

Daniel R. Suhr (WI No. 1056658)*
Brian K. Kelsey (TN No. 022874)*
Liberty Justice Center
190 S. LaSalle Street, Suite 1500
Chicago, Illinois 60603
Ph.: 312/263-7668
Email: dsuhr@libertyjusticecenter.org
bkelsey@libertyjusticecenter.org
Lead Counsel for Plaintiff

Anita Y. Milanovich (Mt. No. 12176)
MILANOVICH LAW, PLLC
100 E. Broadway Street
The Berkeley Room
Butte, Montana 59701
Ph.: 406/589-6856
Email: aymilanovich@milanovichlaw.com
Local Counsel for Plaintiff

*Admitted pro hac vice

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MONTANA
HELENA DIVISION**

**ILLINOIS OPPORTUNITY
PROJECT,**

Plaintiff,

v.

STEVE BULLOCK, in his official
capacity as governor of Montana, and
MEGHAN HOLMLUND, in her
official capacity as chief of the State
Procurement Bureau,

Defendants.

Case No. 6:19-cv-00056-CCL

**THIRD MOTION FOR SUMMARY
JUDGMENT**

**THIRD MOTION FOR SUMMARY JUDGMENT
AND PRAYER FOR RELIEF**

Plaintiff Illinois Opportunity Project hereby moves this Court for Summary Judgment on both counts of the Complaint, pursuant to Federal Rule of Civil Procedure 56 and Local Rule 56.1, and submits a memorandum of law and statement of undisputed facts in support of the motion.

WHEREFORE, Plaintiff requests that the Court enter summary judgment in its favor and against the Defendants and provide Plaintiff the following relief:

- A. A declaratory judgment that Governor Bullock's Executive Order 15-2018 compels disclosure of members and supporters of issue-advocacy organizations in violation of the rights to freedom of speech and association under the First and Fourteenth Amendments;
- B. An order permanently enjoining Defendant Governor Bullock from continuing his policy of requiring disclosure of donations to issue-advocacy organizations by entities that bid on Montana state contracts;
- C. An order permanently enjoining Defendant Director Holmlund from implementing Governor Bullock's Executive Order 15-2018 through the State Procurement Bureau and the state agencies it supervises and coordinates;
- D. An award to Plaintiff of its costs and attorneys' fees under 42 U.S.C. § 1988.

Dated: April 17, 2020

Respectfully Submitted,

/s/ Daniel R. Suhr

Daniel R. Suhr (WI No. 1056658)*
Brian K. Kelsey (TN No. 022874)*
Liberty Justice Center
190 S. LaSalle Street, Suite 1500
Chicago, Illinois 60603
Ph.: 312/263-7668
Email: dsuhr@libertyjusticecenter.org
bkelsey@libertyjusticecenter.org
Lead Counsel for Plaintiff

/s/ Anita Y. Milanovich

Anita Y. Milanovich (Mt. No. 12176)
MILANOVICH LAW, PLLC
100 E. Broadway Street
The Berkeley Room
Butte, Montana 59701
Ph.: 406/589-6856
Email:
aymilanovich@milanovichlaw.com
Local Counsel for Plaintiff

*Motion pro hac vice granted

Certificate of Service

I hereby certify that a true and correct copy of the foregoing document was served on Defendants on April 17, 2020, via CM/ECF electronic notice.

/s/ Anita Y. Milanovich
Anita Y. Milanovich