

# *Ethan Book for U.S. Senate*

November 3, 2011

Honorable  
Harry Reid  
Senate Majority Leader  
United States Senate  
522 Hart Senate Office Building  
Washington, DC 20510

Dear Senator Reid:

I take this means to formally express my objection that Richard Blumenthal was assigned to the Senate Judiciary Committee. The primary basis for my objection is that the recent statewide election process by which Mr. Blumenthal was presumed to be elected U.S. Senator is flawed to the extent of it being legally void and since August of 2010 there has been an active federal lawsuit challenging relevant portions of that statewide election process (a lawsuit timely amended to challenge also the results of the November 2010 election), a lawsuit for which there are currently substantive pleadings before the Second Circuit Court of Appeals.

Some of the issues to which I refer began to surface with the attached Petition for Declaratory Ruling which I presented to the Connecticut Secretary of State on June 24, 2010 (copy attached hereto and also available at my campaign website). Other related matters such as are particular to the campaign and the presumed election of Mr. Blumenthal surfaced thereafter and form integral portions of the pending lawsuit.


The respective lawsuit was filed on August 2, 2010 [Ethan Book and Ethan Book for U.S. Senate v. Susan Bysiewicz et al., Case No. 3:10-cv-1228 (PCD)]. These matters were brought to the attention of various proper officials including with letters faxed to Nancy Erickson as the Secretary of the Senate on January 3, January 4 and January 5, 2011 (with cited copies for Barack Obama, Mr. Blumenthal and Senator John McCain).

On February 3, 2011, without reasonable discovery and without oral arguments, District Judge Peter C. Dorsey issued a brief five-page decision to grant a Defendants' Motion to Dismiss. On February 22, 2011, I presented a substantive Motion for Reconsideration. A copy of that Motion for Reconsideration is attached hereto (Both Judge Dorsey's ruling of February 3, 2011 and the Motion for Reconsideration are available at my campaign website.). Judge Dorsey denied the Motion for Reconsideration. Proper appeal pleadings are presently before the Second Circuit Court of Appeals.

The respective portion of the election process by which it has been presumed that Mr. Blumenthal was the victor is wholly legally void. It is void *ab initio*. State law regarding the voidness doctrine is well established such that one needs not await a respective court ruling to be expected to recognize matters which are patently invalid. Also, the attached Motion for Reconsideration well reflects that the issues and claims which I have raised in the lawsuit are legitimate and substantive.

Considering the above for which I am willing and able to provide additional information and comments, for good and proper causes, I object to the fact of Mr. Blumenthal being presumed to be U.S. Senator. Much more so do I object to him serving on the Judiciary Committee. The lawsuit was presented *before* he was presumed to have prevailed in the recent election and *before* there was action to swear him in as senator. The fact of him being assigned to the Judiciary Committee adds many more issues also which prudence and discretion suggest should be avoided.

For these matters of public interest, I respectfully request your prompt and full review and response.

Sincerely,  
  
Ethan Book

Enclosures (2)

c: Senator Chuck Grassley,  
Ranking Member, Judiciary Committee  
Congressman Jim Himes (CT)  
Robert D. Snook,  
Office of the Connecticut Attorney General

*Note: This letter (without attachments) is being transmitted via facsimile to (202) 224-7327. A hard original with all enclosures is being forwarded via regular mail.*

***Constitutional integrity and individual freedom!***

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# Ethan Book for U.S. Senate

June 24, 2010

Honorable  
Susan Bysiewicz  
Secretary of State  
State of Connecticut  
State Capitol, Room 104  
Hartford, CT 06106

Dear Secretary Bysiewicz:

By this means and pursuant to the Uniform Administrative Procedure Act, Connecticut General Statutes, Section 4-166 *et seq.*, and with reference to the 1<sup>st</sup>, 9<sup>th</sup> and 14<sup>th</sup> Amendments, I hereby declare that the Certificate of Endorsement which was presented to the Elections Division of the Office of the Secretary of State on June 2, 2010 on behalf of Linda McMahon (copy attached), candidate for the United States Senate, is wholly legally void. Also, pursuant to Conn. Gen. Statutes, Sections 4-175 and 4-176, I concurrently request a declaratory ruling by you to concur in this position. As is explained here, I observe multiple problems both with the form which is provided by the Secretary of State as a Certificate of Endorsement as well as its use in this instance by Linda McMahon. Some of the issues which I raise here are substantive and some are of style which, by themselves, raise other questions.

