

**From:** Joel Ard

**Sent:** Tuesday, January 8, 2019 16:40

**To:** Dalton, Linda A. (ATG) <[LindaD@ATG.WA.GOV](mailto:LindaD@ATG.WA.GOV)>; Sipe, Todd (ATG) <[ToddS4@ATG.WA.GOV](mailto:ToddS4@ATG.WA.GOV)>; Newman, Eric (ATG) <[ericn@ATG.WA.GOV](mailto:ericn@ATG.WA.GOV)>; Crisalli, Paul (ATG) <[PaulC1@ATG.WA.GOV](mailto:PaulC1@ATG.WA.GOV)>; Boggess, Lisa (ATG) <[LisaB5@ATG.WA.GOV](mailto:LisaB5@ATG.WA.GOV)>

**Cc:** 'Buswell, Jessica (ATG)' <[JessicaB5@ATG.WA.GOV](mailto:JessicaB5@ATG.WA.GOV)>

**Subject:** RE: State v. Eyman, et al.: Service of Correspondence Re Outstanding Issues - Eyman Defendants

Counsel,

I have noted my intent to withdraw, consistent with the state's successful opposition to my appointment as counsel to Mr. Eyman. Because of the State's successful objection, as you know, it is impermissible for me to be paid for any time expended on this matter, past or future. In light of the State's objection to my appointment, I presume it will not object to my withdrawal. I certainly hope to receive the professional courtesy of not having to spend unpaid time on a contested motion that affords the State the result it sought and received before the Bankruptcy Court.

As to the specific contents of this letter, according to the state's objection to my proposed appointment, my solo practice is not competent to handle the pending discovery matters the state intends to pursue, which plainly include every one of these issues. As such, Mr. Eyman is now soliciting replacement counsel. However, pursuant to the rules, I remain counsel of record in State v. Eyman until January 17th, 2019, and pursuant to federal bankruptcy law and related rules, I cannot be paid for my past work in the matter, my attendance at today's hearing, or for any work the State proposes to compel of me in the next 9 days. **In light of a trial date over eleven months away, I fail to see the time pressure** that compelled this demand be sent today, particularly in light of the State's successful objection on Friday and my notice of intent to withdraw filed yesterday. I therefore solicit the professional courtesy that the State not undertake any action in either matter until Friday, January 18th, 2019. If Mr. Eyman can identify any counsel willing to represent him prior to next Friday, that counsel will appear; otherwise he will proceed pro se.

**Mr. Eyman also asks that the State forward a settlement demand identifying the financial and injunctive terms under which the State would resolve and finally dismiss both pending proceedings as to him (State v. Eyman and State v. Tougher To Raise Taxes). He would prefer that such a demand be made promptly, in his hope that the matters can be resolved on the State's terms prior to January 17th.**

Yours, Joel Ard