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July 8, 2008

Via Electronic Mail

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July 8, 2008
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Re: *Washington State Republican Party, et al. v. State*
U.S. Ninth Circuit Court of Appeals Cause Nos. 05-35774 and 05-35780

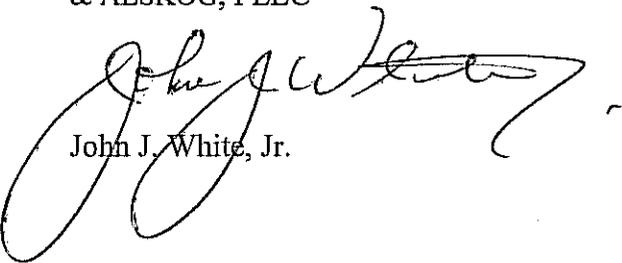
Dear Prosecuting Attorneys:

I have enclosed a copy of the recent Ninth Circuit Order regarding further proceedings in the State's appeal of Judge Zilly's 2005 injunction against implementation of Initiative 872. I have also enclosed a copy of a letter sent yesterday to the Attorney General. The county defendants were dismissed from the I-872 litigation in exchange for their agreement to be bound by the results. As the Ninth Circuit's Order indicates, the State's appeal of Judge Zilly's injunction has not been concluded.

We expect all parties to comply with the injunction against implementation of the modified blanket primary.

Very truly yours,

LIVENGOOD, FITZGERALD
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John J. White, Jr.

JJW/lw

Enclosures: a/s

via e-mail:

cc: Luke Esser
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