

**UNITED STATES COURT OF APPEALS  
DISTRICT OF COLUMBIA CIRCUIT**

\_\_\_\_\_  
We The People, et al.,                    )  
  )  
                                  Appellants    )  
  )  
                                  v.                    )  
  )  
United States, et al.,                    )  
  )  
                                  Appellees    )

No. 05-5359

**EMERGENCY MOTION**

---

**APPELLANTS’ EMERGENCY MOTION FOR INJUNCTIVE RELIEF**

---

In support of this motion, based on affidavits and declarations attached and all the prior pleadings, Mark Lane, counsel for all Plaintiffs-Appellants, with the exception of Robert L. Schulz, and Robert Schulz, who is *pro se*, state as follows:

**RELIEF REQUESTED**

Appellants, move this Honorable Court for an entry of an Order:

- a) temporarily and preliminarily enjoining and prohibiting the Internal Revenue Service and any other agency of the United States that arguably may act under color of Subtitle A or C of the Internal Revenue Code from communicating directly with any of the plaintiffs, without the approval of his or her counsel, until the underlying questions before the Court are finally determined, and

- b) directing IRS Agent David Gordon to immediately send a letter to each Plaintiff he sent a letter to, explaining that he had no authority to contact them directly, that his earlier letter impeded the administration of justice and violated the Plaintiff's natural Rights of association, speech, petition, privacy, due process and Right to Counsel, that any information acquired by him as a consequence of the earlier letter will be expunged from the record and considered to be of no consequence, and apologizing to the Plaintiff for the misstep, and
- c) directing the IRS to immediately provide attorney Mark Lane with a copy of all letters mailed by the IRS to any of the individual plaintiffs beginning September 12, 2004, and
- d) directing the IRS to immediately release and suspend all liens, levys and audits put into effect against any and all Plaintiffs since September 12, 2004, and
- e) temporarily and preliminarily enjoining and prohibiting the Internal Revenue Service and any other agency of the United States that arguably may act under color of Subtitle A or C of the Internal Revenue Code, from initiating, executing, or advancing any enforcement actions against any of the Plaintiffs, including first-party and third-party summonses, audits and liens

- and levys, before any administrative, civil and/or criminal tribunal, until the underlying questions before the Court are finally determined, and
- f) temporarily and preliminarily enjoining and prohibiting the Internal Revenue Service and any other agency of the United States that arguably may act in this matter under color of Subtitle A or C of the Internal Revenue Code, from advancing any and all administrative, civil and criminal proceedings against Plaintiffs under subtitle A and subtitle C of Title 26, including the sharing of information and/or cooperation with state taxing authorities, until the underlying questions before the Court are finally determined, and
- f) temporarily and preliminarily enjoining and prohibiting Defendants from enforcing the collection of any tax from any Plaintiff that is based on the Plaintiff's labor, until the underlying questions before the Court are finally determined, and
- g) granting any other relief that to the Court may seem just and proper.

## **INTRODUCTION**

This is a motion to enjoin and prohibit, until the underlying issues are fully determined, a program (hereinafter "WTP-6700") inaugurated by Defendants (hereinafter the "Government"), which is impeding the administration of justice in this case, in violation of 18 USCS 1503, and is violating Plaintiffs' (hereinafter the "People") free speech, associational and petitioning Rights, as guaranteed by the First

and Ninth Amendments to the United States Constitution, their privacy Rights as guaranteed by the Fourth Amendment of the United States Constitution, and their due process and property Rights as guaranteed by the Fifth Amendment.

The People are a group of persons and organizations who, according to the prior pleadings and their accompanying affidavits, have claimed and are exercising the capstone Right of Petitioning the Government for Redress of Grievances. They have associated with one another and have given of their time, money and talents for the common purpose of petitioning elected and appointed officials for Redress of certain constitutional torts and for educating the general public about issues involved in the Petition process. They have conducted regular meetings and telephone and Internet communications, seeking answers to questions in order to reconcile certain acts of the federal government with the enumerated powers and prohibitions of the Constitution of the United States of America, all for various uncontested legitimate reasons including civic education, protecting individual liberty and freedom, and holding government accountable to the Constitution.<sup>1</sup>

None of the People have received a response from the Government to their Petitions for Redress. Nearly all Plaintiffs have, *therefore*, withdrawn their financial support of the federal government by retaining their money until their grievances are redressed, a natural Right of Enforcement inextricably intertwined with the Rights of

---

<sup>1</sup> Plaintiffs are seeking to reconcile the differences between Iraq Resolution and the war powers clauses, between the enforcement of the Internal Revenue Code and the tax clauses, between the Federal Reserve Act and the money clauses and between the USA Patriot Act and the privacy clauses.

