

Honorable Ronald B. Leighton

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON – TACOMA**

LEONARD PELTIER, CHAUNCEY  
PELTIER,

Plaintiffs,

vs.

JOEL SACKS, individually and in his capacity  
as DIRECTOR OF the WASHINGTON  
STATE DEPARTMENT OF LABOR AND  
INDUSTRIES; TIMOTHY CHURCH,  
individually and in his capacity as PUBLIC  
AFFAIRS MANAGER of the WASHINGTON  
STATE DEPARTMENT OF LABOR AND  
INDUSTRIES; JAY INSLEE, individually and  
in his capacity as GOVERNOR OF THE  
STATE OF WASHINGTON; EDWARD P.  
WOODS; LARRY LANGBERG; DOES 1-  
200,

Defendants.

Case No. 3:17-cv-05209-RBL

**JOINT MOTION TO DISMISS CLAIMS  
AGAINST LARRY LANGBERG AND  
EDWARD WOODS**

NOTE ON MOTION CALENDAR:  
June 30, 2017

**I. RELIEF REQUESTED**

Larry Langberg and Edward Woods seek an order dismissing the complaint with prejudice in its entirety against them pursuant to Fed. R. Civ. P 12(b)(6) and Washington's anti-SLAPP immunity at RCW 4.24.510. They further seek an order awarding them as required attorney's fees, costs, and penalties in the amount of \$10,000.00 each.

JOINT MOTION TO DISMISS LANGBERG AND WOODS - 1 of 10

Case No. 3:17-cv-05209-RBL

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**SMITH FREED EBERHARD P.C.**  
705 Second Avenue, Suite 1700  
Seattle, Washington 98104  
Telephone: (206) 576-7575  
Facsimile: (206) 576-7580

1 Plaintiffs Leonard and Chauncy Peltier filed this SLAPP<sup>1</sup> action against Mr. Langberg and  
 2 Mr. Woods in response to these Defendants' communications with high ranking public officials on  
 3 matters of public concern to the involved agencies and officials. Mr. Langberg's letter to Director  
 4 Joel Sacks (of the Washington State Department of Labor and Industries) forms the "gravamen" of  
 5 Plaintiffs' complaints against him. Dkt. #1 at ¶¶ 2.7, 5.17 - 5.20. Similarly Mr. Woods' letter to  
 6 Washington Governor Jay Inslee and Director Sacks forms the "gravamen" of Plaintiffs' complaints  
 7 against him. Dkt. #1 at ¶¶ 2.6, 5.17 - 5.20. Plaintiffs' claims are not actionable. Mr. Langberg  
 8 and Mr. Woods are absolutely immune from suit because they were engaged in protected public  
 9 participation.  
 10

11 Plaintiffs may not question Mr. Langberg's or Mr. Woods' motives without infringing upon  
 12 and chilling their civil rights to free speech and redress. Here in Washington such protected First  
 13 Amendment activity has been declared "vital to effective law enforcement and the efficient  
 14 operation of government," requiring prompt dismissal of a SLAPP suit like this to avoid any  
 15 deterrent effect to these citizens who reported information to the proper authorities. The statute  
 16 further dictates a full award of the required attorney's fees, costs, and statutory penalty of  
 17 \$10,000.00 each. This Court should promptly enter an anti-SLAPP order in conformance with the  
 18 statutory requirements.  
 19

## 20 II. RELEVANT FACTS

21 Plaintiff Leonard Peltier was convicted of murdering two FBI agents and "has been locked  
 22 up in Federal Prisons for over 40 years." Dkt. #1 at ¶¶ 3.2, 3.4. Plaintiff Chauncey Peltier is the son  
 23 of Leonard Peltier and "runs a gallery in Portland Oregon of his father's art." Dkt. #1 at ¶ 3.10. In  
 24

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25  
 26 <sup>1</sup> Strategic Lawsuit Against Public Participation ("SLAPP").

