

JAMES ROBERT DEAL, ATTORNEY
PO Box 2276, Lynnwood, Washington 98036-2276
Telephone 425-771-1110, Fax 425-776-8081
James@JamesRobertDeal.com

April 3, 2010

Walter M. Burton, Deputy Commissioner
Washington Supreme Court
PO Box 40929
Olympia WA 98504-0929
Sent by fax to: 360-357-2102
Sent by e-mail to: supreme@courts.wa.gov

Dear Mr. Burton,

I am writing regarding case number 82225-5, Our Water-Our Choice v. Port Angeles.

On February 5, 2010, a group of amici which I refer to as the "IAOMT Amici," or the "Nine Amici" filed their "IAOMT Brief" in this case.

On February 9, 2010, Respondents City of Port Angeles and Dental Service Foundation LLC, filed their Respondents' Motion to Strike the IAOMT Brief. On February 19, 2010, the IAOMT Amici filed their Response to the Respondents' Motion to Strike the IAOMT Brief.

On February 10, 2010, the group I will call the "Fluoride Supporters" filed their Fluoride Supporters' Answer to the IAOMT Brief. The IAOMT Amici did not file any reply to the Fluoride Supporters' Answer to the IAOMT Brief. The IAOMT Amici do not have the right to file any such reply without permission from the Court.

The Fluoride Supporters' Answer to IAOMT Brief contains numerous statements which are scientifically and/or legally inaccurate. An article by Howard F. Polluck was attached to the Fluoride Supporters' Answer to the IAOMT Brief. It is entitled "Water Fluoridation and the Environment: Current Perspectives in the United States." That article contains numerous scientifically inaccurate statements.

The IOMAT Amici would like to write a reply to the Fluoride Supporters' Answer to IAOMT Brief including the article by Howard F. Polluck. Other attorneys beside myself would review legal arguments presented. Supporters with Ph.D. degrees would review scientific arguments presented. Scientific arguments would reference the 2006 NRC Report and other reliable scholarly documents.

Five weeks have passed since the hearing in Mount Vernon. The Court might be on the verge of issuing a decision in this case. Before we spend many hours completing a motion and reply, we would like to know if the Court has interest in reading such a reply. Thus I am writing this preliminary letter of inquiry.

Washington Supreme Court
Attention: Walter M. Burton, Deputy Commissioner
April 3, 2010
Page Two

I am told by an attorney friend who is an expert on Supreme Court procedure that the proper although convoluted way to make this request is for me to ask this question: Would the Court consider a five page motion which would make the request that the Court in turn make the request back to the IAOMT Amici to submit such a brief?

Sincerely,

James Robert Deal

Copies sent to:

Roger Pearce/P. Steven DiJulio
Foster Pepper PLLC
Sent by email to pearr@foster.com
Also sent by fax to: 206-447-9700

William Bloor
Port Angeles City Attorney
Sent by email to wbloor@cityofpa.us
Also sent by fax to: 360-417-4529

Gerald Steel, Attorney
Sent by e-mail to: GeraldSteel@Yahoo.com
Sent by fax to: 360-867-1166

Sheila M. Gail
Sent by e-mail to sheilag@awcnet.org
Sent by fax to: 360-753-0149

William Rodney Fleck
Sent by e-mail to rod.forks@centurytel.net
Sent by fax to: 360-374-9430