Accountability, Petition and Response guaranteed by First and Ninth Amendments.

The People, according to the accompanying Declarations and Affidavits are being oppressed by the government who, closing its eyes to the Constitution and seeing only its interpretation of the Internal Revenue Code, is interfering with and **preventing the People from peaceably enforcing the *Defendants'* contested obligations under the United States Constitution, while violently enforcing *Plaintiffs'* contested obligations under the Internal Revenue Code.**

The WTP-6700 program is not only impeding the administration of justice and injuring the People in specific ways, the WTP-6700 program has substantially chilled and impaired the People's constitutionally protected communications, associations, petitions and privacy. Persons who before the program associated with and donated in support of the Petition process will no longer do so.

As the accompanying affidavits and declarations demonstrate, WTP-6700 is clearly intended to shut down Plaintiff We The People Foundation for Constitutional Education, Inc. and, with it, the People's Petition process, by impairing the ability and willingness of the People to associate, by cutting off the flow of donations and technical assistance to the Petition process via the Foundation, and by so bogging down the manager of the Petition process (Plaintiff Robert Schulz) by forcing him to respond to one initiative after another under the WTP-6700 program that he has little

time to further the Petition process whether by litigation, civic education or civic action.

The affidavits and declarations accompanying this application show clearly the general pattern and specific steps being taken by the Government under WTP- 6700.

As the declaration by Schulz demonstrates, the first step in the Government's attack under its WTP-6700 program was to convert to a "crime" the People's claim and exercise of the Right to Petition Government for Redress of Grievances. The government did this by simply declaring that the People's promotion of the Petition process is a potential "promotion of an illegal tax shelter" and, therefore, could be a crime under 26 USC section 6700. The Government's next step was to declare that every person providing assistance to the People's Petition process is a potential "investor" in the "illegal tax shelter," whether that person had donated money or provided technical or other professional services to the Foundation.

Next, the Government has been seeking and obtaining the identities of each "investor," contacting and intimidating each "investor", including *Plaintiffs*,<sup>2</sup> donors who are not plaintiffs,<sup>3</sup> Board members,<sup>4</sup> providers of technical assistance<sup>5</sup> and the manager of the Petition process,<sup>6</sup> and otherwise doing whatever the Government feels

---

<sup>2</sup> For instance, see Affidavits by Stephen Albright, Kathleen Little, Kimberly Owen, David Sharp, Clyde Shaulis, Richard McFarland, John Q. Little, Douglas Allsup, Charles and Catherine Cartier, Frank Grieser, C. Gene Johnson, Scot Johnson, John Korman, Dan Hanna and Julie Daube.

<sup>3</sup> For instance, see paragraph 67 of Declaration by Schulz re donors Robert Helveston and Sharon Harper.

<sup>4</sup> For instance, see Declaration by Christopher Garvey and Affidavit by Burr Deitz

<sup>5</sup> For instance, see Affidavit by Judith Dievendorf

<sup>6</sup> See Declaration by Robert Schulz

is necessary to intercept and end all such donations, contributions, gifts, and professional assistance, even if that means taking by *administrative* directives, without warrants, hearings or court orders, and without following the due process procedures in the Internal Revenue Code, the wages, salaries, money in bank accounts, social security and other retirement payments, private and personal records and material from third parties, and placing liens on real property.

## **STATEMENT OF FACTS**

### **A. The People's Petition Process People Enforcing Constitutional Provisions (People's Rights and Government's Obligations)**

The Record before this Court includes extensive documentary evidence of the People's process of Petitioning for Redress of constitutional torts: the Government's abuse of its taxing, war-making, money-making and police powers, together with evidence of the Government's failure to respond to the Petitions. For the details of the Petition process, the Court's attention is invited to the Affidavit with its 65 Exhibits, sworn to by Plaintiff Schulz on July 17, 2004 (Docket #7). The Affidavit and copies of the People's Petitions are also included in the Appendix at pages 104-134, 334-537.

