

**/O=MONTANA/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENT**

**From:** VanDyke, Lawrence  
**Sent:** Friday, October 18, 2013 2:09 PM  
**To:** 'Elbert Lin'  
**Subject:** RE: Abramski (gun case)  
**Attachments:** NRA -- draft brief -- 8-29 -- tables.pdf; Amicus Memo - NRA v Bureau of ATFE -- 8-27.pdf

Elbert – I haven't really given the case much thought. Since it involves guns, I would think there is a good chance we might join it if someone writes a brief. But I haven't thought deeply about whether Montana as a state would want to take a position in favor of "straw" purchases; basically, I'm not sure what General Fox's take on that would be.

If I recall correctly, though, wasn't the ATF arguing in the NRA v. ATF case (draft petition and NAAG memo for that case attached) that the 21 year old age limit for handgun *purchases* was okay, in part, because since it wasn't illegal for an 18 year old to own or possess a gun, so they could just have someone else purchase it for them? I recall thinking that was kinda strange in light of their position on straw purchases generally. Not sure how, if at all, that play into your thoughts on the *Abramski* case.

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**From:** Elbert Lin [<mailto:elbert.lin@wvago.gov>]  
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**Subject:** Abramski (gun case)

Folks:

Quick question -- we have been looking at writing an amicus brief in support of petitioner in *Abramski v United States*, the case involving the "straw man" purchaser prohibition and whether it should extend to straw man purchases for people who otherwise *would* themselves be eligible to purchase firearms. SCOTUS granted cert this week. Is this case on anyone else's radar screen?

Thanks,  
EL

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