

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

_____	)	
DAVID ESRATI,	)	
	)	
Plaintiff,	)	Civ. No. 26-1498 (CJN)
	)	
v.	)	
	)	MOTION TO DISMISS
FEDERAL ELECTION COMMISSION,	)	
	)	
Defendant.	)	
_____	)	

**DEFENDANT FEDERAL ELECTION COMMISSION’S
MOTION TO DISMISS**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), defendant Federal Election Commission (“Commission” or “FEC”) respectfully files this Motion to Dismiss plaintiff David Esrati’s Complaint. Plaintiff has not established Article III standing to bring this suit because he fails to show a concrete and particularized injury, and therefore the Court should dismiss the entire Complaint for lack of subject-matter jurisdiction under Rule 12(b)(1). Moreover, the Court should dismiss the Complaint under Rule 12(b)(6) for failure to state a claim.

A supporting memorandum and a proposed order accompany this motion.

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July 6, 2026

Respectfully submitted,

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FEDERAL ELECTION COMMISSION
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CERTIFICATE OF SERVICE

I, Michael D. Contino, certify that on July 6, 2026, I electronically filed the foregoing Motion to Dismiss, Memorandum in Support and Proposed Order with the Clerk of the United States District Court for the District of Columbia by using the Court's CM/ECF system, and served a copy of the same via UPS to:

Plaintiff David Esrati
Pro se
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/s/ Michael D. Contino
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