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DATE: March 13, 2003

FOR RELEASE: Immediate

**FEDERAL COURT SAYS SOLDIERS
SUING BUSH CASE NOT READY FOR
REVIEW:**

***ULTIMATE DECISION --
WHETHER PRESIDENT
CAN WAGE WAR
UNILATERALLY -- RESTS
WITH COURTS***

Plaintiffs Pledge to Return to Court Within Days

-- U.N. Vote Hangs in the Balance --

Statement from Plaintiff Attorney John Bonifaz Regarding Doe v. Bush Ruling: It is clear from this ruling that this case remains very much alive. The federal appeals court rejected the lower court's dismissal on political question grounds. Instead, it granted dismissal solely on ripeness grounds, saying: "[T]his issue is not fit now for judicial review." The Court adds that, "[t]o evaluate this claim now...[w]e would need to assume that the Security Council will not authorize war, and that the President will proceed nonetheless." The Court further says that "many crucial facts are missing" for it to review the merits of the plaintiffs' claims.

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Soldiers Sue Bush/2

In light of this important ruling, we will file a petition for rehearing before this appellate court panel as soon as these facts are more defined. Specifically, if the Security Council does not authorize war and the President demonstrates he will proceed nonetheless, we will return to this Court and seek a review of its ruling based on these new facts.

This case is far from over. At this extraordinary moment in United States history, this Court has a duty to act. If the President moves us closer to war without UN authorization, this case will be ripe for the Court's review and will demand judicial intervention to prevent an illegal and unconstitutional war.