1 November 2015, the Washington State Department of Labor and Industries (“L&I”) displayed some  
 2 of Peltier’s paintings at its headquarters. Dkt. #1 at ¶¶ 3.13 - 3.16.

3 Larry Langberg serves as the National President for the Society of Former Special Agents of  
 4 the Federal Bureau of Investigation, Inc (“the Society”). On November 11, 2015, Mr. Langberg  
 5 expressed his opposition in writing to the public display and asked L&I to remove Peltier’s artwork  
 6 from the exhibition. A complete copy of this one-page letter, which is referenced throughout the  
 7 Complaint, is attached as *Appendix A*.<sup>2</sup>

8 Similarly, Mr. Woods – who is also a retired FBI Special Agent – expressed his opposition  
 9 in writing via letter to Governor Jay Inslee and Director Joel Sacks, urging these officials to refrain  
 10 from any use of public resources to promote Mr. Peltier’s paintings. A complete copy of Mr.  
 11 Woods’ letter that is referenced throughout the Complaint is attached as *Appendix B*.

13 In response, Governor Inslee and Director Sacks withdrew the Peltier paintings from the  
 14 public exhibition. Copies of Mr. Sacks’ letters to Mr. Langberg and Mr. Woods are attached as  
 15 *Appendix C*; see also Dkt. #1 at ¶ 3.21. Soon thereafter, Plaintiffs filed this SLAPP suit.

17 The Complaint relies heavily upon Mr. Langberg’s and Mr. Woods’ governmental  
 18 communications in direct contravention to anti-SLAPP policy objectives:<sup>3</sup>

- 19 • By means unknown to Plaintiffs, Defendants WOODS and LANGBERG  
 20 became aware of the inclusion of LEONARD PELTIER’s work in the  
 21 exhibit, and wrote the previously referred to [sic] vicious and libelous letters  
 demanding the removal of the art work. Dkt. #1 at ¶ 3.20

22 <sup>2</sup> When considering a motion to dismiss, the court may consider documents referenced in the complaint “without  
 23 converting the motion to dismiss into a motion for summary judgment.” *U.S. v. Ritchie*, 342 F.3d 903, 908, (9th  
 24 Cir. 2003) (citation omitted); see *Lexicon Inc. v. Milberg Weiss Bershad Hynes & Lerach*, 102 F.3d 1524, 1537  
 (9th Cir. 1996) (ample authority recognizes that “matters of public record . . . may be looked to when ruling” on a  
 motion to dismiss).

25 <sup>3</sup> Plaintiffs’ averments may be assumed to be true for purposes of this motion; however, Mr. Langberg and Mr.  
 26 Woods dispute the factual validity of many of the allegations, which they expect they need not incur the expense to  
 disprove given the immunity protections afforded to them under RCW 4.24.510.

- 1 • Despite the fact that, by their own admission, State Officials received no  
2 more than four negative comments about including the paintings and  
3 hundreds, if not thousands in support of their inclusion, Defendants SACKS,  
4 INSLEE, and CHURCH made the decision, without any public process, to  
5 remove LEONARD PELTIER's paintings, by their own admission, solely  
6 because PELTIER himself was controversial and because he had painted  
7 them. Dkt. #1 at ¶ 3.21.
- 8 • In demanding that Washington L & I and the State itself remove the  
9 paintings by Plaintiff LEONARD PELTIER, these Defendants [i.e., Messrs.  
10 Woods and Langberg] used and relied on knowingly [sic] untrue  
11 statements, libelous characterizations of LEONARD PELTIER [sic],  
12 staggering hyperbole, and recitations of "facts" that they reasonably knew or  
13 should have known were untrue for the sole purpose of silencing  
14 LEONARD PELTIER and causing emotional harm to Plaintiffs. Dkt. #1 at  
15 ¶ 5.18.
- 16 • They [i.e., Messrs. Woods and Langberg], in e-mails and letters published  
17 these defamatory statements to Defendants CHURCH, SACKS, and  
18 INSLEE, and those statements resulted in the harm suffered by Plaintiffs, as  
19 admitted by all Defendants. Dkt. #1 at ¶ 5.19.
- 20 • In carrying out the pattern of Constitutionally prohibited and wrongful  
21 conducts alleged throughout this complaint, DEFENDANTS, and each of  
22 them sought to cause emotional distress with accompanying physical  
23 symptoms. Dkt. #1 at ¶ 5.22.
- 24 • In committing the aforementioned acts and/or omissions, Defendants, all of  
25 whom were in a position to know better, and each of them, negligently  
26 breached said duty, directly and proximately resulting in the injuries and  
damages to the Plaintiffs as alleged herein. Dkt. #1 at ¶ 5.28.

