

Case Type	State of Origin	Case Name	Current Status	Brief Description
Public Financing	Wisconsin	Wisconsin Right to Life v. Brennan; Koschnick v. Doyle	Case dismissed as moot by Seventh Circuit on 9/1/11.	Plaintiffs challenge Wisconsin's judicial public financing program, which contains a "trigger" for supplemental grants similar to the one overturned in <i>AZ Free Enterprise v Bennett</i> . The District Court distinguished judicial from legislative public financing, arguing that Wisconsin has a particularly strong interest in promoting public financing for judicial candidates in order to combat the risk of bias that the Supreme Court warned against in <i>Caperton v. Massey</i> . The court on the same day also dismissed a complaint challenging the act in Koschnick for lack of standing, an argument raised by the Brennan Center.
Public Financing	Maine	Cushing v. McKee	1st Circuit dismissed as moot on 7/21/11.	Plaintiffs seek to enjoin trigger provisions of Maine's public financing program as well as its disclosure requirements and gubernatorial contribution limits.
Disclosure	New York	NOM v. Walsh	On appeal to Second Circuit following dismissal by district court	Plaintiffs filed suit to prevent the New York State Board of Elections from classifying it as a "political committee" in order to avoid various disclosure and reporting requirements, claiming that the provisions for political committee status were unconstitutionally vague and overbroad, and impose a chilling effect on speech. The Brennan Center argued in its <i>amicus</i> that, contrary to plaintiffs' claims, New York State's very basic accounting and reporting requirements for political committee status are in no way vague or overbroad, and impose no chilling effect on speech.

Disclosure	Wisconsin	Wisconsin Prosperity Network v. Myse	Oral arguments heard before Wisconsin Supreme Court on 9/6/11.	In July 2010, Wisconsin's Government Accountability Board issued an administrative rule requiring disclosure and disclaimers for certain speech made just before an election that advocates the election or defeat of candidates for public office. In its <i>amicus</i> , the Brennan Center defended the GAB's administrative rule, arguing that disclosure of money in politics advances the compelling state interest in providing voters with knowledge of who funds political campaigns.
Public Financing	Rhode Island	Moderate Party of RI v. Lynch	Plaintiffs will not appeal.	Action challenging the constitutionality of RI public financing bill that unfairly benefits the two main political parties over minor parties
Contributions	D.C.	Carey v. FEC	Memorandum opinion filed by DC district court filed 6/14/2011 granting preliminary injunction. Case settled by parties on 8/19/11.	NDPAC wanted to maintain two separate bank accounts: one for unlimited independent expenditures, and another for contributions to candidates. FEC did not approve the proposal. Plaintiffs seek declaratory judgment that the contribution limits are unconstitutional as applied to those who wish to make contributions to NDPAC for its independent expenditures.
Foreign Contributions	D.C.	Bluman v. FEC	Supreme Court issued summary affirmance of lower court's decision upholding ban on foreign contributors in U.S. elections on 1/9/11.	Plaintiffs claim that the law and regulation prohibiting contributions and expenditures by foreign nationals is unconstitutional as applied to those who are lawfully residing and working in the U.S.

