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7 **UNITED STATES DISTRICT COURT**
8 **NORTHERN DISTRICT OF CALIFORNIA**
9

10 MICHAEL SAVAGE,
aka (Michael Weiner)

No. C 07-06076SI

11 Plaintiff,
12

13 vs.

14 Counsel on American-Islamic
Relations, Inc., Council on
15 American Islamic Relations
Action Network Inc., Council on
16 American Islamic Relations
of Santa Clara Inc., and Does
3-100

17 Defendants.
18 _____/

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20 **NOTICE THAT DEFENDANT LACKS STANDING**
21 **TO LITIGATE**
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28 **NOTICE THAT DEFENDANT LACKS STANDING**
TO LITIGATE

1 Federal Rule of Civil Procedure 17(b) states that capacity to sue is determined, “for a
2 corporation, by the law under which it was organized”. CAIR is organized under the laws of the
3 District of Columbia. “Under D.C. Code §§ 29-301.85 and 29-301.86, when a nonprofit
4 corporation's articles of incorporation are revoked for failure to comply with certain reporting
5 rules, then all powers conferred on it are inoperative and it must cease all business activities
6 (because it is deemed to be dissolved), except for those activities necessary for winding up its
7 affairs.” (*Bourbeau v. Jonathan Woodner Co.*, 549 F. Supp. 2d 78, 84 (D.D.C. 2008))

8 CAIR is in revoked status. Exhibits 1, 2 & 3 are from the District of Columbia’s website
9 for the Secretary of State. The only groups that have the name Council on American-Islamic
10 Relations are the two groups shown. Both are revoked. This “name game” was the subject of
11 much ridicule of Horowitz by CAIR’s counsel as they cited how often Horowitz had to amend
12 his initial complaint seeking the correct CAIR group. This continues because the CAIR that is
13 part of this case no longer exists at all. It’s corporate name and ID number is shown from a
14 KNOWX (Choicepoint, Inc.) public records printout as “942995” (Exhibit 4) That number has
15 been transferred to the Council on American-Islamic Relations Action Network, Inc. as shown on
16 Exhibits 1 & 2. Of course, this is the same group that Horowitz originally sued but was told was
17 the wrong group.

18 In any case, now, it is the ONLY group registered with the District of Columbia under
19 that number and it is in revoked status.

20 Under Federal Rule of Civil Procedure 17 b which applies the rules of the state (in this
21 case, the District of Columbia), CAIR as a revoked corporation lacks standing to conduct any
22 activities other than winding up its affairs.

23 CAIR has no standing to bring its motion for fees nor to seek reconsideration from the
24 prior denial of its request.