
IN THE SUPREME COURT OF THE UNITED STATES

**AMERICAN FEDERATION OF LABOR AND
CONGRESS OF INDUSTRIAL ORGANIZATIONS, *et al.*,**

Appellants,

v.

FEDERAL ELECTION COMMISSION, *et al.*,

Appellees.

On Appeal from the United States District Court
For the District of Columbia

**RESPONSE OF THE AFL-CIO
PLAINTIFFS-APPELLANTS/CROSS-APPELLEES
TO THE MOTIONS FOR AN EXPEDITED BRIEFING SCHEDULE**

Plaintiffs-appellants American Federation of Labor and Congress of Industrial Organizations and AFL-CIO Committee on Political Education Political Contributions Committee (collectively, “the AFL-CIO plaintiffs”)¹ generally agree with the submissions concerning the briefing schedule filed by plaintiffs-appellants in *McConnell v. Federal Election Commission*, No. 02-1674; *Republican National Committee v. Federal Election Commission*, No. 02-1727; and *Chamber of Commerce v. Federal Election Commission*, No. 02-1756. We add only that, regardless whether this Court orders three or four rounds of briefing, the initial

¹The AFL-CIO Plaintiffs filed a timely notice of appeal on May 7, and filed their jurisdictional statement on June 2.

briefs of plaintiffs-appellants should be due on a date after the Court concludes issuing its opinions during its October 2002 Term prior to its summer recess, for two reasons. First, this will permit adequate time for the preparation of the briefs. Second, in light of the likely proximity in any event of the commencement of briefing to the Court's final dispositions of cases argued to date during its October 2002 Term, this will afford a full opportunity -- for the benefit of the Court as well as the parties -- for all briefs by both appellants and appellees to take into account those dispositions, which will include important cases concerning the First Amendment rights of for-profit corporations, e.g., No. 02-575, *Nike, Inc. v. Kasky*, and non-profit corporations, e.g., No. 02-403, *Federal Election Commission v. Beaumont*; indeed, the latter case arises under the Federal Election Campaign Act, which the Bipartisan Campaign Reform Act of 2002 amended. Under defendants' proposed briefing schedule, only defendants would have that opportunity, for they urge that the first plaintiffs' briefs be due on June 27, and the first defendants' briefs on July 18.

The AFL-CIO plaintiffs-appellants respectfully suggest that, if three rounds of briefs are ordered, they be due on July 8, August 4 and August 22, if oral argument is conducted during the weeks of September 2 or 8; or, on three later dates, such as July 22, August 22 and September 10, if oral argument is conducted during the week of September 29. Alternatively, if four rounds of briefs are ordered, plaintiffs-appellants suggest that the first round be due on July 8, with the next three rounds scheduled on dates that accommodate the date of oral argument.

Respectfully submitted,



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CERTIFICATE OF SERVICE

This is to certify that I caused a copy of the foregoing **Response of the AFL-CIO Plaintiffs-Appellants/Cross-Appellees to the Motions for an Expedited Briefing Schedule** be served on all counsel required to be served, on June 3, 2003, by the means indicated below:

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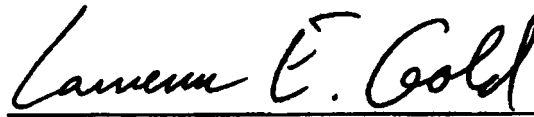
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On all counsel who have entered appearances or who have requested such service.

A handwritten signature in black ink that reads "Laurence E. Gold". The signature is written in a cursive style with a horizontal line underneath the text.

Laurence E. Gold