

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

_____)	
JOACHIM WILLIAM LLOP,)	
)	
Plaintiff,)	Civ. No. 26-0051 (TSC)
)	
v.)	
)	
FEDERAL ELECTION COMMISSION,)	
)	REPLY IN SUPPORT OF
)	MOTION TO DISMISS
)	
Defendant.)	
_____)	

**FEDERAL ELECTION COMMISSION’S REPLY
IN SUPPORT OF ITS MOTION TO DISMISS**

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June 25, 2026

The Federal Election Commission (“FEC”) has shown in its Memorandum in Support of its Motion to Dismiss (“Mem.”) (ECF 9-1) that this case should be dismissed on two independent grounds, and plaintiff’s opposition does not show otherwise.

I. PLAINTIFF HAS FAILED TO ESTABLISH STANDING

Mr. Llop’s Complaint presents a generalized grievance about the “federal campaign-finance system” and “unequal contribution limits” (Compl. (ECF 1)) but does not allege he has suffered a concrete and particularized injury suitable for judicial review. (Mem. at 5-10.) The Complaint seeks to have “the challenged framework” declared unconstitutional, but points to no specific provision or to any specific injury he has or will suffer. Mr. Llop’s pleadings, as a pro se plaintiff, may be liberally construed, but that does not dispense the requirement that he allege facts sufficient to establish standing. (Mem. at 4 n.3.)

In his Opposition to Defendant’s Motion to Dismiss (“Opp’n”), Mr. Llop does not attempt to dispute the FEC’s showing that the allegations in his Complaint fail to establish standing.¹ Instead, his Opposition raises new facts not alleged in the Complaint as a response to the FEC’s motion. (Opp’n at 1.) Of course, only factual allegations pled in the complaint itself can form the basis for surviving a motion to dismiss. Mem. 5-6; *Ashcroft v. Iqbal*, 556 U.S. 662, 680-81 (2009). But even if the facts raised in the Opposition were included in the Complaint, they do not establish an injury. He points out his status as “a former congressional candidate who has repeatedly sought federal office and intends to seek federal office again.” (Opp’n at 1.) But that does not address how he was, or will be, injured as a candidate, by what statutory provisions, and how those injuries would be redressed by an order from this Court. (Mem. 6-10.)

¹ Plaintiff’s opposition brief was served by mail and received by the FEC on June 18, 2026. Because the brief is not yet on the Court’s docket, it is attached here as Exhibit 1.

He argues that the “challenged regulatory framework directly governs Plaintiff’s participation in future federal elections.” (Opp’n at 1.) But those provisions govern all candidates and other participants in the campaign finance system, and so his allegation that he is “subject to the campaign finance laws” standing alone, without a concrete and particularized injury, does not establish standing. (Mem. at 6-8.)

The injury requirement is illustrated in *FEC v. Cruz*, where the Supreme Court held that a candidate and officeholder had standing to challenge 52 U.S.C. § 30116(j), a provision later invalidated, that limited a campaign’s use of post-election contributions to repay a candidate’s personal loan to his campaign. 596 U.S. 289, 301 (2022). In that case, the Court found an alleged injury because the statute limited repayment of a personal loan from the candidate to his campaign and operated to prevent the candidate from being fully repaid from post-election fundraising. *Id.* at 297-98. The Court found a concrete dispute because the “injuries are directly inflicted by the FEC’s threatened enforcement of the provisions [the candidate] now challenge[s].” *Id.* at 97.

In contrast, Mr. Llop’s challenge is far more amorphous. The complaint appears to challenge the constitutionality of the contribution limits, but it is not clear how the plaintiff is injured by those limits. (Opp’n at 1.) His opposition brief, in which he describes himself as a candidate, does not clarify that injury. Indeed, to the extent he seeks to contribute to his own campaign, those contributions are not subject to the individual contribution limit at all, and he can make unlimited contributions to his own campaign. *See Buckley v. Valeo*, 424 U.S. 1, 54 (1976); 11 C.F.R. § 110.10 (“candidates for Federal office may make unlimited expenditures from personal funds . . .”). To the extent any alleged injury stems from the “government’s allegedly unlawful regulation (or lack of regulation) of *someone else*,” standing is “substantially

more difficult to establish.” *Lujan v. Defs. of Wildlife*, 504 U.S. 555, 562 (1992); *accord Common Cause v. FEC*, 108 F.3d 413, 418 (D.C. Cir. 1997) (per curiam) (request for the Commission to “get the bad guys” is not a legally cognizable interest). Within his Opposition, Mr. Llop states that he “is not merely a voter asserting a disagreement with public policy,” but a candidate. (Opp’n at 1.) But regardless of whether he pursues a claim as a voter or a candidate, his broad-based “disagreement with public policy” is not an injury redressable here. (Mem. at 9-10.)

II. PLAINTIFF FAILS TO STATE A CLAIM

The FEC has shown that the Complaint should be dismissed because it fails to state a claim upon which relief can be granted, and plaintiff’s claims are foreclosed by precedent. (Mot. at 10-13.) Plaintiff responds with the general statement that the campaign-finance framework imposes “materially different treatment on natural persons and other political funding mechanisms.” (Opp’n at 2.) But even if Mr. Llop’s abstract allegations in the Complaint (and his statement in his Opposition brief) are assumed to be true, the absence of any allegations regarding the burden to the plaintiff or the comparative governmental interest is fatal to a First Amendment or Equal Protection claim. (Mem. at 10-13.)

III. CONCLUSION

Because plaintiff has failed to establish standing or state a claim, the Court should dismiss the Complaint.

Respectfully submitted,

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