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KATE BAILEY, YOU JUST LEARNED A HARSH LESSON: CLIENT CONTROL.

by

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In hindsight, you should have seen it coming.

They left it to Kate Bailey, Trial Attorney in the Civil Division of the current justice department, to represent to the Court in Washington, D.C. that the current federal government had backed down. She represented to the judge in the citizenship case pending in the District that the federal government had abandoned its position in the litigation. From now on, she wrote, the federal government would not seek to add a citizenship question to the 2020 Census.

Kate Bailey wrote that down. In a letter to the lawyers in the case. And she represented that to the judge in the case.

And that was the current federal government's new position, that they would no longer defend that litigation with its previous position that they wanted to add a citizenship question to the 2020 census. That was their new position.

Until it wasn't.

See Noah Bierman and David G. Savage, *Citizen Question May Be Back On 2020 Census As Trump Administration Reverses Course Again*, LOS ANGELES TIMES [online Wednesday, July 3, 2019 \(the Los Angeles Times may charge for online access\)](#).

By tweet, the department of justice pulled the rug out from under Kate Bailey. They shredded her reputation with the Court. They took away her credibility as a lawyer.

They changed their new position, which became their old position, and in their new-new position they told the judge at a telephone hearing the day before the Fourth of July that they 'might' change their position back to their original position. They were "looking into it," they told the judge.

Then they asked for more time until Monday to think it over.

The judge said "no." One word in response to that request: "No."

He set a hearing for today at 2:00 P.M. for the current federal government to make its mind up and, one way or the other, litigate the case or

withdraw its defense of the case. Either present a plan to litigate or stipulate that the citizenship question is withdrawn and will not be printed on the 2020 Census forms.

Do you think Kate Bailey will be in attendance at today's hearing?

Don't hold your breath if you don't like the color blue, as the saying goes.

Ms. Bailey, you don't have to work for these people who humiliate you.

You can enter private practice. At least then you could file a motion for leave to withdraw. They judge may not let you out of the case, but at least then you would have a chance.

Not like now, when they won't give you a chance. Instead they will pull the rug out from underneath your credibility whenever it suits their purpose. If you did not know beforehand that these are the kind of people you chose to work for, you know now.

Talk about bad faith.

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