

**Supreme Court of the United States  
Office of the Clerk  
Washington, DC 20543-0001**

**William K. Suter**  
Clerk of the Court  
(202) 479-3011

March 13, 2009

Mr. G. Eric Brunstad, Jr.  
Dechert LLP  
90 State House Square  
Hartford, CT 06103

Re: Howard K. Stern, Executor under the Will of Vickie Lynn  
Marshall  
v. Elaine T. Marshall, Executor of the Estate of E. Pierce  
Marshall  
Application No. 08A789

Dear Mr. Brunstad:

The application to vacate the stay granted by the United States Court of Appeals for the Ninth Circuit on January 13, 2003, in case nos. 02-56002 & 02-56067, in the above-entitled case has been presented to Justice Kennedy, who on March 13, 2009 denied the application.

This letter has been sent to those designated on the attached notification list.

Sincerely,

**William K. Suter, Clerk**

by *Danny Bickell*

Danny Bickell  
Staff Attorney

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**NOTIFICATION LIST**

Mr. Alan Diamond  
5900 Wilshire Blvd., 12th Floor  
Los Angeles, CA 90036

Mr. Kent L. Richland  
5900 Wilshire Boulevard  
12th Floor  
Los Angeles, CA 90036

Mr. G. Eric Brunstad , Jr.  
Dechert LLP  
90 State House Square  
Hartford, CT 06103

Mr. Joseph Abraham Eisenberg  
1900 Avenue of the Stars 7th Floor  
Los Angeles, CA 90067

Mr. Sanford Svetcov  
Lerach Coughlin Stoia Geller Rudman & Robbins LLP  
100 Pine Street  
Suite 2600  
San Francisco, CA 94111