

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
NORTHERN DIVISION
NO. 2:08-CV-39-H(1)

HOLLY LYNN KOERBER and)
COMMITTEE FOR TRUTH IN)
POLITICS, INC.,)
)
Plaintiffs,)
)
v.)
)
FEDERAL ELECTION COMMISSION,)
)
Defendant.)

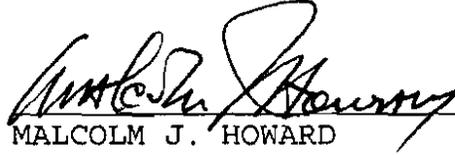
ORDER

This matter is before the court on plaintiff's motion to stay this action pending the United States Supreme Court's decision in Citizens United v. FEC, No. 08-205 (U.S. appeal filed Aug. 14, 2008 & prob. juris. noted Nov. 14, 2008). Plaintiff contends that Citizens United "is based in large part on the constitutional analysis on which Plaintiffs rely and will directly address" whether communications such as involved in this case may be subjected to disclosure requirements, an issue presently before this court. (Mot. Stay at 1.) Defendant Federal Election Commission does not oppose a stay.

In the court's discretion, and in the interests of justice and for the efficient administration of judicial resources, plaintiff's motion to stay [DE #41] is **GRANTED** and the instant case is hereby **STAYED** pending decision by the United States

Supreme Court in Citizens United v. FEC, No. 08-205 (U.S. appeal filed Aug. 14, 2008 & prob. juris. noted Nov. 14, 2008). The parties shall promptly notify the court upon conclusion of the proceedings in Citizens United.

This 7th day of January 2009.


MALCOLM J. HOWARD
Senior United States District Judge

At Greenville, NC
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