Contributions	D.C.	Libertarian Nat'l Cmte v. FEC	Discovery to be completed by February 24, 2012.	Plaintiffs received a \$250k bequest from deceased's estate; however, the FEC still maintained that the donation was subject to the \$30,800 individual contribution limit, which the LNC claims violates the First Amendment when applied to the deceased because it serves no governmental interest.
Contributions	Virginia	U.S. v. Danielczyk	Appeal pending before 4th Circuit.	Plaintiffs seek to overturn a ban on direct corporate contributions to candidates, based on decision in <i>Citizens United</i> , arguing that the case overrules <i>FEC v. Beaumont</i> .
Public financing; Pay-to-Play	New York	Ognibene v. Parkes	Stay of public financing portion of case lifted on 9/16/11 by USDC, Southern District of NY. Informal conference for parties to resolve matters in controversy set for 6/22/2012.	Plaintiffs seek injunctive relief concerning New York City's "pay-to-play" rules that reduce contribution limits for lobbyists and deny matching funds for lobbyist contributions. Plaintiffs challenge trigger provisions of NYC's public financing program, arguing that Supreme Court's decision in <i>AZ Free Enterprise v. Bennett</i> requires that the provisions be struck down.
Contribution Limits	California	Thalheimer v. City of San Diego	En banc review denied; plaintiffs will not appeal to Supreme Court as of 8/25/2012.	Plaintiffs challenge independent expenditures provision of city campaign finance law that bars contributions from corporations and labor unions and limits individual contributions to \$500.
Disclosure	California	ProtectMarriage.com v. Bowen	Appeal pending before 9th Circuit.	Plaintiffs challenge disclosure requirements over fear of threats and harassment, and reprisal similar to that allegedly suffered by supporters of Prop. 8 and on the grounds that threshold for reporting contributors is too low.
Disclosure	Florida	NOM v. Roberts	Defendants motion for SJ granted on 8/8/11. Appeal pending before 11th Circuit.	Plaintiffs challenge the disclosure requirements associated with electioneering communications in the state of Florida, arguing that its "appeal to vote" test is vague and overbroad, causing them to feel that their speech is "not worth" the burdens disclosure imposes.

Disclosure	Maine	NOM v. McKee	1st Circuit upheld Maine's campaign finance laws on 8/11/2011. Plaintiffs did not appeal to Supreme Court.	Plaintiffs challenge Maine's definitions of a non-major-purpose PACs and independent expenditures as vague and overbroad. In another prong of the case, plaintiffs make a similar challenge to Maine's definition of a ballot question committee.
Disclosure	Illinois	Center for Individual Freedom v. Madigan	Plaintiffs motion for summary judgment denied on 11/03/11. Appeal pending before 7th Circuit.	Plaintiffs challenge the state provision requiring non-profit organizations to register and report if they spend over \$5,000 on independent expenditures. They also argue that the political committees disclosure provisions are unconstitutionally vague and overbroad.
Disclosure	Hawaii	Yamada v. Kuramoto	On 12/6/2010, parties agreed to stay matter for 6 months pending petition for cert in Brumsickle. Motion for summary judgment filed by plaintiffs on 12/5/11. Motion hearing scheduled for 2/6/2012.	Plaintiffs challenge Hawaii's definition of a non-candidate committee and electioneering communication as vague and overbroad, arguing that the word "influence" reaches a significant amount of non-campaign speech.
Disclosure	Rhode Island	NOM v. Daluz	Arguments in appeal to 1st Circuit of district court's denial of preliminary injunction on 4/5/2011; motion denied on 8/11/11. Motion for rehearing en banc denied on 9/6/11.	Plaintiffs argue that disclosure requirements for individual or group that spends more than \$100 in the aggregate on independent expenditures is an unconstitutional burden on free speech and that the definition of an independent expenditure is overbroad and vague.

