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January 3, 2005

Commissioner Richard K. Rutledge, Dept 20
Superior Court of California, County of Monterey
Marina Courthouse
3180 Del Monte Blvd.
Marina, CA 93933

FAXED ONLY

Re: MAR 125367

Dear Commissioner Richard K. Rutledge:

I write this letter not as an ex parte communications and am providing a copy of this to the defendants via fax.

It was brought to my attention today by a Marina Court Clerk with the name of Elyse, that you have not yet disqualified yourself from the above referenced case.

Elyse informed me that you had not come to a decision as yet, and she would notify me later in the day what that was.

Perhaps I can assist you in your reaching your conclusion by requesting that you read your Judicial Canon of Ethics.

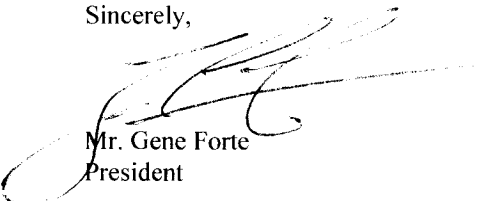
It is very clear that a "reasonable person would entertain the doubt if you could be an impartial judge" in any case involving myself, and such determination could also be reached by your previous disqualification filed on April 4th, 2002, in Loop vs. Forte MAR 115437.

If I am forced to file a Challenge for Cause against you, it clearly shows that you are attempting to punish me with more work and stress.

Please inform me as soon as possible of your decision.

Thank you.

Sincerely,



Mr. Gene Forte
President

Attached Disqualification of April 4th, 2001

Cc: DA Flippo, ADA Spitz

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