



SANDLIN LAW FIRM

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International Commerce and Finance Transactions; Arbitration and Litigation; Dispute Resolution

June 21, 2001

Hon. Barbara Rothstein
U.S. District Court Judge
Western District of Washington
UNITED STATES DISTRICT COURT
Federal Courthouse Building
Seattle, Washington 98101

Re: *King County v. John & Nancy Rasmussen, Cause No. C00-1637R*

Dear Judge Rothstein:

I am writing this letter as my personal apology for not following the express provisions of LR 7 concerning the filing of overlength briefs and declarations. Due to the press of time involving the very complex issues in this most interesting case, I took a shortcut and telephoned your law clerk, Christian, and queried him as to the need for formality concerning any requests for oral arguments or filing lengthy briefs and declarations.

Unfortunately, I must have misunderstood Christian, because I left that conversation with the understanding that merely addressing you in the commencement of the briefing would suffice to bring your attention to the need for oral arguments and the need for overlength briefing and declarations in this case. There were literally dozens of issues in this litigation that could not be correctly addressed within the 24 page customary maximum length for briefing and declarations. Nevertheless, I should have set these requests up for motion hearing before you, rather than address you as informally as I did in the bold print at the commencement of my responsive briefing.

Also, I apologize for not making myself clear concerning the responsive briefing concerning the county's motions to strike the overlength briefing and declarations, including the motion to strike Mr. Rasmussen's legal analysis of cases affecting his real property rights. The documents you refused to read because they were connoted "surrebuttal" did include responses to the county's specific motions to strike portions of briefing, declarations and exhibits, as well as additional analysis of the defenses to the county's claims. Again, I apologize to you because of the ambiguity of the title in those responses.

Finally, I am providing a copy of this correspondence to counsel of record concurrently with the delivery of this correspondence to you, via the clerk's file, to avoid any suggestion I am attempting to conduct *ex parte* communications with you.

Thank you for your consideration of the parties' claims, to the extent you chose to consider them. I hope you shall accept my apologies for my informality in seeking oral arguments and filing overlength briefing in this complex litigation; it was not designed to be contemptuous of the court's local rules.

Respectfully submitted,

SANDLIN LAW FIRM

J.J. SANDLIN, Attorney for defendants John & Nancy Rasmussen

Copy to: Deputy Prosecuting Attorney Scott Johnson, King County