Public Financing; Pay-to-Play	Connecticut	Green Party of Connecticut v. Garfield	Supreme Court denied cert on 7/28/11.	Plaintiffs challenge Connecticut's public financing program for unconstitutionally burdening free speech, including, but not limited to, the program's "trigger" provision, similar to the one overturned in <i>AZ Free Enterprise</i>. Plaintiffs also challenge "pay-to-play" provisions, including a ban on state contractor contributions and a prohibition on contractors and lobbyists soliciting third party campaign contributions.
Disclosure	Washington	Doe v. Reed	Summary judgment granted by USDC, Western District of Washington on remaining as-applied challenges to Washington's Public Records Act on October 17, 2011. Supreme Court denied stay on November 21, 2011.	On June 24, 2010, the U.S. Supreme Court issued its ruling in <i>Doe v. Reed</i> , in an 8-1 opinion holding that disclosure of information on petitions for ballot referenda, as a general matter, does not violate the First Amendment, but that compelled disclosure is subject to review under the First Amendment. The Brennan Center's <i>amicus</i> highlighted the important distinction between the issue of disclosure of money in the context of political campaigns and other types of disclosure.
Disclosure; Direct Corporate Contributions	Minnesota	Minnesota Citizens Concerned for Life v. Swanson	En banc argument heard on September 21, 2011.	Plaintiffs argue that maintaining a separate segregated fund for independent expenditures is essentially the same as requiring PAC status, which was ruled unconstitutional in <i>Citizens United v. FEC</i> . Plaintiffs also challenge definition of independent expenditure as overbroad because it extends beyond express advocacy. Finally, plaintiffs argue that Minnesota's ban on direct corporate contributions subverts Supreme Court's ruling in <i>Citizens United v. FEC</i> .

Disclosure	West Virginia	Center for Individual Freedom v. Tennant	Appealed to 4th Circuit on 9/1/11.	Plaintiffs challenge West Virginia's definition of electioneering communication and express advocacy as unconstitutionally overbroad, arguing that the federal definitions are ceilings, not floors for state definitions.
Disclosure	Vermont	Vermont Right to Life v. Sorell	Cross motions for summary judgment filed by plaintiffs and defendants on October 14, 2011.	Plaintiffs argue that Vermont's definition of a political committee chills free speech because it subjects speakers to registration, record keeping, and reporting requirements as well as contribution and contribution source limits. VRTL also fears that even if its electioneering communications do not classify it as a political committee, it will be subject to identification requirements that will burden its resources and chill speech.
Corporate Independent Expenditures	Montana	Western Tradition v. Attorney General	Montana Supreme Court denied plaintiffs motion for summary judgment on appeal on December 30, 2011, upholding Montana's ban on corporate independent expenditures.	Plaintiffs challenge provision of Montana's Corrupt Practices Act which prohibits corporations from engaging in independent expenditures, citing <i>Citizens United v. FEC</i> .
Disclosure	North Carolina	Koerber v. FEC	District court stayed proceedings pending resolution of RTAO v. FEC on June 3, 2010.	Plaintiffs challenge the constitutionality of the federal disclosure requirements for "electioneering communications," and the FEC's policy for determining federal "political committee" status.

Disclosure	Virginia	The Real Truth About Obama, Inc. (RTAO) v. FEC	Case tentatively calendared for oral argument before 4th Circuit for 3/20/12 - 3/23/12 argument session.	Plaintiffs argue that the FEC's definition of "express advocacy" and "independent expenditures," which are tied to disclosure requirements and political committee status, are overbroad and vague. Plaintiffs further argue that the FEC's case-by-case approach to determining whether or not an organization is a political committee is overbroad and vague.
Disclosure	D.C.	Van Hollen v. FEC	Hearing on motion for summary judgment on January 11, 2012.	Plaintiffs argue that the FEC's rule requiring disclosure of donations to fund electioneering communications only when they are earmarked for a specific ad is inconsistent with the BCRA's requirement that corporations and unions disclose "all contributions" of \$1,000 or more when they engage in electioneering communications.
Disclosure; Corporate Independent Expenditures; Printed Election Material Disclaimers	Montana	Lair v. Gallik	Complaint filed 9/6/11 in USDC, District of Montana.	Plaintiffs challenge individual, PAC, candidate, and political party contribution limits, as well as limits on aggregate limits on contributions by multiple political party committees, arguing they unconstitutionally burden free speech. Plaintiffs also challenge ban on direct corporate contributions to candidates and third party independent expenditure groups.
Contribution Limits; Disclosure	Wisconsin	Wisconsin Right to Life (WRTL) v. Vocke	Seventh Circuit struck down PAC contribution limits on December 12, 2011.	Plaintiffs challenge state PAC contribution limits, arguing that WRTL-SPAC is an independent expenditures only committee and does not make contributions.

