

**IN THE
UNITED STATES COURT OF APPEALS
FOR THE DISTRICT OF COLUMBIA CIRCUIT**

CHAMBER OF COMMERCE
OF THE UNITED STATES OF AMERICA,

Petitioner,

v.

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION,

Respondent.

ON PETITION FOR REVIEW

No. 05-1240

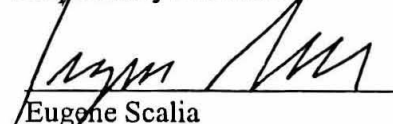
**PETITIONER'S STATEMENT REGARDING USE OF DEFERRED APPENDIX
PURSUANT TO F.R.A.P. 30(C)**

Pursuant to this Court's Order dated July 26, 2005, petitioner Chamber of Commerce of the United States of America states that it does intend to file a deferred appendix in accordance with F.R.A.P. 30(c). In an Order dated August 10, 2005, this Court issued a briefing schedule that requires the filing of the deferred appendix by November 7, 2005.

Dated: August 25, 2005

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Respectfully submitted,



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*Counsel for Petitioner Chamber of Commerce
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CERTIFICATE OF SERVICE

I hereby certify that I have caused to be served a true and correct copy of Petitioner's
Statement Regarding Use Of Deferred Appendix Pursuant To F.R.A.P. 30(c) via hand delivery
this 25th day of August, 2005, upon the following:

John W. Avery, Special Counsel
Jacob H. Stillman, Solicitor
Securities and Exchange Commission
100 F Street, NE
Washington, DC 20549



Cory J. Skolnick