of these developments, the parties respectfully ask the Court to place this case in mediation and remove the currently scheduled argument from the April 5, 2017 calendar. Allowing this case to proceed in mediation will prevent the unnecessary expenditure of this Court's resources in a case that may resolve without need for additional litigation.

## CONCLUSION

For the foregoing reasons, this Court should place this appeal in mediation and remove the currently scheduled argument from the April 5, 2017 calendar.

Dated: March 6, 2017

Respectfully submitted,

CHAD A. READLER  
*Acting Assistant Attorney General*

MICHAEL S. RAAB

/s/ Abby C. Wright  
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/s/ John Monroe (by permission)  
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*Roswell, Georgia 30075*

*Counsel for Plaintiffs*

MARCH 2017

**CERTIFICATE OF COMPLIANCE**

I hereby certify that the foregoing complies with the type-volume limitation of Fed. R. App. P. 27(d)(2) because it contains 480 words, according to the count of Microsoft Word.

/s/ Abby C. Wright  
Abby C. Wright

**CERTIFICATE OF SERVICE**

I hereby certify that on March 6, 2017, I electronically filed the foregoing with the Clerk of the Court for the United States Court of Appeals for the Eleventh Circuit by using the appellate CM/ECF system. I certify that all participants in the case are registered CM/ECF users and that service will be accomplished by the appellate CM/ECF system.

s/ Abby C. Wright

ABBY C. WRIGHT