



FROM THE DESK OF

**TROY NEWMAN**

PRESIDENT, OPERATION RESCUE

April 23, 2007

Ms. Nancy S. Anstaett  
Chair, State of Kansas Commission on Judicial Qualifications  
Kansas Judicial Center  
301 SW Tenth Avenue  
Topeka, KS 66612

Dear Ms. Anstaett,

I am in receipt of your April 17, 2007 letter stating the position of the Kansas Commission on Judicial Qualifications (“Commission”) that the complaint against Judge Clark “should be dismissed on present showing.”

Your investigation uncovered Judge Clark’s allegation that he did not know then – and presently still does not know – of the existence and identity of two persons that made maximum contributions to his campaign. Your investigation also uncovered the fact that Judge Clark’s campaign Treasurer was aware of these contributions.

We appreciate you informing us these facts. Please be so kind as to inform us of the following facts that would have been discovered during your investigation: (1) the statements of Judge Clark’s Treasurer to the Commission regarding her communications with Judge Clark and whether he knew of the identity of the political contributors to his campaign; and (2) the statements of the contributors (Nola Foulston and Dan Monnat) regarding whether Judge Clark was aware of their contributions.

We understand that you have already spent substantial time in this investigation. However, we do ask that you merely inform us as to what your investigation found regarding the above key facts.

Also, please be informed that your own Canons (Canon 5(c)(2) Commentary) give the Commission the authority to “infer” knowledge from the circumstances and do not require that the Commission obtain a written confession from the accused judge.

We await your reply.

Regards,

Troy Newman