

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA**

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<b>SENATOR MITCH McCONNELL et al.,</b>	)	
Plaintiffs,	)	
	)	
v.	)	Civ. No. 02-0582
	)	(CKK, KLH, RLL)
<b>FEDERAL ELECTION COMMISSION et al.,</b>	)	
Defendants.	)	
)	)	

**PLAINTIFFS’ UNOPPOSED MOTION FOR LEAVE TO AMEND COMPLAINT**

Plaintiffs Senator Mitch McConnell *et al.* (hereafter “the McConnell plaintiffs”) come before this Court and state as follows:

1. On March 27, 2002, plaintiff Senator Mitch McConnell filed this action, challenging the constitutionality of various aspects of the Bipartisan Campaign Reform Act of 2002 (“BCRA”), which was signed into law earlier that day. On April 12, 2002, Senator McConnell amended his complaint to add twenty-six additional plaintiffs, comprising a wide range of officeholders, political parties, issue groups, and other interested parties.

2. The McConnell plaintiffs now seek leave to file a second amended complaint, the original of which is attached. This amended complaint makes two substantive modifications to the first amended complaint filed on April 12. *First*, the complaint adds new Count VI, which challenges the constitutionality of § 212(a) of the BCRA, a provision requiring parties engaging in independent expenditures to make certain disclosures. *Second*, the complaint adds new Paragraph 57, which adds to Count II a reference

to another statutory provision, § 311 of the BCRA, imposing disclosure obligations relating to “electioneering communications.”

3. Defendants would suffer no prejudice from the amendment of plaintiffs’ complaint. Defendants’ answer to plaintiffs’ complaint is not due until May 27, 2002. Moreover, the provisions of the BCRA challenged in the new portions of plaintiffs’ complaint have already been challenged in other complaints consolidated with this one. *See* Complaint of Chamber of Commerce of the United States *et al.*, No. 02-751, Counts II, IV; Complaint of American Federation of Labor and Congress of Industrial Organizations *et al.*, No. 02-754, Count II.

4. Pursuant to LCvR 7.1(m), counsel for the McConnell plaintiffs have conferred with counsel for defendants, who have indicated that they do not object to this motion.

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For the foregoing reasons, this Court should grant the McConnell plaintiffs’ unopposed motion for leave to amend complaint.

Respectfully submitted,

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(Complete list of counsel on complaint)

Attorneys for Senator Mitch McConnell et al.  
May 7, 2002

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<b>FEDERAL ELECTION COMMISSION et al.,</b>	)	
Defendants.	)	
)	)	

**ORDER**  
(May \_\_\_\_, 2002)

Based upon good cause shown, the unopposed motion of Plaintiffs in the above case for leave to file amended complaint is Granted.

It is so ordered.

\_\_\_\_\_  
The Honorable Karen LeCraft Henderson  
United States Circuit Judge

\_\_\_\_\_  
The Honorable Colleen Kollar-Kotelly  
United States District Judge

\_\_\_\_\_  
The Honorable Richard J. Leon  
United States District Judge

## CERTIFICATE OF SERVICE

I hereby certify that, on May 7, 2002, I caused two true and correct copies of the foregoing Plaintiffs' Unopposed Motion For Leave To File Amended Complaint to be served on each of the following by hand delivery:

Richard Blair Bader  
Federal Election Commission  
999 E Street, N.W., Fourth Floor  
Washington, DC 20463

Marlene H. Dortch  
Secretary  
Federal Communications Commission  
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Washington, DC 20554

The Honorable John Ashcroft  
Attorney General of the United States  
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