

United States Court of Appeals
FOR THE DISTRICT OF COLUMBIA CIRCUIT

No. 13-5094**September Term, 2013****1:11-cv-00562-RLW****Filed On:** February 7, 2014

Libertarian National Committee, Inc.,

Appellant

v.

Federal Election Commission,

Appellee

BEFORE: Tatel, Brown, and Pillard, Circuit Judges**ORDER**

Upon consideration of the motion for summary affirmance, the opposition thereto, and the reply, it is

ORDERED that the motion for summary affirmance be granted. The merits of the parties' positions are so clear as to warrant summary action. See *Taxpayers Watchdog, Inc. v. Stanley*, 819 F.2d 294, 297 (D.C. Cir. 1987) (per curiam). This court (more specifically, a three-judge panel of this court) has jurisdiction to review the district court's final order to the extent it partially denied the Committee's motion to certify a question to the en banc court. See *Wagner v. FEC*, 717 F.3d 1007, 1017 (D.C. Cir. 2013). The district court properly declined to certify the broad proposed question of law, as framed by appellant. See *California Med. Ass'n v. FEC*, 453 U.S. 182, 192 n.14 (1981).

Pursuant to D.C. Circuit Rule 36, this disposition will not be published. The Clerk is directed to withhold issuance of the mandate herein until seven days after resolution of any timely petition for rehearing or petition for rehearing en banc. See Fed. R. App. P. 41(b); D.C. Cir. Rule 41.

Per Curiam