

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

LEVEL THE PLAYING FIELD, PETER  
ACKERMAN, GREEN PARTY OF THE  
UNITED STATES, and LIBERTARIAN  
NATIONAL COMMITTEE, INC.

Plaintiffs,

v.

FEDERAL ELECTION COMMISSION

Defendant.

Civil Action No.: 15-cv-1397 (TSC)

**MOTION FOR SUMMARY JUDGMENT**

Plaintiffs Level the Playing Field, Peter Ackerman, the Green Party of the United States, and the Libertarian National Committee Inc., by their undersigned counsel, hereby move this Court pursuant to Federal Rule of Civil Procedure 56 for summary judgment holding that the Federal Election Commission's post-remand dismissals of Plaintiffs' administrative complaints and denial of Plaintiff Level the Playing Field's petition to open a rulemaking to revise the Commission's debate staging regulations are contrary to law, arbitrary, capricious, an abuse of discretion, or otherwise not in accordance with the law, and that the Commission failed to conform with the Court's prior declaration that, on remand, the FEC actually, carefully and thoroughly consider the full scope of Plaintiffs' evidence.

Support for this motion is set forth in the accompanying Memorandum of Points and Authorities in Support of Plaintiffs' Motion for Summary Judgment, dated September 15, 2017; the Declaration of Eric S. Olney, dated September 15, 2017; the Affidavit of Douglas Schoen, dated September 13, 2017; and the administrative record, portions of which shall be submitted by

the parties in a joint appendix pursuant to Local Civil Rule 7(n). Plaintiffs' requested relief is set forth in the accompanying Proposed Order.

Pursuant to Local Rule 7(f), an oral hearing is requested.

Dated: September 15, 2017  
New York, New York

Respectfully submitted,

/s/ Alexandra A.E. Shapiro  
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