### **B. The Government's WTP-6700 Program**

The details of the WTP-6700 program are set forth in the accompanying Declarations and Affidavits. What they demonstrate is that the Government has launched a broad, *administrative*, coordinated program of threats, intimidation and

takings aimed at shutting down the Petition process. The Government has been sending threatening and intimidating letters directly to Plaintiffs and other supporters of the Petition process. The Government has been serving *administrative* directives and orders on employers, banks, retirement plans including the Social Security Administration, and county clerks, resulting in the taking of wages, salaries, retirement payments, bank savings accounts from Plaintiffs and other supporters of the Petition process and the placement of liens on their homes and automobiles, *all without a judicial proceeding and hearing and court order.*

In addition, as the Declarations by Schulz and Dievendorf demonstrate, the IRS is now conducting an examination of the Foundation for the express purpose of gaining the identities of the providers of critical Internet and website related services *so that they too could be examined by the IRS.*

In addition, as the Declaration by Schulz shows, the IRS has requested Schulz's personal bank records and has threatened to issue a third party summons on the bank if Schulz did not provide the information **by 9/21/06**. The IRS has admitted the purpose is to gain the identity of Schulz' friends and family members who have provided Schulz with personal gifts to allow him to keep a roof over his head (not for services rendered), *so that they too could be examined by the IRS.*

The WTP-6700 program is working real harm on People who have claimed and are exercising their constitutional Right to Petition for Redress. The Government is



doing this without responding to the People's four Petitions to the Government for Redress of constitutional torts, and without honoring and respecting the People's Rights as Plaintiffs to the fair and equitable administration of justice, and without waiting for the Courts to declare the full contours of the People's Rights and the Government's Obligations under the Petition Clause.

People have asked to be removed as Plaintiffs and from the Foundation's mailing list, and donations in support the People's Petition Process have fallen dramatically, seriously impairing the People's ability to effectively prosecute this case and to carry on their program of civic education and civic action related to self-government and the Right to Petition Government for Redress of Grievances.

As Schulz's Declaration shows, donations began to decline in 2005, due to the service of the administrative levies and liens on the Plaintiffs, and PayPal's compliance with the IRS's summonses, turning over its records of donations to the Petition process. Donations have dropped precipitously in 2006.

## **ARGUMENT**

### **I. DEFENDANTS ARE OBSTRUCTING JUSTICE**

The Government is obstructing justice. This should be reason enough for the injunction to issue. 18 USCS § 1503 reads:

“ (a) Whoever corruptly, or by threats or force, or by any threatening letter or communication, endeavors to influence, intimidate, or impede any grand or petit juror, or officer in or of any court of the United States, or officer who may be serving at any

examination or other proceeding before any United States magistrate judge or other committing magistrate, in the discharge of his duty, or injures any such grand or petit juror in his person or property on account of any verdict or indictment assented to by him, or on account of his being or having been such juror, or injures any such officer, magistrate judge, or other committing magistrate in his person or property on account of the performance of his official duties, or corruptly or by threats or force, **or by any threatening letter or communication, influences, obstructs, or impedes, or endeavors to influence, obstruct, or impede, the due administration of justice, shall be punished as provided in ....**”(emphasis added).

18 USCS § 1503 is divided into two parts: (1) its specific language, which forbids influencing, intimidation, or impeding of any witness, juror, or court official, and (2) its concluding omnibus clause, which punishes influencing, obstruction, or impeding of due administration of justice. *United States v Howard (1978, CA5 La) 569 F2d 1331*.

The last clause of 18 USCS § 1503 is a broad catch-all phrase and is all embracive and designed to meet any corrupt conduct in endeavor to obstruct or interfere with due administration of justice, in same fashion as the Contempt of Court Statute [18 USCS § 401], **and is not merely intended to prohibit conduct directed against participants in judicial proceedings**. See *United States v Walasek (1975, CA3 Pa) 527 F2d 676*. (emphasis added).

The purpose of 18 USCS § 1503 is to render illegal all interference with judicial functions of the United States. The final clause was added in order to cover those means of interference which draftsmen were not prescient enough to enumerate, such as the letters and communications described in the accompanying

affidavits. See *United States v Bonanno* (1959, DC NY) 177 F Supp 106, *revd on other grounds* (1960, CA2 NY) 285 F2d 408.

