

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

INDEPENDENCE INSTITUTE,)	
)	
)	
Plaintiff,)	
)	No. 1:14-CV-01500-CKK
v.)	
)	
FEDERAL ELECTION COMMISSION,)	
)	
)	
Defendant.)	

**UNOPPOSED MOTION OF THE CAMPAIGN LEGAL CENTER,
DEMOCRACY 21 AND PUBLIC CITIZEN, INC. TO PARTICIPATE AS
AMICI CURIAE WITH SUPPORTING BRIEF AMICI CURIAE**

The Campaign Legal Center (CLC), Democracy 21 and Public Citizen, Inc. respectfully move this Court for leave to file the attached Brief *Amici Curiae*. Counsel for defendant Federal Election Commission (FEC) and counsel for plaintiff Independence Institute have consented to our *amici* participation. This motion is unopposed.

As grounds for this motion, *amici* would show unto the Court that:

1. CLC, Democracy 21 and Public Citizen have a longstanding, demonstrated interest in the operation of political disclosure laws such as the “electioneering communication” (“EC”) disclosure provisions challenged in this case. 52 U.S.C. § 30104(f) (formerly 2 U.S.C. § 434(f)). The challenged law is crucial to “providing the electorate with information, deterring actual corruption and avoiding any appearance thereof[.]” *McConnell v. FEC*, 540 U.S. 93, 196 (2003).
2. *Amici* are nonpartisan, nonprofit organizations that work in the area of campaign finance law and political disclosure, and participate in state and federal court litigation throughout the nation regarding contribution limits, disclosure laws, pay-to-play restrictions, enforcement issues, and other campaign finance matters.

3. Pursuant to LCvR 7.1(A), *amicus* CLC states that it has no parent, subsidiary, or affiliated entities (corporate or otherwise) that have issued stock or debt securities to the public; no publicly held entity (corporate or otherwise) owns 10% or more of its stock; and has nothing to report under LCvR 7.1(A)(1)(a).

4. Pursuant to LCvR 7.1(A), *amicus* Democracy 21 states that it has no parent, subsidiary, or affiliated entities (corporate or otherwise) that have issued stock or debt securities to the public; no publicly held entity (corporate or otherwise) owns 10% or more of its stock; and has nothing to report under LCvR 7.1(A)(1)(a).

5. Pursuant to LCvR 7.1(A), *amicus* Public Citizen states that it has no parent, subsidiary, or affiliated entities (corporate or otherwise) that have issued stock or debt securities to the public; no publicly held entity (corporate or otherwise) owns 10% or more of its stock; and has nothing to report under LCvR 7.1(A)(1)(a).

6. The *amici* have substantial experience and expertise in the issues raised in this case. CLC, Democracy 21 and Public Citizen have participated in numerous cases addressing federal campaign finance law, including *McConnell* and *Citizens United v. FEC*, 558 U.S. 310 (2010).

7. *Amici* movants believe the attached brief *amici curiae* will assist the Court in considering the issues presented in this case. The attached brief outlines the constitutional analysis conducted by the Supreme Court in its review of the EC disclosure provisions in *McConnell* and *Citizens United*, and presents relevant judicial authority on related types of political disclosure laws.

8. This filing is timely because this motion and the attached brief are being filed on the date that defendant's opposition to plaintiff's motion for preliminary injunction is due.

9. Pursuant to LCvR 7(m), counsel for *amici* consulted with counsel for the parties about their consent to the filing of the attached memorandum. Counsel for both plaintiff and defendant consented to the participation of *amici*.

Wherefore, *amici* movants CLC, Democracy 21 and Public Citizen respectfully request that the Court grant leave to file the attached Brief *Amici Curiae* Supporting Defendant. CLC, Democracy 21 and Public Citizen do not request the opportunity to participate in oral argument.

Dated this 19th day of September, 2014.

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Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 19, 2014, I electronically filed the foregoing Motion with supporting Brief *Amici Curiae* with the Clerk of the Court of the U.S. District Court of the District of Columbia by using the CM/ECF system, which will accomplish electronic notice and service for all counsel of record.

/s/ J. Gerald Hebert

J. Gerald Hebert