

1534 Clay Street - Unit 1  
San Francisco, CA 94109  
June 18, 2010

The Honorable Barack H. Obama  
President of the United States  
1600 Pennsylvania Avenue  
Washington, DC 20500

(This is a copy of a letter sent to each of 21 governmental officials.)

Dear Mr. President:

**Re: Your Amicus Briefs Needed Now – US Supreme Court Rule 37(2) and Cal. Rules of Court 8.200(c)**

The enclosed letter of April 4<sup>th</sup> to you and 20 of your colleagues should be self-explanatory.

Unfortunately, there were only four replies: (1) The U.S. Office of Education lavished praise on the work of the “I Have A Dream”® Foundation while noting, incorrectly, that they were not in a position to assist; (2) Rep. Jane Harman sent a very thoughtful letter that concluded that my Congressperson, The Hon. Nancy Pelosi, would be best positioned to assist; and (3 and 4) Senators Boxer and Feinstein sent form replies saying, incorrectly, that they are not permitted to intervene in judicial matters.

Contrary to some of the responses, *Amicus Curiae* (“Friend of the Court”) Briefs are commonplace.

Accordingly, I would request that you take action to file *Amicus Curiae* Briefs forthwith in each of:

- *Karls v. The Goldman Sach Group, Inc., et. al.* (U.S. Supreme Court Docket No. 09-1527) before the Court’s consideration of the enclosed Petition for Certiorari pursuant to Supreme Court Rule 37(2);
- *Karls v. Wachovia Trust Co. of Cal., et. al.* (Cal. Appeal No. 126669) and *Karls v. Wells Fargo & Co.* (Cal. Appeal No. 126671) which were combined and are pending before the California Court of Appeal – First District – Division 1; and
- *Karls v. The Bank of New York, et. al.* (Cal. Appeal No. 127444) which is pending before the California Court of Appeal – First District – Division 3.

The US Supreme Court *Amicus Curiae* Briefs, to be effective, must be filed before the Supreme Court decides whether to grant the Petition for Certiorari, since the Court only accepts three dozens cases per year. Per U.S. Supreme Court Rule 37(2), an *Amicus* Brief filed before consideration of the Cert Petition must accompany a Motion For Leave To File in the event that the parties have not consented unanimously to the filing. Counsel for the respondents is: Joseph E. Floren, Esq., Morgan Lewis & Bockius LLP, One Market – Spear Street Tower, San Francisco, CA 94105.

Cal. Rules of Court 8.200(c) require each of your two *Amicus* Briefs for the California Court of Appeals to be accompanied by an application explaining that you were unaware of the cases within 14 days after briefing was completed.

My last point is difficult to express without sounding offensive. Nevertheless, it needs to be said. Although it might be appropriate to join with your colleagues so that there is only one set of *Amicus* Briefs filed by the national recipients of this letter, by the state recipients, and by the recipients for each of San Francisco, Los Angeles and Oakland, the lack of concern already displayed for the welfare of California inner-city children and the possibility that \$84 billion for their education is slipping away force me to conclude that to the extent there is a similar lack of concern exhibited toward this letter, your lack of concern should become an issue in your re-election campaign. Please reply by June 30<sup>th</sup> what plans you have, if any, to file *Amicus* Briefs if your colleagues will not join with you in doing so.

Thank you for your consideration.

Sincerely yours,

John S. Karls  
JD, Harvard Law School, 1967  
Who’s Who in American Law, 1988-2003  
Who’s Who in America, 1988-2003  
Who’s Who in the World, 1994-2003