

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 11-7088

September Term 2011

1:11-cv-00477-RJL

Filed On: February 6, 2012

Shirley Sherrod,

Appellee

v.

Andrew Breitbart and Larry O'Connor,

Appellants

BEFORE: Rogers, Garland, and Brown, Circuit Judges

ORDER

Upon consideration of the motion to dismiss, or in the alternative, for summary affirmance, the corrected response thereto, and the reply; the Rule 28(j) letters and the responses thereto; and the motion of Public Citizen, Inc. to participate as amicus curiae, it is

ORDERED, on the court's own motion, that the record be remanded to the district court for a statement of reasons for the denial of appellants' motion to dismiss pursuant to the District of Columbia's Anti-Strategic Lawsuits Against Public Participation statute, D.C. Code § 16-5502. The district court is requested to return the record to this court promptly upon the issuance of its statement of reasons. It is

FURTHER ORDERED that consideration of the motion to dismiss, or alternatively, for summary affirmance be deferred pending further order of this court. It is

FURTHER ORDERED that the motion to participate as amicus curiae be granted.

The Clerk is directed to transmit to the district court a copy of this order.

Per Curiam