Plaintiffs allege various state law theories that are all subject to the statutory immunity defense: Defamation (Count IV), Intentional Infliction of Emotional Distress (Count V), and Negligence (Count VI). Dkt. #1 at ¶¶ 5.17 - 5.28. As to Mr. Langberg and Mr. Woods, the *allegations* are about their *communications* with government, and no other distinct or segregable conduct from the inciting correspondence to the governmental officials responsible for the display. Dkt. #1 at ¶¶ 2.6, 2.7, 3.20, 5.17 - 5.20. The Langberg and Woods letters are exactly the type of

communications the Washington Legislature deemed warranted protection from the kind of civil litigation Plaintiffs frivolously filed here. All claims against Mr. Langberg and Mr. Woods should be dismissed promptly without further delay.

### III. ARGUMENT

#### A. Langberg and Woods are Immune Under RCW 4.24.510.

Washington protects individuals who communicate with its agencies and officials on matters reasonably of concern to the agency. RCW 4.24.510. The scope of the protection is as follows:

A person who communicates a complaint or information to any branch or agency of federal, state, or local government, ... is immune from civil liability for claims based upon the communication to the agency or organization regarding any matter reasonably of concern to that agency or organization.

This “anti-SLAPP statute[.]” *Bailey v. State*, 147 Wn. App. 251, 260-61, 191 P.3d 1285 (2008) (citation omitted), “grants immunity from civil liability for those who complain to their government regarding issues of public interest or social significance.” *Skimming v. Boxer*, 119 Wn. App. 748, 758, 82 P.3d 707 (2004). Application of the immunity depends upon the defendant’s activity and not the plaintiff’s cause of action. *Aronson v. Dog Eat Dog Films, Inc.*, 736 F. Supp. 2d 1104 (W.D. Wash. 2010). This Court should look to the source of the rights asserted in order to determine the “gravamen” of the claim, which here is undoubtedly the protected communications with the Governor and Director of L&I. *Bevan v. Meyers*, 183 Wn. App. 177, 185, 334 P.3d 39 (2014) (to determine whether a claim “arises from public participation and petition, [courts] look to the gravamen of the claim.”) (citation omitted).

The Washington Legislature amended RCW 4.24.510 in 2002, deleting the phrase “in good faith” preceding “communicates a complaint or information” located in the first sentence. In

1 amended RCW 4.24.510, “the legislature provided that ‘good faith’ was no longer an element of the  
 2 SLAPP defense[.]” *Segaline v. Dep’t of Labor & Indus.*, 169 Wn.2d 467, 480, 238 P.3d 1107  
 3 (2010) (Madsen, C.J., concurring), *Lowe v. Rowe*, 173 Wn. App. 253, 294 P.3d 6 (2012).<sup>4</sup>

4 In determining whether immunity applies under RCW 4.24.10, courts must consider  
 5 whether “a person (1) ‘communicates a complaint or information to any branch of federal, state, or  
 6 local government, or to any self-regulatory organization,’ that is (2) based on any matter ‘reasonably  
 7 of concern to that agency.’” *Bailey*, 147 Wn. App. at 261. In *Bailey*, in reversing the trial court’s  
 8 denial of the defendant’s special motion to dismiss the plaintiff’s SLAPP action, the court of appeals  
 9 held:  
 10

11 To obtain immunity under RCW 4.24.510, the claim against Ms. Lindholdt must be  
 12 based on a communication she made to EWU [Eastern Washington University]  
 13 “regarding any matter reasonably of concern to the agency or organization.” Ms.  
 14 Lindholdt complained about Ms. Bailey to EWU concerning several matters of  
 reasonable concern to EWU. Thus, her communication falls squarely under the  
 immunity provided by RCW 4.24.510.

