



U.S. Department of Justice

Tax Division

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KDUtiger
5-82-12068
2005100272

March 7, 2005

Cathy A. Catterson, Esquire
Clerk, U.S. Court of Appeals
for the Ninth Circuit
95 Seventh Street
San Francisco, CA 94105

Re: Bill Walker v. Members of Congress, et al.
(9th Cir. - No. 05-35023)

Dear Ms. Catterson:

On March 11, 2005, the undersigned counsel was told by Gabriella of the Clerk's office that the Court did not want the Government to file a brief in the above-entitled case, and that we would be informed if the Court later decided that it did want the Government to submit a brief. Accordingly, unless we hear differently from your office, we will not file a brief.

Thank you for your attention to this matter. This case is currently assigned to the undersigned attorney, who may be reached at (202) 514-2937.

Sincerely yours,

KAREN D. UTIGER
Attorney
Appellate Section

Enclosures

cc: Mr. Bill Walker
P.O. Box 698
Auburn, WA 98071-0698

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