

KERRY W. KIRCHER  
GENERAL COUNSEL

WILLIAM PITTARD  
DEPUTY GENERAL COUNSEL

U.S. HOUSE OF REPRESENTATIVES  
OFFICE OF GENERAL COUNSEL  
219 CANNON HOUSE OFFICE BUILDING  
WASHINGTON, DC 20515-6532  
(202) 225-9700  
FAX: (202) 226-1360

TODD B. TATELMAN  
SENIOR ASSISTANT COUNSEL

ELENI M. ROUMEL  
ASSISTANT COUNSEL

ISAAC B. ROSENBERG  
ASSISTANT COUNSEL

KIMBERLY HAMM  
ASSISTANT COUNSEL

SARAH E. CLOUSE  
SENIOR STAFF ATTORNEY

SARAH K. CURRAN  
STAFF ATTORNEY

October 21, 2015

**VIA ELECTRONIC & FIRST CLASS MAIL**

Montgomery Blair Sibley, Esquire  
402 King Farm Boulevard, Suite 125-145  
Rockville, Maryland 20850  
montybsibley@gmail.com

**Re: *Sibley v. McConnell, et al.*, 1:15-cv-00730-JEB (D.D.C.)**

Dear Mr. Sibley:

I am in receipt of your electronic mail from this morning (attached), which responds to my letter of yesterday (also attached).

1. Your electronic mail references serving a (i) "First Amended Complaint," (ii) "Request to Admit," and (iii) "Request to Produce." Please be advised that I have received none of those documents from you.

2. In my October 20, 2015 letter, I explained that "[t]his Office represents House Members and staff in connection with their official activities." Ltr. at 1. I further stated that, accordingly, with respect to your lawsuit purporting to state claims against "four hundred thirty five (435) Members of the U.S. House of Representatives," you should direct all communications to this Office, and not to the Members (or their staff) directly. *See id.* ("[A]ccordingly, to the extent you wish to communicate with any House Member or staff regarding your lawsuit, please do so thorough this Office. Please do not communicate directly with any House Member or staff regarding this lawsuit.")

It has now come to my attention that, even *after* I sent my letter, you again contacted directly multiple additional House Members and staff regarding your lawsuit. These communications are problematic on at least three levels.

*First*, you are communicating with a represented individual, which is inconsistent with bar rules that apply to you. *See, e.g.*, D.C. Rules of Professional Conduct 4.2(a) ("D.C. Rules") ("[A] lawyer shall not communicate . . . about the subject of the representation with a person known to be represented by another lawyer in the matter, unless the lawyer has the prior consent of the lawyer representing such other person or is authorized by law or a court order to do so."); D.C. Ethics Opinion 258 (Sept. 1995) (concluding that "lawyer who is a party in a matter and is

Montgomery Blair Sibley, Esquire  
October 21, 2015  
Page 2

proceeding pro se cannot communicate directly with another party who is known to be represented by counsel in the matter without first obtaining consent from the other party's lawyer"); *Cobell v. Norton*, 212 F.R.D. 14, 21 (D.D.C. 2002) (“[K]nowing participation in the efforts of [a party] to engage in improper communications with members of a class action litigation constitutes a violation of attorney ethics rules.”).

*Second*, you are providing false information to Members and staff. In particular, you have represented that your “lawsuit *will resolve* the question of whether Representative [fill-in-blank] has breached the oath of office by failing to ‘call’ a convention to propose amendments to the Constitution of the United States.” (Emphasis added). As you are aware, that representation is false because the Members have substantial affirmative defenses – including, but not limited to, the standing doctrine, the Speech or Debate Clause, and the political question doctrine – any one of which, if sustained by a Court, would prevent a ruling on the merits of your claim.

*Third*, your conduct is interfering with this Office’s ability to represent its clients in this matter, and may, if it continues, force us to seek relief from the Court.

Accordingly, I again urge you not to communicate directly with any House Members or staff regarding your lawsuit.

Thank you for your attention.

Sincerely,



William Pittard

Enclosures

Pittard, William

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From: Monty Sibley <montybsibley@gmail.com>  
Sent: Wednesday, October 21, 2015 11:11 AM  
To: Pittard, William; Maier, Peter (USADC)  
Subject: Re: Sibley v. McConnell, et al.

Bill,

I am receipt of your email and attached letter of October 20, 2015. Your email went into my spam folder for some reason and I just found it. Thus, in the future if you send me an email and don't get an email back from me after a few days, you might call me to make sure I received it.

As to the your request to communicate with you by email, I fully understand and will do so henceforth. I trust you have received my recently filed in the D.C. Superior Court (i) First Amended Complaint, (ii) Request to Admit and (iii) Request to Produce. If not, please let me know and I will forward by email the same post-haste.

As for your request that I do not communicate with members of Congress directly, I respectfully decline until you direct me to what authority would compel that result in derogation of my First Amendment Right to Petition.

yours,

Montgomery Sibley  
202-643-7232

On Tue, Oct 20, 2015 at 12:59 PM, Pittard, William <[William.Pittard@mail.house.gov](mailto:William.Pittard@mail.house.gov)> wrote:

Mr. Sibley:

Please see attached correspondence.

--Bill Pittard

*William Pittard, Deputy General Counsel  
Office of General Counsel, United States House of Representatives  
219 Cannon House Office Building, Washington, District of Columbia 20515  
Office: (202) 225-9700; Facsimile: (202) 226-1360; Mobile: (202) 225-8412*

*Email: [William.Pittard@mail.house.gov](mailto:William.Pittard@mail.house.gov)*

KERRY W. KIRCHER  
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WILLIAM PITTARD  
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October 20, 2015

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montybsibley@gmail.com

**Re: *Sibley v. McConnell, et al.*, 1:15-cv-00730-JEB (D.D.C.)**

Dear Mr. Sibley:

I understand that, with respect to your Article V convention case (purporting to state claims against "four hundred thirty five (435) Members of the House of Representatives"), you recently have contacted multiple Members of the U.S. House of Representatives. This Office represents House Members and staff in connection with their official activities; accordingly, to the extent you wish to communicate with any House Member or staff regarding your lawsuit, please do so through this Office. Please do not communicate directly with any House Member or staff regarding this lawsuit.

Because of the stringent mail delivery procedures put in place in the House after various anthrax and ricin attacks, please do not communicate with me by ordinary mail at the address above. Instead, please use facsimile (202/226-1360), or electronic mail (william.pittard@mail.house.gov).

Thank you for your attention.

Sincerely,



William Pittard