15 *Id.* at 263.

16 Here, it is clear from the face of Plaintiffs’ Complaint that their claims against Mr. Langberg  
 17 and Mr. Woods are based upon the November 2015 letters to L&I and Governor Inslee and  
 18 corresponding communications that effectuated the removal of the Peltier paintings from the public  
 19 exhibit. There can be no debate that these letters and any corresponding communications to  
 20 effectuate the removal of public support satisfy the “communication to government agency” prong.  
 21

22 It is also clear that the subject of their communications pertained to a matter of concern to  
 23 L&I and the State of Washington. The issue presented was whether a state agency like L&I found it  
 24

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25 <sup>4</sup> See also Notes following RCW 4.24.510, which state in pertinent part: “Chapter 232, Laws of 2002 amends  
 26 Washington law to . . . recognize[] that the United States Constitution protects advocacy to government, regardless  
 of content or motive, so long as it is designed to have some effect on government decision making.”

1 favorable to exhibit artwork of a convicted double-murderer of civil servants. The L&I  
 2 headquarters building, located in Tumwater, Washington, is a publicly funded and supported  
 3 facility. The exhibition of Mr. Peltier's art in a government owned building was viewed by them as  
 4 a governmental endorsement and glorification of a convict found guilty of killing (assassination-  
 5 style) two FBI Agents in the line of duty. Such a public exhibition was offensive to them personally  
 6 and professionally as a stakeholder organization, and to other members of the law enforcement  
 7 community. Plaintiffs' argue the oppositional position that the paintings should be expressed  
 8 publicly, which is the sine qua non of public interest. The Governor and the agencies he controls  
 9 are the patrons of public messaging. RCW 43.06.010. Thus, the content of the Langberg and  
 10 Woods letters, and their desired outcome to influence L&I and State of Washington to withhold  
 11 public support, satisfy the "matter reasonably of concern" prong.<sup>5</sup>

12  
 13 Like the defendant's communications in *Bailey*, the Langberg and Woods letters "falls  
 14 squarely under the immunity provided by RCW 4.24.510." *Id.* All claims as to Mr. Langberg and  
 15 Mr. Woods should be dismissed.

16  
 17 **B. Langberg and Woods are Each Entitled to Recover Attorney's Fees, Costs, and A  
 18 Statutory Penalty of \$10,000.00.**

19 Mr. Langberg and Mr. Woods must be awarded their individual costs and attorney's fees,  
 20 and individual awards of \$10,000 in statutory damages because RCW 4.24.510 mandates it:

21 A person prevailing upon the defense provided for in this section is entitled to  
 22 recover expenses and reasonable attorneys' fees incurred in establishing the  
 23 defense and in addition shall receive statutory damages of ten thousand dollars.  
 24 Statutory damages may be denied if the court finds that the complaint or  
 25 information was communicated in bad faith.

26 <sup>5</sup> "RCW 4.24.510 refers to immunity for communications 'regarding any matter reasonably of concern to' a government agency. These terms, by their plain language, are *not limited to* the 'communications made to influence a government action or outcome'["]” *Segaline*, 169 Wn.2d at 481 (emphasis in original).