The letters and communications listed above are all part of an endeavor by the Government to obstruct or impede the administration of justice, by obstructing and impeding the ability of the People to prosecute this case, to peaceably assemble and associate with one another and with other people, to educate people who are not party to the case about the issues involved in this case, including the important fact that for the first time in our history a case is before the federal courts that asks the judiciary to declare the full contours of the meaning of the last ten words of the First Amendment **and the ability of the People to hold the government accountable to the Constitution and the Bill of Rights.**

### **Government's Actions Are Shocking To The Senses**

The acts under WTP-6700 are shockingly wrong, bad, evil, cruel and corrupt. Not only is it unethical for any defendant in a lawsuit to directly contact plaintiffs who are represented by counsel, without first contacting plaintiff's counsel, in this case the Defendant contacting the Plaintiffs is the IRS, the most terrifying organization in the country, someone few people want to risk becoming a target of unless they have a strong stomach and net worth. In this case, the Plaintiffs and donors have associated to share the cost and the risk. Individually, few can long stand alone against the abuse of power by the IRS.

As the Schulz Declaration and affidavits demonstrate, one of the most shocking of the Government's acts began on April 4, 2006. Without first contacting attorney Mark Lane, IRS agent David Gordon began contacting Lane's individual clients. There is an obvious threat from the Government in Gordon's letters, to wit, "You are supporting the Petition for Redress process; you have said you are retaining your money<sup>7</sup>; the IRS has labeled the Petition for Redress process an illegal tax shelter under Section 6700 of the Internal Revenue Code; this gives the IRS the power to conduct an investigation; we have identified you as an investor in this illegal tax shelter; testify against Schulz and the We The People Foundation; stop supporting the Right to Petition process; stop contributing to the fund that is paying your attorney, Mark Lane; we can go after you; help us and we will go easy on you; we won't tell your attorney or Schulz about this if you don't want us to."

## **II. PLAINTIFFS HAVE A STRONG LIKELIHOOD OF SUCCESS ON THE MERITS**

The Government wants to operate without constitutional restraint (hence our Petitions for Redress) and now they are saying they can operate without judicial review (because Congress has not authorized this kind of lawsuit).

---

<sup>7</sup> The IRS knows the Record of this case includes sworn affidavits from the overwhelming majority of Lane's individual clients filed on November 12, 2004 (Docket # 16 or 24), testifying to the fact that they have Petitioned the Government for Redress of Grievances, that the Government has not responded and that they are, therefore, retaining their money from the government until their grievances are redressed.

The Government does not have the unilateral prerogative to interpret its own authority to act unchecked outside the limited powers delegated to it by the terms and conditions of the Constitution.

The instant case is one of “first impression.” Lacking any court ruling declaring the full contours of the meaning of the Petition Clause as it applies to ordinary natural citizens seeking Redress against their government for constitutional torts, and taking into account the plain language of and the Framers’ intent behind the words of the Petition Clause, the 791 years of history documenting the evolution of Liberty from Runnymede to Philadelphia, and the complete absence of any case law in opposition to the People’s interpretation, the ends of Justice and Liberty require that deference, and the presumption that those fundamental Rights exist as argued by the People, must be provided to the People who have claimed and are exercising those Rights.

The government can produce nothing that would limit or deny the exercise or enforcement of the Right of Petition by individual natural citizens. It could not, for “Congress shall make no law...abridging...the right of the People...to petition the government for redress of grievances.” To avoid prior restraint or any infringement of the Right, the lack of oppositional precedent coupled with the plain language and the history, meaning effect and significance of our founding documents and their legal

precedents must be construed in favor of the People's likelihood to succeed on the merits.

The People have provided the Court with extensive historical and documentary evidence in support of the true legal meaning and power of the Right to Petition Government for Redress of Grievances. See especially APPELLANT'S BRIEF, pages 13-26. The Government has not been able to refute any of those arguments.

The Government is obligated to respond to Petitions for Redress of Grievances, and the People have a Right of enforcement, especially when, as here, the oppression is caused by unconstitutional government acts and the Government refuses to be held accountable by answering the questions in the People's Petitions. The underlying, fundamental Right is not changed by the fact that the Petition Clause lacks an affirmative statement that Government shall respond to Petitions for Redress of Grievances. "It cannot be presumed, that any clause in the Constitution is intended to be without effect." Chief Justice Marshall in *Marbury v. Madison*. 5 U.S. (1 Cranch) 139 (1803).

To leave the lower court's opinion undisturbed would be to reverse humanity's steady march towards "ordered liberty," suggesting that we transitioned from a Republic to a democracy without going through the amendment process required by Article V of the Constitution.

