

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

LIBERTARIAN NATIONAL COMMITTEE,  
INC.,

Plaintiff,

v.

FEDERAL ELECTION COMMISSION,

Defendant.

Civil Action No. 16-121 (BAH)

Chief Judge Beryl A. Howell

**ORDER**

Upon consideration of the petitioner Libertarian National Committee, Inc.'s Motion to Certify Facts & Questions, ECF No. 24, the defendant Federal Election Commission's Motion to Dismiss for Lack of Jurisdiction, ECF No. 25, the related legal memoranda in support and in opposition, the exhibits and declarations related thereto, and the entire record herein, for the reasons set forth in the accompanying Memorandum Opinion, it is hereby

**ORDERED** that the defendant's Motion to Dismiss is DENIED; and it is further

**ORDERED** that the petitioner's Motion to Certify is GRANTED IN PART and DENIED IN PART; specifically, the petitioner's motion is granted with respect to the petitioner's first question and with respect to the petitioner's second and third questions as reformulated below, and denied with respect to the petitioner's second and third questions as originally formulated; and it is further

**ORDERED** that the following questions of law, as well as the findings of fact contained in the Appendix to the accompanying Memorandum Opinion, are certified to the U.S. Court of Appeals for the District of Columbia Circuit pursuant to 52 U.S.C. § 30110:

1. Does imposing annual contribution limits against the bequest of Joseph Shaber violate the First Amendment rights of the Libertarian National Committee?
2. Do 52 U.S.C. §§ 30116(a)(1)(B), (a)(9), and 30125(a)(1), on their face, violate the First Amendment rights of the Libertarian National Committee by restricting the purposes for which the Committee may spend its contributions above § 30116(a)(1)(B)'s general purpose contribution limit to those specialized purposes enumerated in § 30116(a)(9)?
3. Do 52 U.S.C. §§ 30116(a)(1)(B), (a)(9), and 30125(a)(1) violate the First Amendment rights of the Libertarian National Committee by restricting the purposes for which the Committee may spend that portion of the bequest of Joseph Shaber that exceeds § 30116(a)(1)(B)'s general purpose contribution limit to those specialized purposes enumerated in § 30116(a)(9)?

**SO ORDERED.**

Date: June 29, 2018

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BERYL A. HOWELL  
Chief Judge