1 A citizen prevailing on the defense provided under RCW 4.24.510 is “entitled to recover expenses  
 2 and reasonable attorney fees . . . [and] ‘shall receive statutory damages of ten thousand dollars  
 3 [unless] the court finds that the complaint or information was communicated in bad faith.’” *Bailey*,  
 4 174 Wn. App. at 263-64. “The reason for the immunity, as well as for the attorney fees, costs, and  
 5 statutory damages, is to remove the threat and burden of civil litigation that would otherwise deter  
 6 the speaker from communicating.” *Segaline*, 169 Wn.2d at 482 (citations omitted). An award of  
 7 attorney’s fees, costs, and the penalty is not discretionary. *Right-Price Recreation, LLC v.*  
 8 *Connells Prairie Community Council*, 146 Wn.2d 370, 384, 46 P.3d 789 (2002) (remanding case  
 9 to trial court for purposes of calculating attorney’s fees). Where there is no clear and convincing  
 10 evidence of any actual malice – meaning false statement, the penalty must also be awarded. *Gilman*  
 11 *v. MacDonald*, 74 Wn. App. 733, 738-39, 875 P.2d 697 (1994) (reporting unauthorized conduct as  
 12 “illegal” to the proper authorities is not malicious).

14 The reliance upon Mr. Peltier’s conviction history is not malice. Mr. Langberg and Mr.  
 15 Woods were communicating at all times in good faith, out of concern for their fellow civil servants  
 16 who risk their lives in public service. They are acting as guardians of sanctity of the profession in  
 17 recognition of the sacrifices made by law enforcement officers nationwide to keep our communities  
 18 safe. Mr. Langberg and Mr. Woods were simply exercising their rights to speak freely as  
 19 guaranteed by the First Amendment. Nothing more. This lawsuit is truly unwarranted and intended  
 20 to chill their protected activities. Mr. Langberg and Mr. Woods each request their reasonable  
 21 attorney’s fees, expenses, and \$10,000.00 each in statutory penalties.

#### 23 IV. CONCLUSION

24 For the reasons stated above, this Court should grant Mr. Langberg’s and Mr. Woods’s  
 25 motion to dismiss all of Plaintiffs’ claims against them asserted in the Complaint with prejudice,  
 26



award costs and fees in an amount according to proof, and award each statutory damages of \$10,000.00.

DATED this 8<sup>th</sup> day of June 2017.

**III BRANCHES LAW, PLLC**

*/s/ Joan K. Mell*

Joan K. Mell, WSBA #21319  
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*Counsel for Edward Woods*

**SMITH FREED EBERHARD, P.C.**

*/s/ Jeremy H. Rogers*

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705 Second Avenue, Suite 1700  
Seattle, Washington 98104

*Counsel for Larry Langberg & The Society of  
Former Special Agents of the FBI*

**CERTIFICATE OF SERVICE**

I hereby certify that a true copy of the above **JOINT MOTION TO DISMISS ALL CLAIMS AGAINST LARRY LANGBERG AND EDWARD WOODS, APPENDIX A, APPENDIX B, APPENDIX C, and PROPOSED ORDER** have been filed with the United States District Court via the CM/ECF system which gives automatic notification to the following attorneys of record:

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Law Offices of Lawrence A. Hildes  
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Bellingham, Washington 98227  
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*Counsel for Joel Sacks, Timothy Church, & Gov. Jay Inslee*

DATED this 8<sup>th</sup> day of June 2017.

/s/ Jeremy H. Rogers  
Jeremy H. Rogers, WSBA No. 36292

**APPENDIX A**  
to  
**JOINT MOTION TO DISMISS**



***SOCIETY OF FORMER SPECIAL AGENTS OF THE FEDERAL BUREAU OF INVESTIGATION, INC.***  
***3717 Fettler Park Drive***  
***Dumfries, VA 22025-2048***

November 11, 2015

Director Joel Sacks  
The Washington State Department of Labor and Industries  
P.O. Box 44000  
Olympia, WA 98504

Leonard Peltier murdered two FBI Agents, Ronald Williams and Jack Coler, on June 26, 1975 at the Pine Ridge Indian Reservation, in South Dakota. He was convicted of murder in Federal Court in 1977 and given two life sentences. Several appeals by Peltier to overturn his conviction have been rejected by federal courts.

