



OFFICE OF THE
GENERAL COUNSEL

UNITED STATES
NUCLEAR REGULATORY COMMISSION
WASHINGTON, D.C. 20555-0001

May 6, 2009

Catherine O'Hagan Wolfe, Clerk
U. S. Court of Appeals for the Second Circuit
Thurgood Marshall U.S. Courthouse
40 Foley Square
New York, N.Y. 10007

RE: Burton v. USA, No. 09-0005-ag

Dear Ms. Wolfe:

The enclosed anti-virus certification was inadvertently not mailed with my letter regarding oral argument scheduling, also dated May 6, 2009, in the above captioned case. Sorry for any inconvenience.

A handwritten signature in black ink, appearing to read "J. Adler", is positioned above the typed name.

James E. Adler
Attorney
Office of the General Counsel

cc: service list

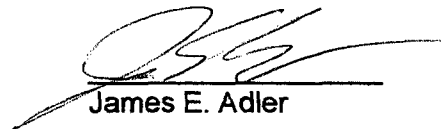
CERTIFICATE OF SERVICE

I hereby certify that on May 6, 2009, copies of the enclosed letter were served by mail, postage prepaid, upon the following:

Nancy Burton
147 Cross Highway
Redding Ridge, CT 06876

Catherine M. Masters
Schiff Hardin LLP
6600 Sears Tower
Chicago, IL 60606

John E. Arbab
U.S. Department of Justice
Environmental and Natural Resources Division
Appellate Section
P.O. Box 23795
L'Enfant Plaza Station
Washington, DC 20026



James E. Adler

ANTI-VIRUS CERTIFICATION FORM

See Second Circuit Interim Local Rule 25(a)6.

CASE NAME: Burton v. USA

DOCKET NUMBER: 09-0005-ag

I, (please print your name) James E. Adler, certify that

I have scanned for viruses the PDF version of the attached document that was submitted in this case as

an email attachment to ☒ <agencycases@ca2.uscourts.gov>.
☐ <criminalcases@ca2.uscourts.gov>.
☐ <civilcases@ca2.uscourts.gov>.
☐ <newcases@ca2.uscourts.gov>.
☐ <prosecases@ca2.uscourts.gov>.

and that no viruses were detected.

Please print the **name** and the **version** of the anti-virus detector that you used _____
Symantec AntiVirus version 10.1.6.6000

If you know, please print the version of revision and/or the anti-virus signature files _____
Virus Definition File version 05/04/2009 rev. 5

(Your Signature) _____

Date: 05/06/2009