The individual's Right, through the Petition Clause of the First Amendment, to hold any branch of the government accountable to the Constitution, is the "capstone" Right, the period at the end of the sentence on Liberty's evolution, for "law without it, is law without justice." Appellant's ask rhetorically, "What is the Right to Petition if the People have to ask for permission?"

Freedom from unconstitutional government acts cannot be achieved without violence without the Right of Petition, which includes the Right of Response and Enforcement in the event the Government refuses to respond.

Despite the absence of a judicial declaration of the meaning of the Petition Clause, the plain language found in many historical documents that served as the very foundation of civilized society and ordered liberty-- our system of laws and our form of government-- support the claims made by the People regarding the full meaning of the Right to Petition.

Finally, the same Congress that adopted the Declaration of Independence unanimously adopted an Act in which they gave meaning to the People's Right to Petition for Redress of Grievances and the Right of enforcement as they spoke about the People's "Great Rights." Quoting:

**"If money is wanted by rulers who have in any manner oppressed the People, they may retain it until their grievances are redressed, and thus peaceably procure relief, without trusting to despised petitions or disturbing the public tranquility."** "Continental Congress To The Inhabitants Of The Province Of Quebec." Journals of the Continental Congress 1774, Journals 1: 105-13.

These references demonstrate the merit in law and in fact to the People's interpretation of their Right to Petition government to secure redress of constitutional torts, including government's obligation to respond to those Petitions and the Right of the People to *enforce* the Right of Redress, including the peaceful withholding of monies, and as a last resort, the use of lawfully justified force. The People's claims regarding the Right to Petition are fully resonant with the Rights expressed within Magna Carta, the English Bill of Rights, the Journals of the Continental Congress, the Constitution and the Declaration of Independence.

Unable to undermine the Constitutional ground the People are standing on, the Government, therefore, asks the Court to close its eyes to the Constitution and see only certain Acts of Congress and certain judicial doctrines, including the Anti-Injunction Act, the Internal Revenue Code and the sovereign immunity doctrine.

However, the Supreme Court's opinion is clear, Congress cannot violate Fundamental Rights possessed by the People.

“And the Constitution itself is in every real sense a law-the lawmakers being the people themselves, in whom under our system all political power and sovereignty primarily resides, and through whom such power and sovereignty primarily speaks. It is by that law, and not otherwise, that the legislative, executive, and judicial agencies which it created exercise such political authority as they have been permitted to possess. The Constitution speaks for itself in terms so plain that to misunderstand their import is not rationally possible. 'We the People of the United States,' it says, 'do ordain and establish this Constitution.' Ordain and establish! These are definite words of enactment, and without more would stamp what follows with the dignity and character of law. The framers of the Constitution, however, were not content to let the matter rest here, but provided explicitly-'This Constitution, and the Laws of the United States which shall be made in Pursuance thereof; ... shall be the supreme Law of the Land.' (Const. art. 6, cl. 2.) The supremacy of the Constitution as law is thus declared without qualification. That



supremacy is absolute; the supremacy of a statute enacted by Congress is not absolute but conditioned upon its being made in pursuance of the Constitution. And a judicial tribunal, clothed by that instrument with complete judicial power, and, therefore, by the very nature of the power, required to ascertain and apply the law to the facts in every case or proceeding properly brought for adjudication, must apply the supreme law and reject the inferior statute whenever the two conflict. In the discharge of that duty, the opinion of the lawmakers that a statute passed by them is valid must be given great weight, *Adkins v. Children's Hospital*, [261 U.S. 525, 544](#), 43 S.Ct. 394, 24 A.L.R. 1238; but their opinion, or the court's opinion, that the statute will prove greatly or generally beneficial is wholly irrelevant to the inquiry. *Schechter Poultry Corp. v. United States*, [295 U.S. 495, 549](#), 55 S.Ct. 837, 97 A.L.R. 947." *Carter v. Carter Coal Co.*, [298 U.S. 238](#) (1936) .

"The claim and exercise of a Constitutional right cannot be converted into a crime."  
*Miller v. U.S.*, 230 F 2d 486, 489

"Where rights secured by the Constitution are involved, there can be no rule making or legislation which would abrogate them". *Miranda v. Arizona*, 384 U.S. 436 (1966)

"There is no position which depends on clearer principles, than that every act of a delegated authority, contrary to the tenor of the commission under which it is exercised, is void. No legislative act, therefore, contrary to the Constitution, can be valid. To deny this, would be to affirm, that the deputy is greater than his principal; that the servant is above his master; that the representatives of the people are superior to the people themselves; that men acting by virtue of powers, may do not only what their powers do not authorize, but what they forbid.

