

**United States District Court
District of Columbia**

The Christian Civic League of Maine, Inc.

70 Sewall Street
Augusta, ME 04330,

Plaintiff,

v.

Federal Election Commission,

999 E Street, NW
Washington, DC 20463,

Defendant.

Cause No. _____

**Application for Three-Judge Court and
Memorandum of Points and Authorities in Support Thereof**

The Christian Civic League of Maine, Inc. hereby requests, pursuant to this Court's Local Civil Rule 9.1 and pertinent law, the appointment of a three-judge court to adjudicate his challenge to the Bipartisan Campaign Reform Act of 2002 (BCRA), and states the following:

Section 403 of the BCRA provides that a constitutional challenge to any provision of that Act shall be filed in this Court, and "shall be heard by a 3-judge court convened pursuant to section 2284 of title 28, United States Code." Under 28 U.S.C. § 2284(a), "[a] district court of three judges shall be convened when otherwise required by Act of Congress." Under § 2284(b)(1):

[T]he judge to whom the request is presented shall, unless he determines that

**Application for
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three judges are not required, immediately notify the chief judge of the circuit, who shall designate two other judges, at least one of whom shall be a circuit judge. The judges so designated, and the judge to whom the request was presented, shall serve as members of the court to hear and determine the action or proceeding.

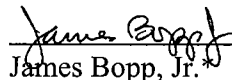
28 U.S.C. § 2284(b)(1). Plaintiff's challenge to the BCRA is based on constitutional grounds, *see* Verified Complaint at ¶¶ 47, 53, 54, 58, and thus, under § 403 of the BCRA and 28 U.S.C. § 2284, Plaintiff respectfully submits that a three-judge court should be convened to adjudicate this matter and notes that one is meeting on April 10, 2006 to hear arguments in *Wisconsin Right to Life, Inc. v. FEC*, Case No. 04-1260 (DBS, RWR, RJL).

Pursuant to Local Rule of Civil Procedure 7(m), CCL has conferred with legal counsel for the FEC regarding this application. The response of the FEC has been separately submitted to the Court in the *Notice of Consultation on Motions With Opposing Counsel*, which conveniently consolidates opposing counsel's positions on all motions being filed contemporaneously with this one.

Respectfully submitted,



M. Miller Baker, D.C. Bar # 444736
Michael S. Nadel, D.C. Bar # 470144
MCDERMOTT WILL & EMERY LLP
600 Thirteenth Street, NW
Washington, D.C. 20005-3096
202/756-8000 telephone
202/756-8087 facsimile
Local Counsel for Plaintiff



JAMES BOPP, JR.
BOPP, COLESON & BOSTROM
1 South Sixth Street
Terre Haute, IN 47807
812/232-2434 telephone
812/234-3685 facsimile
Lead Counsel for Plaintiff
**Pro Hac Vice Motion filed April 3, 2006*