

UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT

ETHAN BOOK and
ETHAN BOOK FOR U.S. SENATE

Plaintiffs

: Case No. 3:10-cv-1228 (PCD)

v.

SUSAN BYSIEWICZ, GAYLE S.
SLOSSBERG, JAMES F. SPALLONE,
RICHARD BLUMENTHAL and
STATE OF CONNECTICUT

Defendants

: March 10, 2011

U.S. DISTRICT COURT
NEW HAVEN, CT

2011 MAR 10 P 1:05

FILED

PLAINTIFFS' REPLY TO DEFENDANTS' OPPOSITION
TO MOTION FOR RECONSIDERATION

With reference to Federal Local Rules of Civil Procedure, Rule 7(d), the Plaintiffs Ethan Book and Ethan Book for U.S. Senate hereby present a formal Reply to the Defendants' 2 ½ page Opposition of February 24, 2011 to the Plaintiffs' Motion for Reconsideration of Court Ruling to Grant Motion to Dismiss (#44).

I. BACKGROUND INFORMATION:

The Plaintiff filed this lawsuit on August 2, 2010 before this District Court seeking Court

ORAL ARGUMENT REQUESTED

action regarding various portions of a statewide election process as pertain to the position for U.S. Senator, a process which is designed to be conducted pursuant to various state and federal laws and in accord with various Constitutional provisions (See also 2 U.S. Code, Sec. 1a regarding requirement of Governor to confirm to President election result for position of U.S. Senate as is discussed in 7th 2 – 3.). The Plaintiffs then filed an Amended Complaint on November 4, 2010 (#27). The Plaintiffs seek both mandamus relief as well as award for financial compensation. For good causes, the Plaintiffs further sought leave of the Court for other amendment to the lawsuit, that for mandamus relief regarding the positions of Governor and Lieutenant Governor (i.e., at 6th Supplement to Motion for Reconsideration Regarding Preliminary Injunction, #34) (Compare with Opp. at p. 1, para. 2.).

At the outset, it is important to point out that there is in the Defendants' Opposition no comment or rebuttal to the Plaintiff's supported assertion that "the Office of the Attorney General under the direction of Defendant Richard Blumenthal is unable to provide documentation which reflects the proper authorization for the agency action to hire Attorney Robert D. Snook, the official to whom the defense of this lawsuit has been assigned (Plaintiffs' Supplement, #23 at pgs. 3 – 4)" (Motion for Reconsideration, #47 at p. 4). This matter is substantive!

In addition, it is important to emphasize that there is in the Defendants' Opposition no comment or rebuttal to the Plaintiffs' reaffirmation that the presiding Judge "has not addressed the issue of a potential conflict of interest as is raised in the Plaintiffs' Motion for Articulation (#8; at p. 4, Item #IV)" (Motion for Reconsideration at p. 4; See also attached letter sent to Judge Dorsey on May 4, 2009 in the separate matter of Book v. Sgt. Anthony Lupinacci et al., Case No. 3:04-cv-1661; Exhibit 1 at pgs. E-1 to E-3. The deals with a procedural matter of Court action to flag the Internet dissemination of a District Court decision which deals with an unresolved misdemeanor action against Plaintiff Book, is interlocutory and is unfavorable to Plaintiff Book.). Related to this, there is also an issue of a pattern of judicial errors (See Plaintiffs' Motion for Reconsideration of Court Ruling to Deny Motion for Articulation, #10 at pgs. 3 – 4 and fn. 3; and Plaintiffs' Motion for Reconsideration of Court Ruling to Deny Unopposed Motion for Preliminary Injunction, #11 at pgs. 7 – 19.).