

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

**GEOFFREY NELS FIEGER**

**Plaintiff,**

**CIVIL ACTION NO.**

**vs.**

**DISTRICT JUDGE**

**FEDERAL ELECTION COMMISSION,**

**Defendant.**

\_\_\_\_\_/ **MICHAEL R. DEZSI (P64530)**

**Counsel for Plaintiff**

**FIEGER, FIEGER, KENNEY, JOHNSON & GIROUX, P.C.,**

**19390 W. Ten Mile Rd.**

**Southfield, MI 48075**

**(248) 355-5555**

**m.dezsi@fiegerlaw.com**

**COMPLAINT FOR INJUNCTIVE RELIEF**

NOW COMES Plaintiff, Geoffrey N. Fieger, by and through counsel, and brings this Complaint against the Federal Election Commission to order the production of agency records which Defendant Federal Election Commission has failed to provide pursuant to the Freedom of Information Act, 5 U.S.C. § 552. Plaintiff further states the following:

1. Plaintiff, Geoffrey N. Fieger, is a duly licensed attorney who resides within the geographical boundaries of the Eastern District of Michigan.
2. On multiple occasions, Mr. Fieger has accused the Bush Justice Department of conspiring with the Federal Election Commission to politicize the enforcement of federal campaign finance laws.

3. During the relevant times in question, the Federal Election Commission was headed by Chairman Michael E. Toner who was appointed by President George W. Bush. Prior to his appointment by President Bush, Toner served as Chief Counsel to the Republican National Committee, and prior to that Mr. Toner served as General Counsel of the Bush-Cheney Transition Team and General Counsel of the Bush-Cheney 2000 Presidential Campaign.

4. Pursuant to the Freedom of Information Act, Plaintiff Fieger requested, by letter dated July 3, 2008, documents, memoranda, correspondences, and e-mails relating to the enforcement of federal campaign finance laws sent between White House officials and Federal Election Commission employees including Chairman Toner (See Exhibit A).

5. The documents sought by Plaintiff are in the possession of the Federal Election Commission, an agency of the United States and are subject to the provisions of the Freedom of Information Act.

6. To date, Defendant Federal Election Commission has failed to provide such documents in violation of federal law.

7. Plaintiff Fieger has a right of access to the requested information under 5 U.S.C. § 552, and there is no legal basis for Defendant's failure to comply with federal law.

#### **RELIEF REQUESTED**

**WHEREFORE**, Plaintiff requests this Court:

- (1) Order Defendant to provide access to the requested documents;
- (2) Expedite this proceeding as provided for in 28 U.S.C. § 1657;

(3) Award Plaintiff costs and reasonable attorney fees in this action, as provided in 5 U.S.C. § 552(a)(4)(E); and

(4) Grant such other and further relief as it may deem just and proper.

Respectfully submitted,

FIEGER, FIEGER, KENNEY, JOHNSON & GIROUX, P.C.

\s\ Michael R. Dezsi  
MICHAEL R. DEZSI (P64530)  
Attorney for Plaintiffs  
19390 W. Ten Mile Road  
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(248) 355-5555  
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Dated: September 25, 2008

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MICHAEL R. DEZSI

July 3, 2008

**CERTIFIED MAIL**

Federal Election Commission  
Attn: Candace J. Salley  
Room 408  
999 E. Street, N.W.  
Washington, D.C. 20463

Re: FOIA Request

Dear Ms. Salley:

Pursuant to the Freedom of Information Act, I am hereby requesting the following:

1. Any and all documents of any kind, including, but not limited to, memoranda, correspondence and e-mails dated from January 2001 through the present between officials, agents and/or employees of the FEC and officials, agents and/or employees of the Department of Justice relating to possible violations of the Federal Election Campaign Act by the law firm of Fieger, Fieger, Kenney & Johnson, P.C., including its partners, employees, contractors, associates, and their children and spouses.
2. Any and all documents of any kind, including, but not limited to, memoranda, correspondence and e-mails dated from January 2001 through the present between (to/from) FEC officials, employees or agents, including former FEC Chairman Michael E. Toner, and White House officials, employees or agents, including former White House Aide Karl Rove and former White House Counsel Harriet Miers, or their agents and/or assistants, relating in any way to enforcement of federal criminal statutes, including, but not limited to, the Federal Election Campaign Act.

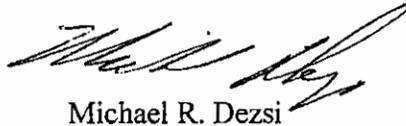
**FIEGER, FIEGER, KENNEY, JOHNSON & GIROUX**

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I look forward to your prompt response consistent with the requirements of the Freedom of Information Act. Please do not hesitate to contact me with any questions. Thank you for your kind attention to this matter.

Very truly yours,

FIEGER, FIEGER, KENNEY, JOHNSON  
& GIROUX, PC

A handwritten signature in black ink, appearing to read "Michael R. Dezsi", is written over the typed name.

Michael R. Dezsi

MRD/jn