

A comprehensive history of all legal documents pertaining to our fight against fluoride (put together by James Robert Deal)

[The City's Complaint for Declaratory Judgment, Sept 18 2006.](#)

[The City of Port Angeles' response to the Citizens' First Brief.](#)

[Stipulation that the two cases would be combined and heard together, September 25, 2006.](#)

[Findings of Fact and Judgment at the Trial Court Level.](#) There was no trial in the ordinary sense. No witnesses testified. The parties filed written declarations of the facts and briefs, the attorneys made their arguments, and the visiting judge made her decision. The two Clallam County judges recused themselves so Judge Karlynn Habberly from Kitsap County tried the case.

[The Trial Court Record](#) Read the verbatim record of the abbreviated trial.

[Amicus Memorandum Filed by Fluoride Class Action Urging the WA Supreme Court to Hear this Case.](#) In this brief I made the strong argument that because RCW 57.08.012 allows Water District commissioners to put water fluoridation to a public vote, it is therefore a legislative and not a mere administrative matter, and one where in this case the people have a right to have this issue put on the ballot, despite the fact that the fluoridation decision was made by a city council and not a water district.

[The Citizens' Opening Brief.](#) Once the Washington Supreme Court agreed to hear this case, it was the responsibility of the Citizens to file their opening brief. The City and the Dentists won in the Court of Appeals, so the Citizens are the Appellants.

[City's Brief in Response to Citizens' Brief](#)

[Citizens' Brief in Response to Brief of City](#)

[Supplemental Brief of Citizens Filed June 1, 2009](#) Amici curiae (friends of the court in Latin, amicus curiae being the singular form) filed five briefs supporting the case to allow the Citizens the right to vote on whether they want the City to stop fluoridating their water. The briefs follow:

[Citizens' Brief: City water fluoridation violates numerous unenforced federal and state laws.](#) This is an amicus brief from IAOMT – International Academy of Oral and Medical Toxicology, FAN – [Fluoride Action Network](#), and OCSDW – Oregon Citizens for Safe Drinking Water. This brief was written by Attorney _____ (who prefers to remain unnamed) and by Dr. Bill Osmuson, dentist and public health scholar, and it was edited by James Robert Deal. Submitted to the Washington Supreme Court on January 22, 2010.

[Citizens Brief: Fluoridated city water is a drug that is unapproved, misbranded, adulterated, and illegally manufactured and dispensed by the city.](#) The electorate has an inherent right to exercise the right of initiative and vote on such inherently legislative matters. This is an amicus brief from Washington Action for Safe Water and Whidbey Environmental Action Network. It was submitted to the Washington Supreme Court on January 22, 2010. This brief was written by Attorney _____ (who prefers to remain unnamed) and by Dr. Bill Osmuson, dentist and public health scholar, and it was edited by James Robert Deal. Submitted to the Washington Supreme Court on January 22, 2010.

[Citizens Brief: The Kaul v. Chehalis Brief.](#) This brief reviews the Kaul v. Chehalis case, 45 Wn.2d 616, decided by the Washington Supreme Court in 1954. The Kaul court assumed fluoride was harmful to none, helpful to many, and although administered to prevent tooth decay not a drug, so that laws regulating pharmacy and medicine do not apply to it. A brief by James Robert Deal submitted to the Washington Supreme Court on January 22, 2010.

[Citizens' Brief: The Fluoride Hypersensitives.](#) Between one and five percent of us are highly sensitive to water fluoridation, with symptoms that can be debilitating. Double-blind clinical studies and numerous case studies demonstrate that a significant portion of the population, from one to five percent, are hypersensitive to fluoride. The Court is referred to the [book by Dr. Bruce Spittle, M.D., Fluoride Poisoning: is fluoride in your drinking water—and from other sources—making you sick? 2008, ISBN 978-0-473-12991-0, which can be downloaded.](#) The amicus for this brief is Reverend Lynn Lohr, formerly of Port Angeles, now of Victoria British Columbia. Rev. Lohr is among the one to five percent of us who are hypersensitive to fluoride. She was forced to sell her home and leave Port Angeles. A brief by James Robert Deal submitted to the Washington Supreme Court on January 22, 2010.

[Citizens' Brief: The History of Fluoridation](#). Ironically, [there is no federal or state agency which regulates what is in the fluoride added to drinking water](#). The only regulator is NSF International, a trade group, which claims to conduct toxicological studies of fluoride and to require the fluoride suppliers to supply toxicological studies, but which does neither. A brief by James Robert Deal submitted to the Washington Supreme Court on January 22, 2010.

[City's Reply to the Citizens' Five Briefs](#). On January 29, 2010, attorneys for Port Angeles, from the heavyweight firm of Foster Pepper PLLC, filed this shotgun blast reply to the five briefs above. In it the City argues that large chunks of the Citizens' briefs should be thrown out. I will file a reply to this brief.

Meanwhile the [Supreme Court ruled](#) that the five briefs had to be consolidated into one brief up to 30 pages long, so the City's motion to strike our briefs became moot.

[Read the 30-page consolidated brief of the Nine Amici submitted February 5, 2010](#). This brief proposes that the Supreme Court must look at the scientific issues in making its decision.

[Read the motion of the City of Port Angeles and the Washington Dental Association to strike part or all of the above 30-page brief of the Nine Amici](#).

In order to correct errors in filing the 30-page combined brief, I filed a [retroactive motion to allow the omitted amici onto the brief](#). The Court should not have a problem with this.

[Read the Answer of the City of Port Angeles to the 30-page brief of the Nine Amici](#).

[Read the Answer of the Washington Dental Service Foundation, the Washington State Dental Association, and the Water fluoridation Science Committee](#). This document shows a shallow comprehension of the scientific issues on the part of the people who should understand them best. I will make a motion to be allowed to file an answer this document.

The above Answer includes a journal [article by Howard F. Pollick entitled "Water fluoridation and the Environment: Current Perspective in the United States."](#) [International Journal of Occupational and Environmental Health 2004; 10:343-350](#). Please review this article and give me your evaluation.

[Read the answer that the two Committees made to the IAOMT Amicus Brief.](#)

[Read the answer that the two Committees made to the brief of the Association of Washington cities.](#)

In order to correct errors in filing the 30-page combined brief, I filed a [retroactive motion to allow the omitted amici onto the brief](#). The Court should not have a problem with this.

[Click here to read Appendices A, B, C, and D.](#)

[Click hear to read the February 5, 2010, IAOMT brief, including all Appendices such as D-1 through D-103.](#)