

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION

The Ohio Organizing
Collaborative, *et al.*,

Plaintiffs,

v.

Jon Husted, *et al.*,

Defendants.

Case No. 2:15-cv-1802

Judge Michael H. Watson

Magistrate Judge King

OPINION AND ORDER

The Public Interest Legal Foundation, Inc. (“PILF”) moves for leave to participate as *amicus curiae* in opposition of Plaintiffs’ claims in this case. ECF No. 28.


Leave to participate as *amicus curiae* is a “privilege within the sound discretion of the courts.” *United States v. Michigan*, 940 F.2d 143, 165 (6th Cir. 1991) (internal quotation marks and citation omitted). In determining whether to grant such leave, courts consider, *inter alia*, whether the information offered by the amicus “is timely, useful, or otherwise necessary to the administration of justice.” *Id.* (citation omitted).

PILF seeks to participate as an amicus to: (1) ensure that Ohio is not subject to federal oversight of all election law changes; (2) provide to the Court a comprehensive understanding of the national implications of Plaintiffs’ theories; (3) preserve a traditional understanding of Section 2 of the Voting Rights Act; and

(4) prevent civil rights statutes from being used as partisan weapons in election litigation. PILF represents that it will offer an array of election law experts and practitioners to inform the Court of these issues. Defendants do not oppose PILF's request; Plaintiffs do.

The question before the Court is whether Ohio's election laws, directives, and policies violate Plaintiffs' rights under the United States Constitution and the Voting Rights Act. The type of information PILF intends to offer is not particularly necessary to this task. Moreover, there is no indication that Defendants are unable to offer appropriate expert testimony or are otherwise unable to competently defend Ohio's elections laws. Accordingly, the Court **DENIES** PILF's motion to participate as *amicus curiae*, ECF No. 28. The motions for leave to appear *pro hac vice* filed by PILF's counsel, ECF Nos. 29 & 38, are therefore **DENIED AS MOOT**.

IT IS SO ORDERED.



MICHAEL H. WATSON, JUDGE
UNITED STATES DISTRICT COURT

General Information

Court	United States District Court for the Southern District of Ohio; United States District Court for the Southern District of Ohio
Federal Nature of Suit	Civil Rights - Voting[441]
Docket Number	2:15-cv-01802