First, the official form was observedly prepared and is used as an application of Conn. General Statutes, Sec. 9-388. However, based on communications which I have had with Ted Bromley, Staff Attorney for the Elections Division, the form was never formally promulgated by the legislative Regulation Review Committee. With reference to the Uniform Administrative Procedure Act including Conn. Gen. Statutes, Sec. 4-166(13), such a defect is substantive and fatal [See also Persico v. Maher (1983) 465 A.2d 308, 191 Conn. 384.]..

Second, in the first paragraph of the text of the Certificate, there is a phrase indicating that “each of the following persons was endorsed as candidate for nomination to the office specified . . . .” Notably absent from the clause is the word “duly” before the word “endorsed”. Without the word “duly”, the very kind of conduct which the general public does not want to see of party conventions is invited. Also, the lack of the word “duly” tends to diminish public confidence in the convention process. On the other hand, the inclusion of the word “duly” would simply be of the type of reasonable regulation which is proper and necessary of government.

Third, on the line which is indicated for the candidate’s name, for the McMahon Certificate, there is the appearance of at least two different handwritings.

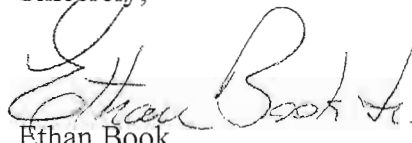
Fourth, Ms. McMahon apparently had difficulty with her home zip code as one number is crossed out and another number written above that.

Fifth, toward the bottom of the form there is space for the presumed party endorsement to be attested by the Chairman or Presiding Officer of the Convention. The form is specific as to the signature and date of signing. In addition, there are warning words at the bottom of the form which are indicated as **"IMPORTANT"**. That portion specifically states that "If this certificate, properly completed, is not received by the SECRETARY OF THE STATE by the deadline indicated above, the party shall be deemed to have made **NO ENDORSEMENT OF ANY CANDIDATE** for the office. (Sec. 9-388)." It is observed of the McMahon Certificate that no date of signing was provided at the respective space. This situation involves various substantive issues. As is explained above, the form was never formally promulgated. This is a substantive defect to the entire process. Also, as is explained above, the form as has been prepared is materially defective in reasonably protecting public interests. In addition, it is clear that the form was never "properly completed" on behalf of Linda McMahon. Further, while the Secretary of State may have some limited discretion in such instances, the official or employee who accepted the McMahon Certificate clearly abused discretion in accepting a Certificate which was not "properly completed". Finally, notwithstanding that the explicit requirement of a signature and date may be a matter of substance or convenience, the subsequent negative words nonetheless render that requirement to be mandatory.

Sixth, all of the above is in the context of a separate, related matter whereby for the respective campaign of which I made a formal announcement on February 25, 2010, I did not have a full and fair opportunity to campaign. Substantive issues regarding the lack of reasonable opportunity for a full and fair opportunity for me to litigate pertain to issues described in the attached follow-up pleading which I presented on March 28, 2010 to the legislative Government Administration and Elections Committee. The message specifically describes "an unaddressed and unresolved political cancer in state government", that relating to substantive matters of the Connecticut Resources Recovery Authority.

I respectfully request your full, prompt and careful review and reply.

Sincerely,

  
Ethan Book

Enclosures (2)

*Constitutional integrity and individual freedom!*

P.O. Box 1385 - Fairfield, CT 06825

[ethanbook@gs.com](mailto:ethanbook@gs.com) - [www.ethanbookforussenate.org](http://www.ethanbookforussenate.org)

Paid for by Ethan Book for U.S. Senate

ED-634d1(R)-g:\Forms\ - Norms - St.Elec. - State Offices, Endorsement - Rev. 3/06

To be filed with the SECRETARY OF THE STATE not later than 4 p.m. on the fourteenth day after close of the convention (or if such fourteenth day is a Saturday, Sunday, or legal holiday, not later than 4 p.m. on the next succeeding business day) in accordance with §§9-388 and 9-2 of the General Statutes. NOTE: This form is to be used only for filing party-endorsed candidacies for state offices (i.e., Governor, Lieutenant Governor, United States Senator, Secretary of the State, Treasurer, Comptroller, Attorney General).

**CERTIFICATE OF PARTY ENDORSEMENT FOR STATE OFFICES**

At the state convention of the delegates of the **REPUBLICAN PARTY** held at CT Convention CTR, which was convened on the 21<sup>st</sup> day of May, 2010, and closed on the 22<sup>nd</sup> day of May, 2010, each of the following persons was endorsed as candidate for nomination to the office specified above his or her name for the State Election to be held on November 2, 2010; and each such candidate authorizes his or her name to appear on the ballot as printed or typed below.

