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*Attorney for Federal Defendant*

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF MONTANA  
MISSOULA DIVISION**

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<b>MONTANA SHOOTING SPORTS</b>	)	
<b>ASSOCIATION, et. al.,</b>	)	<b>09-CV-147-DWM-JLC</b>
	)	
<b>Plaintiffs,</b>	)	
	)	
	)	<b>Notice of Constitutional</b>
	)	<b>Challenge</b>
<b>v.</b>	)	
	)	
<b>ERIC H. HOLDER, Jr.</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

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Pursuant to Federal Rule of Civil Procedure 5.1, the Federal Defendant, Attorney General Eric H. Holder, Jr., hereby gives notice that the Defendant’s Rule 12(b) Motion to Dismiss, filed concurrently herewith, has

called into question the constitutionality of the Montana Firearms Freedom Act by arguing that Federal law and operation of the Supremacy Clause of the United States Constitution preempts the Montana Firearms Freedom Act.

Dated: January 19, 2010

Respectfully Submitted,

TONY WEST  
Assistant Attorney General

MICHAEL COTTER  
United States Attorney

SANDRA SCHRAIBMAN  
Assistant Director, Federal Programs Br.

/s/ Alexander K. Haas  
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## CERTIFICATE OF SERVICE

I hereby certify that, on January 19, 2010, a copy of the foregoing document was served on counsel of record by filing it through the Court's CM/ECF system.

I also certify that, on January 19, 2010, a copy of the foregoing document was sent by certified mail and electronically to:

Attorney General Steve Bullock  
Office of the Attorney General  
Attn: Chris D. Tweeten, Chief Civil Counsel  
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/s/ Alexander K. Haas  
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