Officials at the Washington State Department of Labor and Industries should know Leonard Peltier is a vicious, violent and cowardly criminal who hides behind legitimate Native American issues. Leonard Peltier was never a leader in the Native American Community. Peltier is simply a vicious thug and murderer with no respect or regard for human life, especially when law enforcement officers are involved.

Director Sacks: I would ask that you immediately remove Leonard Peltier's artwork from state property. In view of Mr. Peltier's background, it's inappropriate to me, as a former law enforcement officer, that your department would put up such a display.

Sincerely,

Larry Langberg  
National President  
Society of Former Special Agents of the FBI

**APPENDIX B**  
to  
**JOINT MOTION TO DISMISS**



8190 Beechmont Avenue #101  
Cincinnati, Ohio 45256-6117  
November 9, 2015

The Honorable Jay Inslee  
Office of the Governor  
P.O. Box 40002  
Olympia, WA 98504-0002

Dear Governor Inslee:

Although not a constituent, I write to you with a very serious question:

*Is it morally acceptable, or even legal, for your office and Washington State to promote and endorse a cold-blooded murderer?*

This, of course, relates to the display and promotion for sale of Leonard Peltier's prison artwork by the Washington State Department of Labor and Industries in Tumwater, Washington.<sup>i</sup>

Whether Peltier is an artist is arguable, and irrelevant.

Nonetheless, Peltier is a convicted felon for the brutal execution-style murder of two already wounded FBI Agents. (Attacked and mortally wounded by Peltier and other AIM thugs.) Peltier, as well, has clearly demonstrated he remains wholly unrepentant for his heinous crimes.

Any celebration of Peltier is the result of decades-long misinformation and promotion of ongoing myth and folklore.<sup>ii</sup> Native America has long abandoned Peltier's claims of any rights to represent their collective heritage and interests.

Peltier's conviction, through over a dozen appeals, has been upheld as he has had more critical reviews of the facts than most inmates. Any reasonable review of the legal history would be clearly evident as all the challenges to his conviction have been repeatedly debunked. Please have someone in your office review that history.<sup>iii</sup>

There has been a long and sordid legacy of Peltier's abuse of his native heritage but when it comes to proving his own guilt, and that he remains a remorseless murderer, we need only turn to Peltier himself for proof.

How can the Governor of any state allow the promotion of a convicted felon who has said:

“I seen Joe when he pulled it out of the trunk and he gave me a smile.” (Relating to June 26, 1975 while two dead and mutilated FBI agents lay at their feet.)<sup>iv</sup> After thirty-five years in a public statement “And really if necessary I’d do it all over again because it was the right thing to do.” (2010) And, thirty-nine years after the murders, “I don’t regret any of this for a minute.” (2014)

Understanding Peltier’s conviction, the events that took place at Pine Ridge and statements like these, it is unconscionable that your state would recognize Peltier for anything, let alone advertising to the public the sale of his paintings.

And, as an aside, there has been a long-standing challenge for Peltier to prove where any of that money has gone, along with his abject failure to document any of his alleged “tax deductible” charitable activities.<sup>v</sup> That part of his history has been an ongoing scam, and sadly the State of Washington appears to have also bought into it.

With all due respect I would urge you to thoroughly review the Peltier matter and remove his artwork from the Tumwater display.

I remain. “In the Spirit of Coler and Williams”

Sincerely,

Edward Woods

Email: [justice@noparolepeltier.com](mailto:justice@noparolepeltier.com)

cc:

1-Hon. Bob Ferguson, AG, 1125 Washington St. SE #7, Olympia, WA 98501

1-Joel Sacks, Director, WSDL&I, P.O. Box 44000, Olympia, WA 98504-4000

1-Mr. Dusti Demarest, Executive Editor, The Olympian, 111 Bethel St. NE, Olympia, WA 98506

