

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

INDEPENDENCE INSTITUTE, a Colorado	)	
nonprofit corporation,	)	
	)	
Plaintiff,	)	
	)	
v.	)	Civil Action No 1:14-cv-01500-CKK
	)	
FEDERAL ELECTION COMMISSION,	)	
	)	
Defendant.	)	
	)	
	)	

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**MOTION FOR A PRELIMINARY INJUNCTION**

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Plaintiff Independence Institute, by and through undersigned counsel, moves this Court for a preliminary injunction. The Independence Institute asks that the Federal Election Commission (“FEC”) be enjoined from enforcing provisions of the Bipartisan Campaign Reform Act of 2002 (“BCRA”) Pub. L. No. 107-155 § 201, 116 Stat. 81, 88 (2002) (codified at 52 U.S.C. § 30104(f)), and the BCRA’s implementing regulations which, taken together, appear to require the Independence Institute to report its planned activity as an electioneering communication.

As set forth in the accompanying Memorandum of Law in Support of this Motion, if the Independence Institute is required to report its activity as an electioneering communication, it will be subject to burdensome registration and reporting requirements. These requirements violate the Independence Institute’s First Amendment rights to free speech and free association.

Reasonably fearing that the FEC will enforce these provisions, the Independence Institute will not speak absent an injunction from this Court.

While a copy of the Summons and Complaint has been mailed to the FEC and various other officers of the United States, service upon the FEC and the United States has not yet been effectuated, nor has Defendant entered an appearance in this case. Nevertheless, Plaintiff has informally provided electronic copies of filings in this case to the FEC's Office of General Counsel, and intends to do the same here. Plaintiff expects that this Motion will be opposed.

Respectfully submitted this 4th day of September, 2014.

/s/ Allen Dickerson  
Allen Dickerson (DC Bar No. 1003781)  
Center for Competitive Politics  
124 S. West Street, Suite 201  
Alexandria, Virginia 22314  
Telephone: 703-894-6800  
Facsimile: 703-894-6811  
adickerson@campaignfreedom.org

*Counsel for Plaintiff*