Disclosure; Corporate Contributions	Iowa	Iowa Right to Life (IRTL) v. Miller	District Court granted summary judgment for the state on three claims and directed remaining claim to Iowa Supreme Court on June 29, 2011.	Plaintiffs challenge state's definition of "political committee" as overbroad and vague and argue that imposition of disclosure requirements are tantamount to imposition of political committee status. Plaintiffs also argue that state restrictions on corporate contributions are unconstitutional and that <i>Beaumont</i> should be overturned. Finally, plaintiffs argue that state requirement that board of directors approve independent expenditures is unconstitutional.
Contribution Limits; Disclosure	Washington	Family PAC v. Reed	On September 1, 2010, District Court upheld thresholds for disclosure of donors to ballot measure committees, but struck down \$5,000 limit on contributions to such committees in the 21 days before elections. State granted stay of decision by C.A., and SCOTUS upheld stay.	Plaintiffs challenge contribution limit of \$5,000 to ballot measure committees in the 21 days before an election and reporting thresholds.
Public Financing	North Carolina	North Carolina Right to Life (NCRL) PAC v. Leake	Complaint filed 9/9/11 in USDC Eastern District of NC	Plaintiffs argue that the Supreme Court's ruling in <i>AZ Free Enterprise</i> requires the USDC to revisit North Carolina's triggered matching fund provisions, arguing that they pose a substantial burden on privately financed candidates' and independent groups' political speech without articulating a compelling state interest.

Disclosure	Wisconsin	Hatchett v. Barland	USDC Eastern District of WI granted plaintiff's motion for summary judgment on 9/14/11 and defendants enjoined from enforcing disclosure requirements. Deadline for appeal 10/14/11.	Plaintiffs argue that PAC style disclosure requirements are unconstitutional in the context of an individual participating in ballot measure advocacy, arguing that they impose severe burdens on exercise of the First Amendment.
Disclosure; Corporate Contributions	Texas	Texas Democratic Party v. King Street Patriots	Parties have filed cross-motions for summary judgment on the defendants' counterclaim. Motions will be heard in District Court of Travis County on 11/8/11.	Plaintiffs seek damages and declaratory and injunctive relief in connection to several violations of state campaign finance laws allegedly committed by the King Street Patriots by violating Texas's restriction on corporate political contributions and by failing to register as a political committee and comply with state disclosure law. Defendants filed a counterclaim challenging the applicable provisions of Texas campaign finance law.
Contribution Limits	Colorado	Riddle v. Hickenlooper	Oral arguments heard before Colorado Supreme Court on 9/27/11.	Plaintiffs challenge constitutionality of law that prohibits successful write-in candidates in primary elections from accepting donations in the same aggregate amount of funds as may be accepted by a candidate who appears on both a primary and the general election ballot in the same election cycle.
Contribution Limits	New Mexico	New Mexico Republican Party v. King	Plaintiffs' motion for preliminary injunction denied in part and granted in part on 1/5/11.	Plaintiffs challenge \$5,000 contribution limit as applied to New Mexico political parties and PACs.

Disclosure	Mississippi	Justice v. Hosemann	Complaint filed in USDC Northern District of Mississippi on 10/20/11. TRO motion denied. Final pre-trial conference scheduled for 1/17/13. Discovery due 9/28/2012.	Plaintiffs challenge constitutionality of law that requires registration as a political committee by groups who spend or receive more than \$200 in speech in support of a ballot initiative and associated disclosure requirements.
Disclosure	Arizona	Galassini v. Town of Fountain Hills	Complaint filed in USDC District of Arizona on 10/26/11. TRO motion denied on 10/27/11. Discovery due by 5/31/2012. Dispositive motions due by 7/31/2012.	Plaintiffs challenge Arizona's laws requiring groups to register as a political committee before distributing literature concerning a bond issue as an unconstitutional prior restraint on the exercise of free speech.