

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MAINE

BRETT BABER, *et al.*,

Plaintiffs,

v.

MATTHEW DUNLAP, in his official
capacity as Secretary of State of Maine, *et al.*,

Defendants.

Case No. 1:18-cv-00465-LEW

**UNOPPOSED MOTION FOR LEAVE TO FILE AMICUS CURIAE BRIEF AND
INCORPORATED MEMORANDUM OF LAW**

Campaign Legal Center (“CLC”) respectfully requests leave to file the attached *amicus curiae* brief in opposition to Plaintiffs’ motion for a preliminary injunction. Counsel for CLC contacted counsel for Plaintiffs, Defendant, and Defendants-Intervenors, who indicated they do not object to the filing of CLC’s brief.

CLC is a leading nonpartisan, nonprofit organization that engages in litigation and advocacy to, among other things, protect voting rights and ensure broad and equal access to the ballot. CLC has served as counsel or *amicus* in many significant election law matters and has substantial experience litigating voting rights cases involving the First and Fourteenth Amendments and the Voting Rights Act. Among the reforms CLC advocates is adoption of ranked choice voting to promote majoritarian principles and ensure greater representation of voters by elected officials. CLC seeks leave to file the attached *amicus* brief to aid the Court in considering Plaintiffs’ request for expedited preliminary injunctive relief.

The decision to accept *amicus* briefs on issues of law is “within the sounds discretion of the court.” *Alliance of Automobile Mfrs. v. Gwadowsky*, 297 F. Supp. 2d 305, 307 (D. Me. 2003)

(quoting *Strasser v. Doorley*, 432 F.2d 567, 569 (1st Cir. 1970). The filing of *amicus* briefs is “[c]ommonly” granted to aid the Court in evaluating “issues of general public interest.” *Id.*; see also *Mass. Food Ass’n v. Mass. Alcoholic Beverage Control Comm’n*, 197 F.3d 560, 567 (1st Cir. 1999) (“[A] court is usually delighted to hear additional arguments from able *amici* that will help the court toward right answers . . .”).

CLC respectfully requests leave to file the attached *amicus* brief in light of its experience with the issues raised by this case, the great public interest in this matter, and the consent of the parties.

CONCLUSION

For the foregoing reasons, CLC requests that the Court grant leave to file the attached *amicus* brief and that Clerk be directed to docket the attached brief as filed.

Dated: November 28, 2018

Respectfully submitted,

/s/ Paul Brunetti

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CERTIFICATE OF SERVICE

I hereby certify that on November 28, 2018, I served a copy of the foregoing on all counsel of record via the Court's CM/ECF system.

/s/ Paul Brunetti
Paul Brunetti