

**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

LACY ET AL.,	)	
	)	
Plaintiffs,	)	Civ. No. 25-1808 (RDM)
	)	
v.	)	
	)	
FEDERAL ELECTION COMMISSION,	)	NOTICE OF LACK OF QUORUM
	)	
Defendant.	)	
	)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S  
NOTICE OF LACK OF QUORUM**

1. Defendant Federal Election Commission (“FEC” or “Commission”) submits this Notice to the Complaint for Declaratory and Injunctive Relief filed by plaintiffs James V. Lacy et al., in which plaintiffs challenge the FEC’s dismissal of an administrative complaint under 52 U.S.C. § 30109(a)(8)(A) of the Federal Election Campaign Act (“FECA”).<sup>1</sup>

2. FECA provides for six voting Commissioners, 52 U.S.C. § 30106(a). On April 30, 2025, former Commissioner Allen Dickerson resigned from the FEC upon the expiration of his term.<sup>2</sup> This resignation left the Commission with only three Commissioners.

3. The authority for the Commission to defend a civil action requires the affirmative votes of four members of the Commission. 52 U.S.C § 30107(a)(6); *see also* 52 U.S.C. §

1        The Commission was served with the Complaint on June 16, 2025. Although plaintiffs have yet to file proof of service on all defendants pursuant to Federal Rule of Civil Procedure 4(l), the FEC files this Notice now to inform the Court of the Commission's status.

<sup>2</sup> See Statement of Allen J. Dickerson Upon the Conclusion of his Term (Apr. 30, 2025), *available at* <https://www.fec.gov/resources/cms-content/documents/Statement-Commissioner-Allen-J-Dickerson-Upon-Conclusion-of-Term.pdf>.

30106(c). Thus, as of May 1, 2025, the three-member Commission is without a quorum and unable to authorize defense of this action.

4. This notice is given for the sole purpose of notifying the Court that the Commission lacks a quorum and is without the authority to litigate the merits of plaintiffs' Complaint.

5. Under a separate filing, the FEC will file a copy of the certification of votes made by the Commission concerning the administrative matter giving rise to this lawsuit.

6. Additionally, the Commission will notify the respondent in the administrative matter that this lawsuit has been filed.

Respectfully submitted,

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July 22, 2025