IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
CINCINNATI DIVISION

NATIONAL REPUBLICAN SENATORIAL COMMITTEE, *et al.*,

Plaintiffs,

v.

FEDERAL ELECTION COMMISSION, *et al.*,

Defendants.

No. 1:22-cv-639
Hon. Douglas R. Cole

UNOPPOSED MOTION FOR ORDER AND FINAL JUDGMENT

Plaintiffs respectfully move for a declaratory judgment order and final judgment in their favor, as set out in the attached Proposed Order and Final Judgment. Defendants do not oppose this motion.

In this case, Plaintiffs seek a declaration that the limits on coordinated expenditures by political party committees in the Federal Election Campaign Act (FECA), 52 U.S.C. § 30116(d), violate the First Amendment to the United States Constitution, along with a permanent injunction against the enforcement of those limits against Plaintiffs. On January 19, 2024, this Court granted Plaintiffs' motion to certify the question to the *en banc* Sixth Circuit. Dkt. 49. On September 5, 2024, the *en banc* Sixth Circuit answered the certified question in the negative, finding itself bound by *FEC v. Colorado Republican Federal Campaign Committee*, 533 U.S. 431 (2001) (*Colorado II*). *NRSC v. FEC*, 117 F.4th 389 (6th Cir. 2024). On June 30, 2026, the Supreme Court reversed. *NRSC v. FEC*, 146 S. Ct. 2404 (2026). The Supreme Court overruled *Colorado II*, held that FECA's "limits on political parties' coordinated expenditures violate the First Amendment," reversed the Sixth Circuit, and remanded for further proceedings. *Id.* at 2413.

The Supreme Court's judgment issued on August 3, 2026. Dkt. 64. On August 10, 2026, the Sixth Circuit entered an order and judgment remanding the case to this Court for further proceedings in light of the Supreme Court's decision. Dkt. 66. The Sixth Circuit issued its mandate on September 1, 2026. Dkt. 67.

In keeping with the Supreme Court's opinion and judgment, the Proposed Order and Final Judgment declares that FECA's limits on the coordinated expenditures of political party committees, 52 U.S.C. § 30116(d), are unconstitutional and permanently enjoins the FEC from enforcing them against Plaintiffs. Plaintiffs ask the Court to enter the relief requested in the Proposed Order.

September 4, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 4, 2026, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notification of this filing to all counsel of record.

/s/ Thomas Conerty
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Counsel for Plaintiffs