

GAUTAM DUTTA, Attorney-at-Law

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September 7, 2011

Via U.S. Mail

The Honorable William R. McGuiness  
California Court of Appeal, First Appellate District, Division 3  
350 McAllister Street  
San Francisco, CA 94102-4712

Re: *Field v. Bowen* (Case No. A129946)  
*Newly Issued Analysis of Relevant Legislation*

Dear Presiding Justice McGuiness and Associate Justices:

We represent Appellants in the case captioned above. Earlier, we had apprised the Court of proposed legislation (Assembly Bill 1413) that would amend Senate Bill 6, the statute at issue in this litigation.

This afternoon, the Senate Committee on Elections and Constitutional Amendments released a legislative analysis of AB 1413.<sup>1</sup> In that analysis, the Senate Committee stated that SB 6's provisions regarding write-in voting "could *create confusion*, and could *mislead voters into thinking that write-in votes* for candidates for voter-nominated office at a general election *will be counted*."<sup>2</sup>

Thank you for your time and attention.

Sincerely,

Gautam Dutta, Esq.

Enclosure

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<sup>1</sup> The committee's Sept. 7, 2011 legislative analysis has been attached as Exhibit 1.

<sup>2</sup> *Id.* at p.5 (emphases added).

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SERVICE LIST

On penalty of perjury under the laws of the State of California, I attest the following:

I am over 18 years of age and am not a party in this matter. On Sept. 7, 2011, I served the following documents: Appellants' Letter to the Court of Appeal. I sent the aforementioned document(s) via U.S. Mail, in a sealed envelope with the postage fully prepaid, to the following individuals:

A. Mark Beckington, Esq., Office of the Attorney General, 300 South Spring St., Ste. 1702, Los Angeles, CA 90013; 213.897.1096 (counsel for Respondent Bowen).

B. Steve Mitra, Esq., Office of Santa Clara County Counsel, 70 W. Hedding St., 9th Floor, East Wing, San Jose, CA 95110; 408.299.5916 (counsel for Respondent Durazo).

C. Raymond Lara, Esq., Office of Alameda County Counsel, 1221 Oak St., Ste. 450, Oakland, CA 94612; 510.272.6700 (counsel for Respondent Macdonald).

D. Mollie Lee, Esq., Office of the San Francisco City Attorney, 1 Dr. Carlton B. Goodlet Place, Ste. 234, San Francisco, CA 94102; 415.554.4705 (counsel for Respondent Artzn).

E. Wendy J. Phillips, Esq., Office of Orange County Counsel, 333 W. Santa Ana Blvd., Ste. 407, Santa Ana, CA 92702; 714.834.6298 (counsel for Respondent Kelley).

F. Kathleen Taylor, Esq., Office of Tulare County Counsel, 2900 W. Burrell St., Visalia, CA 93291; 559.636.4950 (counsel for Respondent Woodard).

G. Brandi Moore, Esq., Office of Los Angeles County Counsel, 500 W. Temple St., Rm. 648, Los Angeles, CA 90012; 213.974.1895 (counsel for Respondent Logan).

H. Marguerite Mary Leoni, Esq., Nielsen Merksamer, 2350 Kerner Blvd., Ste. 250, San Rafael, CA 94901; 415.389.6800 (counsel for Intervenors-Respondents).

I. The Honorable Loretta Giorgi, Superior Court for the County of San Francisco, Dept. 302, 400 McAllister St., San Francisco, CA 94102; 415.551.3723.

I hereby attest that the foregoing statement is true and accurate to the best of my knowledge.

By: _____
Gautam Dutta