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AT SEATTLE
CLERK U.S. DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
DEPUTY

August 8, 2005

via facsimile and first class mail
206-370-8831

Honorable Thomas S. Zilly
United States District Court
for the Western District of Washington
700 Stewart Street
Seattle, WA 98101



05-CV-00927-1-TR

Re: request for status conference
2:05-cv-00927-TSZ
WSRP et al. v. Logan et al.

Dear Judge Zilly:

I request a status conference to clarify the status of the proceeding before the court in light of the issuance of the permanent injunction against implementation of Initiative 872, and the pending appeal by the State of Washington and the Grange. I believe a status conference would be helpful to address the status of two claims raised in the pleadings, but not explicitly ruled on by either the preliminary or permanent injunctions.

The first claim is the status of the plaintiffs' challenge to the filing statute under the Montana primary. The second claim is the challenge by the Republican Party and Democratic Party, on equal protection grounds, of protections under state law granted to minor parties with regard to the use of their name by candidates not authorized by the minor party to use the name.

There is a difference of opinion among counsel for the parties regarding the effect of the court's order, and whether the court intended to dispose of all claims raised or only the claims relating to I-872. Counsel for the State has indicated they believe the permanent injunction disposes

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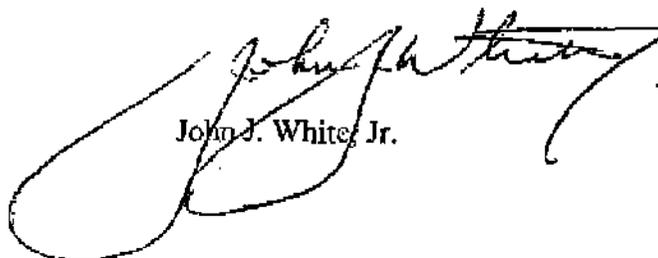
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of all claims. If the court intended to dispose of all claims, it is important to have that clarified for purposes of the pending appeals and the filing of attorneys' fees motions. If the court did not intend to dispose of all claims, we request clarification of the steps and schedule for resolution of the remaining claims.

Very truly yours,

LIVENGOOD, FITZGERALD
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