

May 2, 2005  
Ms. Karen D. Utiger  
Attorney  
Appellate Section  
U.S. Department of Justice  
PO Box 502  
Washington, D.C. 20044

Re: Walker v. Members of Congress, et al., 05-35023

Dear Ms. Utiger,

Thank you for your certified letter of April 25, 2005. Frankly, I do not understand why you are unable to contact me at 253 735-8860 as it is a working phone number which is specifically designed to allow for such communication. I have verified that it has been and is currently in working condition. This being the case, and as you obviously also have my mailing address; I see no problem as to your office contacting me by either method of communication at your discretion.

As to my contacting of members of Congress to ascertain who has been designated to represent them in this suit, several of the members contacted indicated that they had not asked the department to represent them in this matter. In only one instance, did any member of Congress know of your name and refer me to your office. The rest of the members contacted made it clear they had not asked for such representation primarily because they had never even heard of this suit. If you are in fact their legal representative, doesn't it stand to reason they would have heard of you?

Now, with no documentary proof, you state House and Senate counsels have requested you represent all the members in this suit. Again, a simple letter for both counsels stating, "Dear Ms. Utiger, please be informed that all members of the Senate [or House of Representatives] have requested you represent them in Walker v. Members of Congress, 05-35023" would resolve this question and clearly satisfy the statutory requirements that I have raised. Instead, you present no such evidence. If these counsels have made such request, why did you not present their written request in your answering brief or in this letter? I am certain that such a request would only be presented to you in the form of a formal letter. Certainly no competent attorney would accept such a request by any other means except by written record particularly under the circumstances of the issue having been raised in court.

Assuming this alleged request is true, your evidence defeats part of your own brief. Not only have you, for the fourth time, avoided citing a statute which would end this entire matter, you now present purported evidence which proves my service of all members must have occurred. How can every member of both houses Congress request the counsel of those houses to ask you to represent them unless they were first properly served? Further, your purported evidence proves the state of mind of your clients, that they have mental reservations as to obeying the direct language of the Constitution and do not intend to support it.

I am sincerely sorry you have been hampered in any effort to contact me regarding any of these matters discussed in your April 25, 2005 letter. However, I am sure you realize that there really is very little left for us to discuss in this suit requiring any communication between us. The positions of both sides are clear and, thanks to your April 25, 2005 letter, have become even more clear. I do want to thank you for your letter and the information provided therein. As you have elected to make it part of the court record by sending it to Ms. Catterson, I will of course do the same so the court may consider all aspects of your information.

Again, thank you for your time in this matter.

Sincerely,

Bill Walker  
PO Box 698  
Auburn, WA 98071-0698

cc: Cathy A. Catterson, Esquire  
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