

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 08-5422

September Term, 2009

FILED ON: SEPTEMBER 18, 2009

EMILY'S LIST,

APPELLANT

v.

FEDERAL ELECTION COMMISSION,
APPELLEE

Appeal from the United States District Court
for the District of Columbia
(No. 1:05-cv-00049-CKK)

Before: HENDERSON, BROWN and KAVANAUGH, *Circuit Judges*

J U D G M E N T

This cause came on to be heard on the record on appeal from the United States District Court for the District of Columbia and was argued by counsel. On consideration thereof, it is

ORDERED and **ADJUDGED** that the judgment of the District Court appealed from in this cause be reversed, and the case be remanded to the District Court with instructions to enter judgment for Emily's List and to vacate the challenged regulations, in accordance with the opinion of the court filed herein this date.

Per Curiam

FOR THE COURT:
Mark J. Langer, Clerk

BY: /s/

Michael C. McGrail
Deputy Clerk

Date: September 18, 2009

Opinion for the court filed by Circuit Judge Kavanaugh, with whom Circuit Judge Henderson joins, and with whom Circuit Judge Brown joins as to Part IV except footnotes 17, 18, and 20.
Opinion concurring in part filed by Circuit Judge Brown.