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UNITED STATES DISTRICT COURT
DISTRICT OF WYOMING

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UNNAMED PLAINTIFF #1,)
UNNAMED PLAINTIFF #2,)
PILLAR OF LAW INSTITUTE,)
)
Plaintiffs,)
)
v.)
)
FEDERAL ELECTION COMMISSION)
)
Defendant.)
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C.A. No. 16-CV-135-S

NOTICE OF SETTLEMENT AND STIPULATED CONSENT ORDER

COME NOW Plaintiffs, Unnamed Plaintiff #1, Unnamed Plaintiff #2, and the Pillar of Law Institute, through counsel, and Defendant Federal Election Commission (“FEC”), through counsel, and hereby notify the Court that the parties have agreed upon settlement terms finalizing this case.

A. The parties enter into this Consent Order for the purpose of settling this litigation.

B. On May 25, 2016, Plaintiffs commenced this action by filing a Verified Complaint for Declaratory and Injunctive Relief against the Commission. Plaintiffs filed a Motion for Preliminary

Injunction on June 3, 2016, in which they asked this Court to preliminarily enjoin the Commission from enforcing 52 U.S.C. § 30118.

C. On June 17, 2016, Defendant filed its response to Plaintiffs' Motion for Preliminary Injunction, arguing that the conduct described in Counts I and II of Plaintiffs' Verified Complaint was protected under existing advisory opinions issued by the FEC. Defendant also argued that "neither the courts nor the Commission have addressed whether 52 U.S.C. § 30118 bars an MCFL corporation from making contributions to a delegate to a national convention." It then explained that the conduct described in count III of Plaintiffs' Verified Complaint was protected under *FEC v. Massachusetts Citizens for Life, Inc.*, 479 U.S. 238 (1986) ("*MCFL*").

D. Corporations that qualify for the *MCFL* exemption are not barred by 52 U.S.C. § 30118 from providing the described contributions to a delegate to a national convention. FEC Opp'n Memo. (Doc. No. 18) at 19.

E. Plaintiffs hereby agree to the dismissal of Counts I and II of its Verified Complaint because the FEC interprets the giving of educational books and *pro bono* legal services by corporations under the circumstances described in the Verified Complaint (Doc. No. 1 ¶¶ 28-32, 42) as being protected under Advisory Opinion 1983-23 (LTV Corporation), 1983 WL 909288.

F. Defendant hereby agrees that it shall not enforce 52 U.S.C. § 30118, as well as any implementing regulations, against Plaintiffs with regard to the contributions proposed in the Verified Complaint (Doc No. 1 ¶¶ 31, 53) and made by *MCFL* corporations to delegates to a national nominating convention.

G. Plaintiffs agree to waive any demand for costs and fees.

H. On June 10, 2016, Plaintiffs filed a Motion for Leave to Proceed Under Pseudonyms and for a Protective Order (Doc. No. 16). Assuming the Court enters the attached Consent Judgment, Defendant takes no position on that motion for this settled matter.

I. The parties agree that the Court's docket in this case, as well as all papers and filings in this case that were not submitted under seal, may become public.

Said terms are set forth in the proposed Consent Order, which is attached to this Notice. Said proposed Consent Order was e-mailed to the chambers of Judge Scott Skavdahl in Word format on July 22, 2016.

Respectfully submitted,

/s/ Benjamin Barr

Stephen R. Klein

Benjamin Barr

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July 22, 2016

CERTIFICATE OF SERVICE

I, Benjamin Barr, hereby certify that on this 22nd day of July, 2016, the foregoing Notice of Settlement and Stipulated Consent Order was electronically served on all counsel via electronic filing through the Court's CM/ECF system.

/s/ Benjamin Barr