"If it be said that the legislative body are themselves the constitutional judges of their own powers, and that the construction they put upon them is conclusive upon the other departments, it may be answered, that this cannot be the natural presumption, where it is not to be collected from any particular provisions in the Constitution. It is not otherwise to be supposed, that the Constitution could intend to enable the representatives of the people to substitute their WILL to that of their constituents. It is far more rational to suppose, that the courts were designed to be an intermediate body between the people and the legislature, in order, among other things, to keep the latter within the limits assigned to their authority. The interpretation of the laws is the proper and peculiar province of the courts. A constitution is, in fact, and must be regarded by the judges, as a fundamental law. It therefore belongs to them to ascertain its meaning, as well as the meaning of any particular act proceeding from the legislative body. If there should happen to be an irreconcilable variance between the two, that which has the superior obligation and validity ought, of course, to be preferred; or, in other words, the Constitution ought to be preferred to the statute, the intention of the people to the intention of their agents.

"Nor does this conclusion by any means suppose a superiority of the judicial to the legislative power. It only supposes that the power of the people is superior to both; and that where the will of the legislature, declared in its statutes, stands in opposition to that of the

people, declared in the Constitution, the judges ought to be governed by the latter rather than the former. They ought to regulate their decisions by the fundamental laws, rather than by those which are not fundamental.” Hamilton, *Federalist No. 78*

#### **IV. IMMEDIATE AND IRREPARABLE HARM**

The accompanying Declarations and Affidavits show the harm and injuries being suffered by the individual Plaintiffs-Appellants as a result of the Government’s malicious and continuing attack. The harm is immediate and ongoing, and will continue to ensue failing the issuance of an injunction.

An important part of the irreparable injury finds its roots in the on-going abridgment by the Government of First Amendment Rights of association, petition and speech, and Rights of Due Process, Privacy and Property.

"The loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." *Ellrod v. Burns* (1976) [427 U.S. 347](#), 373, 96 S.Ct. 2673, 2690

As the declarations and affidavits show, the harmful effects of such out of control behavior by the government and government’s unwillingness to justify its behavior have chilled the enthusiasm of countless friends and supporters of the People’s Right to speak and publish freely and to freely Associate with others in the exercise of the Right to Petition. These acts of Government have also disrupted the People’s ability to raise money via donations to continue prosecuting this case, and to develop public support for the Petition process through a continuation of the People’s legendary and *expensive* civic education and civic action projects. As the declaration

by Schulz shows, the chill induced by the Government's illegal and unconstitutional acts is so broad and deep that the People have had to shelve their formal Operations Plan for 2006, including their plan for the creation of a WTP Network. This and much more has been adversely affected by the chill caused by the Government's WTP 6700 program. The harm is immediate and irreparable because of the denial of First Amendment Rights.

“The ability and the opportunity to combine with others to advance one's views is a powerful practical means of ensuring the perpetuation of the freedoms the First Amendment has guaranteed to individuals as against the government. “Effective advocacy of both public and private points of view, particularly controversial ones, is undeniably enhanced by group association, as this Court has more than once recognized by remarking upon the close nexus between the freedoms of speech and assembly.” NAACP v. Alabama ex rel. Patterson, [357 U.S. 449, 460](#) (1958).” *NYS Club Ass'n, Inc v City of NY*, U.S.N.Y.1988, 108 S.Ct 2225

WTP-6700 is stifling the People's Right to association, an irreparable harm. Acting under the guise of the Section 6700 of the Internal Revenue Code is a not-so-subtle interference with that Right.

## CONCLUSION

The People ask this Honorable Court to temporarily and preliminarily confine the power of the Government to pass judgment on what constitutes the meaning of the Petition Clause by granting the relief requested, thereby putting a stop to the IRS's obstruction of justice and abridgment of fundamental Rights, and halting all tax

related enforcement actions against the Plaintiffs, at least until the full contours of the meaning of the Petition Clause is finally determined by the Judiciary.

MARK LANE  
Attorney for each of the Appellants  
except Robert Schulz, who is pro se  
2523 Brunswick Road  
Charlottesville, VA 22903  
Phone: (434) 293-2349

ROBERT L. SCHULZ, pro se  
2458 Ridge Road  
Queensbury, NY 12804  
Phone: (518) 656-3578