

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

CAMPAIGN LEGAL CENTER,

Plaintiff,

v.

FEDERAL ELECTION COMMISSION,

Defendant.

Civil Action No. 1:21-cv-00406-TJK

**MOTION OF HERITAGE ACTION FOR AMERICA FOR RELIEF FROM ORDERS
AND JUDGMENT AND MOTION TO DEFER CONSIDERATION**

Pursuant to Rule 60 of the Federal Rules of Civil Procedure, movant-intervenor Heritage Action for America (“Heritage Action”) files this motion for relief from the Court’s orders dated March 25, 2022 (Dkt. No. 16) and May 3, 2022 (Dkt. No. 23). Although this Court’s orders are currently on appeal, Heritage Action is filing this motion within one year of the Court’s March 25 order in an abundance of caution because a Rule 60 motion seeking relief from an order for certain reasons must be filed within one year and because Plaintiff Campaign Legal Center (“CLC”) has previously contended (wrongly) that only the March 25 order matters. *See* Fed. R. Civ. P. 60(c)(1); Dkt. No. 30 at 25–30; Dkt. No. 31 at 9–10. For the reasons stated in the accompanying Memorandum of Points and Authorities, the Court should vacate the orders, dismiss the Complaint, and enter judgment for the Federal Election Commission. Pursuant to Rule 62.1(a)(1), the Court should also defer consideration of this motion until after the D.C. Circuit issues its mandate in the pending appeal.

Pursuant to Local Civil Rule 7(m), Counsel for Heritage Action has consulted with counsel for CLC about this motion. CLC opposes the relief requested in this motion.

Dated: March 24, 2023

Respectfully submitted,

s/ Brett A. Shumate

Brett A. Shumate

(D.C. Bar No. 974673)

E. Stewart Crosland

(D.C. Bar No. 1005353)

Stephen J. Kenny

(D.C. Bar No. 1027711)

JONES DAY

51 Louisiana Avenue, N.W.

Washington, D.C. 20001

Telephone: (202) 879-3939

Facsimile: (202) 626-1700

Counsel for Heritage Action for America