

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY  
CAMDEN VICINAGE**

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**ILLINOIS OPPORTUNITY  
PROJECT,**

Plaintiff,

v.

**STEPHEN M. HOLDEN, ERIC H.  
JASO, and MARGUERITE T.  
SIMON,** in their official capacities as  
commissioners of the New Jersey  
Election Law Enforcement  
Commission,

Defendants.

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Case No. 1:19-cv-17912

**PLAINTIFF'S PROPOSED FINDINGS  
OF FACT FOR PRELIMINARY  
INJUNCTION**

## **PROPOSED FINDINGS OF FACT FOR PRELIMINARY INJUNCTION**

1. Plaintiff is a 501(c)(4) issue-advocacy organization.
2. Plaintiff is also the plaintiff in *Illinois Opportunity Project v. Bullock*, 6:19-cv-00056-CCL (D.Mont.), which challenges a similar member-disclosure regulation in Montana.
3. Plaintiff has an interest in any member-disclosure laws in states across the nation which compromise First Amendment privacy rights.
4. Plaintiff does not intend to engage in express advocacy or its functional equivalent to influence any elections in New Jersey.
5. Plaintiff does intend to engage after October 15, 2019, in issue advocacy by spending at least \$3,000 to provide “political information” about legislation, namely S.150.
6. Plaintiff intends to make statements including, but not limited to, press releases, pamphlets, newsletters, advertisements, flyers, form letters, Internet or digital advertisements, or radio or television programs or advertisements which reflects the opinion of Plaintiff concerning S.150 and conveys facts about S.150, including which elected officials supported or opposed the law.
7. Plaintiff’s intended activities will be required to register with the Commissioners as an “independent expenditure committee.”

8. As part of its registration, Plaintiff will be required to provide its complete name and mailing address. It will also have to the name and resident address of a resident of this State who shall have been designated by the committee as its agent to accept service of process. The registration statement must also include the name, home address, employer, and employer address of each person who has control over Plaintiff's affairs, who participates in decisions as to its expenditures, and who participated in founding the committee.
9. Because of its status as an independent expenditure committee, Plaintiff will be required to put its name and business address on all of its intended communications regarding S.150, along with a statement that the communications were not undertaken in coordination with any candidate or candidate's committee.
- 10.If Plaintiff fails to comply with these requirements, it will be subject to civil fines levied by the Commissioners.

Dated: September 12, 2019

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Respectfully submitted,

*s/ Mark R. Scirocco*

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