

RELEASE IN  
PART B6

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**From:** Mills, Cheryl D <MillsCD@state.gov>  
**Sent:** Thursday, October 29, 2009 10:43 PM  
**To:** H  
**Subject:** RODEARMEL v. CLINTON et al Memorandum & Opinion

FYI

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**From:** Thessin, James H  
**Sent:** Thursday, October 29, 2009 7:11 PM  
**To:** Mills, Cheryl D  
**Subject:** FW: Activity in Case 1:09-cv-00171-RBW-JR RODEARMEL v. CLINTON et al Memorandum & Opinion

I will be reporting this tomorrow AM as well. We won the Rodearmel case on standing. We are pleased to contribute in a small way to keeping the Secretary as the Secretary <smile>.

My best,  
 Jim

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**From:** Visek, Richard C  
**Sent:** Thursday, October 29, 2009 6:46 PM  
**To:** Koh, Harold Hongju; Donoghue, Joan E; Townley, Stephen G  
**Cc:** Thessin, James H  
**Subject:** FW: Activity in Case 1:09-cv-00171-RBW-JR RODEARMEL v. CLINTON et al Memorandum & Opinion

Some good news to report -- the 3-judge panel dismissed FS officer Rodearmel's suit challenging the Secretary's appointment under the Ineligibility Clause. The court found that plaintiff lacked standing. - Rich

**From:** Soskin, Eric (CIV) [mailto: ]  
**Sent:** Thursday, October 29, 2009 6:40 PM  
**To:** Visek, Richard C; Thessin, James H  
**Cc:** Smith, Jeffrey (CIV); Rudy, Susan (CIV)  
**Subject:** FW: Activity in Case 1:09-cv-00171-RBW-JR RODEARMEL v. CLINTON et al Memorandum & Opinion

B6

Jim and Rich,

Good news in the Rodearmel case -- the Court granted our motion to dismiss today, holding that Rodearmel lacks both Article III standing and prudential standing under the Secretary of State Emoluments Act. The Court's per curiam opinion is attached.

Cheers,  
 Eric

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**From:** DCD\_ECFNotice@dcd.uscourts.gov [mailto:DCD\_ECFNotice@dcd.uscourts.gov]  
**Sent:** Thursday, October 29, 2009 5:58 PM  
**To:** DCD\_ECFNotice@dcd.uscourts.gov  
**Subject:** Activity in Case 1:09-cv-00171-RBW-JR RODEARMEL v. CLINTON et al Memorandum & Opinion

U.S. District Court

**District of Columbia**

**Notice of Electronic Filing**

The following transaction was entered on 10/29/2009 at 5:57 PM and filed on 10/29/2009

**Case Name:** RODEARMEL v. CLINTON et al

**Case Number:** 1:09-cv-171

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**MEMORANDUM OPINION. Signed by Judge Karen LeCraft Henderson, Judge Reggie B. Walton, and Judge James Robertson on 10/29/2009 (lcrbw1**