

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

FRANK D. WUTERICH,	)	
	)	
Plaintiff,	)	
	)	
v.	)	No. 06-1366 (RMC)
	)	
JOHN MURTHA,	)	
Congressman,	)	
	)	
Defendant.	)	
_____	)	

**NOTICE OF SUPPLEMENTAL AUTHORITY**

On May 7, 2007, the United States and Congressman John Murtha filed a Motion to Substitute Defendant and Dismiss for Lack of Subject Matter Jurisdiction. Oral argument on this motion is currently set for September 28, 2007 at 2 pm before this Court.

Since the filing of defendant's motion, Judge Bates of this Court issued his decision in the Wilson v. Libby, No. 06-1258 (JDB) matter. That decision is reported at Wilson v. Libby, 498 F. Supp. 2d 74 (D.D.C. 2007). The United States and Congressman Murtha hereby file this notice of supplemental authority to provide the Court and plaintiff notice that the United States and Congressman Murtha intend to rely on Judge Bates' decision in the Wilson matter at argument in this case.

September 27, 2007

Respectfully submitted,

\_\_\_\_\_/s/\_\_\_\_\_  
JEFFREY A. TAYLOR, D.C. Bar # 498610  
United States Attorney

\_\_\_\_\_/s/\_\_\_\_\_  
RUDOLPH CONTRERAS, DC BAR #434122  
Assistant United States Attorney

\_\_\_\_\_/s/\_\_\_\_\_  
JOHN F. HENAULT, D.C. Bar # 472590  
Assistant United States Attorney  
555 Fourth Street, N.W. - Civil Division  
Washington, D.C. 20530  
(202) 307-1249  
(202) 514-8780 (facsimile)