

SPC Update April 28, 2008

To all:

We all waited for what seemed like an endless process, but today that was rewarded. The U.S. Court of Appeals has set the schedule to hear our constitutional case. The motion to dismiss based on the language of HR-4343 was denied. The schedule set by the court is attached for your review. These are written arguments before the court, but this could change to oral arguments or lead to oral arguments at the discretion of the court. What is important is that the merit of our argument has been accepted by the Court of Appeals for judicial review. The three judge panel that will hear this case is made up of Judge Henderson, Judge Rogers and Judge Tatel.

Professor Turley has done a masterful job of presenting our initial arguments to this court. That provided the basis for this initial decision. The intensity of that legal work will no doubt continue and increase with the schedule. I realize that many questions will be asked and all deserve an answer. Please refer ALL questions to me, and I'll get the answer for you. Time constraints and Professor Turley's schedule for this case do not allow for individual calls to his office. Everyone must also understand that there can be no individual contact with the court. Both of these requests are essential as we proceed.

The last item is to forward information regarding the golf tournament. There are two attachments. One is the flier that covers the event, and the second is the brochure that has the registration form. Get your team together and come enjoy the fun in Virginia Beach. It will be great to see many of you there. Share this event with your friends as well. All are welcome. If you need additional information or assistance with lodging, please contact Mr. James Haddow at 703-448-0881. My personal thanks to all of you that have helped in these preparations and more by sending your assessment checks. If you have been waiting to do so; now's the time. We're not dismissed and we're not going away. The battle has been scheduled, but it is far from over. We all signed on as plaintiffs, and the responsibility to do our part is a serious one. As I said in the last update, this organization is not about individuals. We're all equal partners in a legal fight for equity.

Enjoy the good news. I know I'm going to raise a glass tonight!

Lew Tetlow
SPC