

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

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CHRISTIAN CIVIC LEAGUE)
OF MAINE, INC.)
)
Plaintiff,)
) Civ. Action No. 06-0614 (JWR, LFO, CKK)
) (Three-Judge District Court)
v.)
)
)
FEDERAL ELECTION COMMISSION,)
)
Defendant,)
)
and)
)
JOHN McCAIN, RUSSELL FEINGOLD,)
CHRISTOPHER SHAYS, MARTIN)
MEEHAN, and TOM ALLEN,)
)
Intervenor-Defendants.)
)
)
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**MOTION OF INTERVENOR-DEFENDANTS FOR PARTIAL
JUDGMENT ON THE PLEADINGS WITH SUPPORTING POINTS
AND AUTHORITIES**

Intervenor-Defendants Senator John McCain, Senator Russell Feingold, Representative Christopher Shays, Representative Martin Meehan, and Representative Tom Allen respectfully move, pursuant to Federal Rule of Civil Procedure 12(c), for Partial Judgment on the Pleadings.

Intervenor-Defendants agree that, for the reasons stated by Defendant Federal Election Commission, this Court should not decide abstract questions of law in the context of an as-applied challenge, and therefore that Plaintiff's case is not ripe with

respect to any hypothetical future advertisements.¹ Intervenor-Defendants submit, however, that given this Court's proposal to resolve this case on an expedited basis, it need not decide this issue now but can instead do so at the same time it addresses the merits.

Dated this 12th day of June, 2006

Respectfully submitted,

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¹ This motion is limited to Plaintiff's request that this Court decide whether BCRA is unconstitutional as applied to some future advertisements that Plaintiff has yet to conceive, much less to design or to prepare. The present motion does not seek dismissal of Plaintiff's claims to the extent they seek a declaration that BCRA is unconstitutional as applied to the "Crossroads" ad, under all of the relevant circumstances.

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CERTIFICATE OF SERVICE

I hereby certify that on this 12th day of June, 2006, I served a copy of the foregoing Motion for Partial Judgment on the Pleadings and accompanying Declaration on the following counsel by filing these documents in the Court's Electronic Case Filing System:

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/s/ J. Gerald Hebert
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