

**United States District Court
for the Eastern District of Virginia
Alexandria Division**

<p>United States,</p> <p style="text-align: center;">v.</p> <p>William Danielczyk, Jr., & Eugene Biagi,</p> <p style="text-align: right;"><i>Defendants.</i></p>	<p>1:11cr85 (JCC)</p> <p>Judge James C. Cacheris</p>
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**Motion of The James Madison Center for Free Speech
To File Brief As Amicus Curiae Supporting the Defendants**

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1. Through undersigned counsel, The James Madison Center for Free Speech applies to the Court for leave to file a brief as *amicus curiae* in this case, for the facts and reasons stated below.

2. Counsel for both the United States and the Defendants have consented by email to the filing of this amicus brief. The proposed brief is filed herewith for the convenience of Court and counsel.

3. The James Madison Center for Free Speech (“Madison Center”), and its General Counsel, James Bopp, Jr., have significant experience litigating campaign finance issues. They were counsel for the respondents in *FEC v. Beaumont*, 539 U.S. 146 (2003), the case this Court has ordered the parties to address. Mr. Bopp and his firm were also attorneys of record for the petitioners in *Randall v. Sorrell*, 548 U.S. 230 (2006), which held that Vermont’s contribution limits were unconstitutional. They also represented the plaintiff in *Citizens United v. FEC* in the district court and prepared the jurisdictional statement upon which the Supreme Court granted review.

4. The mission of the Madison Center is to support litigation and public education activities to defend the First Amendment rights of citizens and citizen groups to free political expression and association. The Madison Center is named for James Madison, the author and principal sponsor of the First Amendment, and is guided by Madison’s belief that “the right of free discussion . . . [is] a fundamental principle of the American form of government.” The Madison Center also provides nonpartisan analysis and testimony regarding proposed legislation. The Madison Center is an internal educational fund of the James Madison Center, Inc., a District of Columbia nonstock, nonprofit corporation. The James Madison Center for Free Speech is

recognized by the Internal Revenue Service as nonprofit under 26 U.S.C. § 501(c)(3). *See* <http://www.jamesmadisoncenter.org>.

5. Trial courts have inherent authority to grant leave to file briefs as *amicus curiae*. *Tafas v. Dudas*, 511 F.Supp.2d 652, 659 (E.D.Va. 2007).

WHEREFORE, The James Madison Center for Free Speech respectfully requests that this Court grant it leave to file the attached *amicus curiae* brief.

June 1, 2011

Respectfully Submitted,

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Certificate of Service

I hereby certify that the foregoing document was served electronically on June 1, 2011,
upon the following counsel via the court's electronic filing system:

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