**GOVERNOR:**

(Print or type name in exactly the form in which you authorize it to appear on the ballot) \_\_\_\_\_ (Full residence address: Number & Street) \_\_\_\_\_ (Town) \_\_\_\_\_ (Zip) \_\_\_\_\_

(Signature of candidate and date) \_\_\_\_\_

**LIEUTENANT GOVERNOR:**

(Print or type name in exactly the form in which you authorize it to appear on the ballot) \_\_\_\_\_ (Full residence address: Number & Street) \_\_\_\_\_ (Town) \_\_\_\_\_ (Zip) \_\_\_\_\_

(Signature of candidate and date) \_\_\_\_\_

**UNITED STATES SENATOR:**

LINDA E. MCMAHON 14 Hurlingham Dr. Greenwich 06831  
 (Print or type name in exactly the form in which you authorize it to appear on the ballot) \_\_\_\_\_ (Full residence address: Number & Street) \_\_\_\_\_ (Town) \_\_\_\_\_ (Zip) \_\_\_\_\_

Linda E. McMahon 5/31/10  
 (Signature of candidate and date) \_\_\_\_\_

**SECRETARY OF THE STATE:**

(Print or type name in exactly the form in which you authorize it to appear on the ballot) \_\_\_\_\_ (Full residence address: Number & Street) \_\_\_\_\_ (Town) \_\_\_\_\_ (Zip) \_\_\_\_\_

(Signature of candidate and date) \_\_\_\_\_

**TREASURER:**

(Print or type name in exactly the form in which you authorize it to appear on the ballot) \_\_\_\_\_ (Full residence address: Number & Street) \_\_\_\_\_ (Town) \_\_\_\_\_ (Zip) \_\_\_\_\_

(Signature of candidate and date) \_\_\_\_\_

**COMPTROLLER:**

(Print or type name in exactly the form in which you authorize it to appear on the ballot) \_\_\_\_\_ (Full residence address: Number & Street) \_\_\_\_\_ (Town) \_\_\_\_\_ (Zip) \_\_\_\_\_

(Signature of candidate and date) \_\_\_\_\_

**ATTORNEY GENERAL:**

(Print or type name in exactly the form in which you authorize it to appear on the ballot) \_\_\_\_\_ (Full residence address: Number & Street) \_\_\_\_\_ (Town) \_\_\_\_\_ (Zip) \_\_\_\_\_

(Signature of candidate and date) \_\_\_\_\_

**ATTESTED BY:**

[Signature] OR \_\_\_\_\_  
 (Signature of Chairman or Presiding Officer of Convention and date signed) (Signature of Secretary of Convention and date signed)

2010 JUN -2 PM 1:24  
 RECEPTION & REGISTRATION DIVISION

**IMPORTANT:** If this certificate, properly completed, is not received by the SECRETARY OF THE STATE by the deadline indicated above, the party shall be deemed to have made **NO ENDORSEMENT OF ANY CANDIDATE** for the office. (§9-388) File with Secretary of the State, Legislation & Elections Administration Division, 30 Trinity Street, P.O. Box 150470, Hartford, CT 06115-0470.

From: newenglimo@aol.com

To: Slossberg@senatedems.ct.gov; James.Spallone@cga.ct.gov; Meyer@senatedems.ct.gov;  
Joe.Aresimowicz@cga.ct.gov; Michael.McLachlan@cga.ct.gov; John.Hetherington@housegop.ct.gov;  
Thomas.Drew@cga.ct.gov; Andrew.Fleischmann@cga.ct.gov; Livvy.Floren@housegop.ct.gov;  
Audin.Grogins@cga.ct.gov; David.Labriola@housegop.ct.gov; mlawlor99@juno.com; Patricia.Miller@cga.ct.gov;  
Tim@timobrien.org; Peggy.Reeves@cga.ct.gov

Subject: An Important Pending Matter!

Date: Sun, Mar 28, 2010 9:37 pm

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Dear Honorable Senator Slossberg, Representative Spallone and other Members of the legislative Government Administration and Elections Committee:

I bring to your attention various correspondences which I sent to then Co-Chairman Christopher Caruso including my letter of November 2, 2009 in which I propose an equitable comprehensive settlement plan for matters regarding long-term issues of the Connecticut Resources Recovery Authority (CRRRA). Such issues stem from my position as a specialized bank officer. Other related letters to Representative Caruso include mine of March 30, April 13, November 22, 2008 and July 29, 2009. The letters describe what is correctly termed as an unaddressed and unresolved political cancer in state government. Other related and supporting information can be found at my recently announced campaign website at [www.ethanbookforussenate.org](http://www.ethanbookforussenate.org). I welcome your full and careful review of these pertinent and substantive materials. A reasonable and prompt response is in order.

I welcome your comments and questions.

Sincerely,  
Ethan Book

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