

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

LIBERTARIAN PARTY OF OHIO, <i>et al.</i>	:	
	:	
Plaintiffs,	:	CASE NO. 2:13-cv-00953
v.	:	
	:	JUDGE WATSON
JON A. HUSTED,	:	
OHIO SECRETARY OF STATE,	:	
	:	
Defendant.	:	

NOTICE OF PROPOSED DEFENSES BY THE STATE OF OHIO

Pursuant to Civ. R. 24(c), Proposed Intervenor State of Ohio sets forth the following defenses, which will be fully set forth in the pleadings or motions, as appropriate:

1. R.C. 3503.06(C)(1)(a) is constitutional.
2. The Court should stay any briefing, hearing, or ruling on a permanent injunction as to R.C. 3503.06(C)(1)(a) pending resolution of *Judd v. Libertarian Party of Virginia*, U.S. Supreme Court Case No. 13-231.
3. Preliminary injunctive relief is not appropriate because the requirements for an injunction have not been met.
4. Some or all of the plaintiffs may lack standing to bring the asserted claims and/or their claims may not be ripe for adjudication.

5. The State of Ohio specifically reserves the right to assert and defend the constitutionality of each and every provision of the comprehensive statutory plan identified by the Plaintiffs in their Complaint.

Respectfully submitted,

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OHIO ATTORNEY GENERAL

/s/ Kristopher J. Armstrong
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CERTIFICATE OF SERVICE

I hereby certify that on this 3rd day of October, 2013, the foregoing Motion to Intervene was filed electronically. Notice of this filing will be sent to all parties for whom counsel has entered an appearance by operation of the Court's electronic filing system. Parties may access this filing through the Court's system. I further certify that a copy of the foregoing has been served by e-mail or facsimile upon all parties for whom counsel has not yet entered an appearance and upon all counsel who have not entered their appearance via the electronic system.

/s/ Kristopher J. Armstrong
Assistant Attorney General