1-Leonard Peltier, USP Coleman 1, P.O. Box 1033, Coleman, FL 33521

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<sup>i</sup> <http://jonathanturley.org/2015/11/07/wa-state-agency-promoting-art-of-convicted-cop-killer-leonard-peltier/>

<sup>ii</sup> The Myth of Leonard Peltier: <http://www.noparolepeltier.com/myth.html>

<sup>iii</sup> A concise history of guilt: [http://www.noparolepeltier.com/final\\_guilt.pdf](http://www.noparolepeltier.com/final_guilt.pdf)

Court record and decisions: <http://www.noparolepeltier.com/court.html>

<sup>iv</sup> As reported by Peltier biographer, Peter Matthiessen, *In the Spirit of Crazy Horse*, p.552, referring to Joe Stuntz stealing Agent Coler’s FBI jacket from the trunk of his bullet-riddled Bureau vehicle.

<sup>v</sup> <http://www.noparolepeltier.com/debate.html#fraud>



**APPENDIX C**  
to  
**JOINT MOTION TO DISMISS**



STATE OF WASHINGTON  
**DEPARTMENT OF LABOR AND INDUSTRIES**  
PO Box 44000 • Olympia Washington 98504-4000

November 19, 2015

Edward Woods  
8190 Beechmont Avenue #101  
Cincinnati, Ohio 45256-6117

Dear Mr. Woods,

I have been asked to respond to your letter to Governor Jay Inslee regarding our agency's American Indian Heritage Month display. Please know it was never our intention to upset you or the Society of Former Special Agents of the FBI. We are displaying Native American artwork and historical information about Washington Tribes and tribal leaders this month to educate and inform people who pass through our doors.

As part of the celebration we were loaned artwork from the Peltier family, and we displayed those works in our agency lobby for approximately two weeks. Our goal with that part of the display was to focus solely on Mr. Peltier's Native American Art, but we heard from individuals and organizations such as yours who felt it was impossible to separate his artwork from the controversy surrounding the 1975 incident in South Dakota.

After listening carefully to the concerns, it became clear that the display of this specific artwork was overshadowing the American Indian Heritage Month Celebration. We have taken the Leonard Peltier paintings off display and have returned the artwork to his family. Meanwhile, the rest of the display will continue through November 25.

Thank you again for contacting Governor Inslee with your concerns on this issue.

Sincerely,

A handwritten signature in black ink, reading "Joel Sacks".

Joel Sacks  
Director

cc: Governor Jay Inslee  
Attorney General Bob Ferguson  
Executive Editor Dusti Demarest, The Olympia  
Leonard Peltier



REC'D NOV 23 2015

STATE OF WASHINGTON  
**DEPARTMENT OF LABOR AND INDUSTRIES**  
PO Box 44000 • Olympia Washington 98504-4000

November 19, 2015

Larry Langberg, National President  
Society of Former Special Agents of the FBI  
3717 Fetter Park Drive  
Dunfries, VA 22025-2048

Dear Mr. Langberg,

Thank you for your letter regarding our agency's American Indian Heritage Month display. Please know it was never our intention to upset you or the Society of Former Special Agents of the FBI. We are displaying Native American artwork and historical information about Washington Tribes and tribal leaders this month to educate and inform people who pass through our doors.

As part of the celebration we were loaned artwork from the Peltier family, and we displayed those works in our agency lobby for approximately two weeks. Our goal with that part of the display was to focus solely on Mr. Peltier's Native American Art, but we heard from individuals and organizations such as yours who felt it was impossible to separate his artwork from the controversy surrounding the 1975 incident in South Dakota.

After listening carefully to the concerns, it became clear that the display of this specific artwork was overshadowing the American Indian Heritage Month Celebration. We have taken the Leonard Peltier paintings off display and have returned the artwork to his family. Meanwhile, the rest of the display will continue through November 25.

Thank you again for contacting us with your concerns on this issue.

Sincerely,

A handwritten signature in dark ink that reads "Joel Sacks".

Joel Sacks  
Director