

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
ALEXANDRIA DIVISION**

STOP RECKLESS ECONOMIC)	
INSTABILITY CAUSED BY)	
DEMOCRATS, <i>et al.</i> ,)	Civ. No. 1:14-397 (AJT-IDD)
)	
<i>Plaintiffs,</i>)	
)	
and)	
)	
AMERICAN FUTURE PAC,)	
)	
<i>Plaintiff-Intervenor,</i>)	
)	
v.)	
)	
FEDERAL ELECTION COMMISSION,)	DISCOVERY REQUESTS
)	
<i>Defendant.</i>)	

**INTERVENOR-PLAINTIFF AMERICAN FUTURE PAC’S
SUPPLEMENTAL PROPOSED FINDINGS OF FACT
AND CONCLUSIONS OF LAW**

Intervenor-Plaintiff American Future PAC hereby submits its proposed supplemental findings of fact and conclusions of law in the above-captioned case:

Proposed Findings of Fact

1. American Future PAC (“American Future”) filed FEC Form 1 to register as a political committee with the FEC on August 5, 2014, and the form was received by the FEC on August 11, 2014. *See* Declaration of Jared Najvar, Doc. #50-3, ¶ 3 & Ex. 1 (Aug. 27, 2014) (“Najvar Decl.”).

2. Following its creation, American Future contributed to five candidates for federal office. Among those contributions was a contribution for \$2,600 to Congressman Cotton, in

connection with the November 2014 general election for U.S. Senate. Najvar Decl. ¶ 4.

3. The cover letter from American Future to Congressman Tom Cotton that accompanied its contribution to him explains that, but for the unconstitutionally discriminatory six-month waiting period American Future seeks to challenge in this case, it would have made a larger contribution to him. Najvar Decl., ¶ 5.

4. Since its creation, American Future received 54 contributions from different individuals. Najvar Decl. ¶ 6.

5. Since its creation, American Future collected over \$5,400 in contributions. Najvar Decl. ¶ 7.

6. But for the unconstitutional provisions of federal law American Future wishes to challenge in this case, American Future would have contributed an additional \$2,000 to Congressman Tom Cotton in connection with the 2014 general election. Najvar Decl., ¶ 8.

7. American Future has received more than 51 contributions, made contributions to five federal candidates, and has been registered with the FEC for less than six months. Najvar Decl., ¶ 9.

Conclusions of Law

American Future is asserting the same constitutional claims as Plaintiff Stop PAC, and respectfully adopts, joins in, and incorporates by reference the arguments presented by Stop PAC in support of its motion for summary judgment and in opposition to the FEC's motion for summary judgment.

Respectfully submitted,

Dated November 11, 2014

/s/ Dan Backer
Dan Backer, Esq.
Virginia State Bar # 78256
DB CAPITOL STRATEGIES PLLC

203 South Union Street, Suite 300
Alexandria, VA 22314
Phone: (202) 210-5431
Fax: (202) 478-0750
E-mail: DBacker@DBCapitolStrategies.com
Attorney for Plaintiffs

/s/ Michael T. Morley
Michael T. Morley, Esq.
Virginia State Bar # 65762
COOLIDGE-REAGAN FOUNDATION
1629 K Street, Suite 300
Washington, DC 20006
Phone: (202) 603-5397
Fax: (202) 331-3759
E-mail: Morley@coolidgereagan.org
*Attorney for Plaintiffs and Putative Plaintiff-
Intervenor American Future PAC*

/s/ Jerad Najvar*
Jerad Najvar
NAJVAR LAW FIRM
4151 Southwest Freeway
Suite 625
Houston, TX 77027
E-mail: jerad@najvarlaw.com
*Attorney for Putative Plaintiff-Intervenor
American Future PAC*
*Motion for *pro hac vice* admission
forthcoming

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Alexandria Division

_____)	
STOP RECKLESS ECONOMIC)	Civ. No. 1:14-397 (AJT-IDD)
INSTABILITY CAUSED BY DEMOCRATS,)	
<i>et al.</i> ,)	
)	Judge Anthony John Trenga
<i>Plaintiffs,</i>)	
)	
v.)	Magistrate Judge Ivan D. Davis
)	
FEDERAL ELECTION COMMISSION,)	
)	
<i>Defendant.</i>)	
_____)	

CERTIFICATE OF SERVICE

I, Dan Backer, hereby certify that on this this 14th day of November 2014, I did cause a true and complete copy of Intervenor-Plaintiff American Future PAC’s Supplemental Proposed Findings of Fact and Conclusions of Law to be filed via the court’s CM/ECF system, which effected service upon:

Kevin Deeley
Harry J. Summers
Holly J. Baker
Kevin P. Hancock
Esther D. Gyory
FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

/s/ Dan Backer
Dan Backer
Virginia State Bar # 78256
Attorney for Plaintiffs