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**Subject:** External - Activity in Case 1:25-cv-01808-RDM LACY et al v. FEDERAL ELECTION COMMISSION Order  
**Date:** Friday, May 1, 2026 6:27:41 PM

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U.S. District Court

District of Columbia

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**Case Name:** LACY et al v. FEDERAL ELECTION COMMISSION

**Case Number:** [1:25-cv-01808-RDM](#)

**Filer:**

**Document Number:** No document attached

#### Docket Text:

**MINUTE ORDER:** Upon consideration of Intervenors' motion to dismiss, Dkt. [25], it is hereby ORDERED that the case is STAYED pending further order of the Court to await the issuance of an opinion from the D.C. Circuit in *End Citizens United PAC v. Federal Election Commission*, No. 22-5277. The Court anticipates that the D.C. Circuit's opinion will provide guidance on whether the FEC order at issue in this case, which involves the agency's invocation of its prosecutorial discretion, is properly subject to judicial review.

In addition, the Court notes that Intervenors have raised a substantial question as to whether Plaintiffs have adequately alleged Article III standing to challenge the FEC order. "A plaintiff has informational standing when he alleges that he has 'fail[ed] to obtain information which must be publicly disclosed pursuant to a statute.'" *Nader v. FEC*, 725 F.3d 226, 229 (D.C. Cir. 2013) (alteration in original) (quoting *FEC v. Akins*, 524 U.S. 11, 21 (1998)). Although the Federal Election Campaign Act might support a plaintiff's concrete interest in information that "is related to [his] informed participation in the political process," it does not support Article III standing for a suit seeking to force the disclosure of information "in the hope of showing that [a third party] violated

the prohibitions" of the statute in order "to promote law enforcement." *Id.* at 230. Plaintiffs' complaint says little about the specific nature of the information that they seek to obtain through this suit. The Court need not decide this question now, and it expects that the D.C. Circuit's opinion in *End Citizens United PAC* might also provide further guidance on the issue. However, to encourage the efficient resolution of this matter given that the Court is likely to request supplemental briefing from the parties in any case after the D.C. Circuit issues its en banc decision, the Court will GRANT Plaintiffs leave to file an amended complaint containing more detailed allegations regarding their standing to sue, so long as they do so on or before May 22, 2026. Signed by Judge Randolph D. Moss on 5/1/2026. (lcrdm3)

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