

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF UTAH, CENTRAL DIVISION**

<p>FEDERAL ELECTION COMMISSION,</p> <p><i>Plaintiff,</i></p> <p>v.</p> <p>JEREMY JOHNSON and</p> <p>JOHN SWALLOW,</p> <p><i>Defendants.</i></p>	<p>Case No. 2:15-cv-00439-DB</p> <p>PARTIAL FINAL JUDGMENT</p> <p>District Judge Dee Benson</p>
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Pursuant to this Court’s Memorandum Decision and Order (Apr. 6, 2018), ECF No. 120, Defendant John Swallow’s Motion for Partial Final Judgment, and Federal Rule of Civil Procedure 54(b):

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED that Defendant John Swallow’s motion to dismiss is GRANTED and the Federal Election Commission’s cross motion for judgment on the pleadings is DENIED;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the Federal Election Commission is forthwith ENJOINED from enforcing regulation 11 C.F.R. § 110.4(b)(1)(iii) and ORDERED to strike 11 C.F.R. § 110.4(b)(1)(iii) from the Code of Federal Regulations and;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that dismissal of the Federal Election Commission’s claims against Defendant John Swallow are final and separable from the remaining claims against Defendant Jeremy Johnson. The claims against Mr. Swallow

were based on an amended complaint under legal theories that differ from the remaining claims before this Court;

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that there is no just reason for delay of entry of partial final judgment as to the claims against Defendant John Swallow or vacatur of 11 C.F.R. § 110.4(b)(1)(iii); and

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that Defendant John Swallow’s Motion for Partial Final Judgment is thereby GRANTED.

DATED this 20th day of September, 2018.



Hon. Dee Benson
United States District Judge