

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	OPPOSITION
v.	)	TO MOTION FOR
	)	PRELIMINARY INJUNCTION
FEDERAL ELECTION COMMISSION,	)	EXHIBITS
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBITS SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

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UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

ORIGINAL

1

UNITED STATES DISTRICT COURT

DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE
OF MAINE, INC.,

Plaintiff,

v.

FEDERAL ELECTION COMMISSION,

Defendant.

Docket No. 1:06CV00614

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2006 APR 17 A 10:00

DEPOSITION of MICHAEL HEATH, taken pursuant to
notice dated April 5, 2006, at the Sheraton Hotel, 363 Maine
Mall Road, South Portland, Maine, on April 13, 2006,
commencing at 9:55 a.m., before Cindy Packard, Registered
Merit Reporter, a Notary Public in and for the State of
Maine.

APPEARANCES:

For the Plaintiff:

James Bopp, Jr., Esq.

For the Defendant:

Harry J. Summers, Esq.
Colleen T. Sealander, Esq.

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MICHAEL HEATH, having been duly sworn by the Notary Public, was examined and deposed as follows:

MR. SUMMERS: My name is Harry Summers, I'm an attorney with the Federal Election Commission. With me today is Colleen Sealander, also an attorney with the Commission.

Would other counsel please identify himself?

MR. BOPP: James Bopp, Jr.

MR. SUMMERS: This deposition is being taken in connection with Christian Civic League of Maine v. Federal Election Commission, Civil Action Number 06-0614 in the District -- U.S. District Court for the District of Columbia.

EXAMINATION

BY MR. SUMMERS:

Q Please state your name, sir?
A Michael Heath.
Q And what is your home address?
A 28 Mayflower Lane, South China, Maine.
Q And your professional address or your work address?
A 70 Sewall Street, Augusta, Maine.
Q And that's the -- also the address of the Christian Civic League of Maine?
A Yes.

1 Q Are you represented by a lawyer today, by counsel
2 today?

3 A I am.

4 Q And who is that counsel?

5 A James Bopp.

6 Q Okay. Have you been deposed before, sir?

7 A No, sir.

8 Q Do you understand that if I ask questions, the court
9 reporter takes down the questions and the answers, so
10 it's important to answer orally?

11 A Yes.

12 Q Do you understand you're under oath today and required
13 to testify truthfully to the best of your ability?

14 A I do.

15 Q If you don't understand a question, will you let me
16 know?

17 A Yes.

18 Q We'll take breaks, but if you need one at any
19 particular time, just let me know. Is there anything
20 such as medication that could affect your ability to
21 testify accurately today?

22 A No.

23 Q Okay. Did you do anything to prepare for this
24 deposition?

25 A Yes.

1 Q What did you do?

2 A I spoke with counsel. I instructed my staff to
3 cooperate with counsel in the preparation of documents
4 related to this deposition. I reviewed those
5 documents. And that's about it.

6 Q Did you discuss the deposition itself with anyone other
7 than counsel?

8 A My wife.

9 Q Anyone else?

10 A Besides staff?

11 Q Including staff?

12 A I discussed it with the president of our board of
13 directors.

14 Q And what is his name?

15 A Dallas Henry.

16 Q Anyone else?

17 A No.

18 Q Okay. Did your counsel give you anything to review in
19 preparing for today's deposition?

20 A He gave me the documents that you have.

21 Q The documents that were produced to the Commission
22 earlier this week?

23 A Correct.

24 Q By Christian -- I'm sorry, Christian Civic League, I'm
25 sorry, those documents?

1 A Yes.

2 Q Just to save time, in the papers that counsel has
3 filed, he's used the abbreviation CCL for your
4 employer. Is that okay with you if I use that as well,
5 or is there one you prefer, just to make it shorter?

6 A That's fine.

7 Q That's fine, okay. Any other materials that --

8 A Related to -- any other materials related to --

9 Q To the deposition that you were given by counsel before
10 the deposition?

11 A Okay. Related to this meeting?

12 Q Yes.

13 A To the deposition?

14 (Mr. Bopp confers with the witness.)

15 THE WITNESS: Can you repeat the question?

16 Q (By Mr. Summers) Did counsel give you any other
17 materials other than what you've described in
18 preparation for this meeting, this deposition?

19 A I'm pausing to reflect on what I described in the
20 previous questions. No.

21 Q Okay. Could you state your job, please?

22 A I'm the executive director of the Christian Civic
23 League of Maine.

24 Q Do you hold any other work positions?

25 A I'm the executive director of the Christian Education

1 League. And I also have responsibilities related to
2 our political action committees.

3 Q And what are those? What are your positions with those
4 committees?

5 A Executive director.

6 Q Of?

7 A Christian Action League. The Coalition for Marriage,
8 which is a -- doing business as PAC, related to the
9 Coalition -- I mean, to the Christian Action League.
10 And the -- recently -- we're in process of working with
11 a PAC called the No Slots for Maine.

12 Q And what's your position with No Slots for Maine?

13 A Still being determined because the board of No Slots
14 for Maine is transitioning, and we are working with
15 them to --

16 Q I see.

17 A -- develop a petition effort related to gambling.

18 Q So that's an existing PAC?

19 A It is. State.

20 Q State PAC, yes. Is it okay if for -- if I use these
21 abbreviations as well, for the Christian Action League,
22 CAL, and for the Coalition for Marriage, CFM?

23 A Yes.

24 Q Okay. Thank you. How long have you held a position
25 with CCL?

1 A As executive --

2 Q Let's start when you first started and maybe work your
3 way through the different job titles until now, if you
4 would?

5 A I started in 1988, I believe, around there, as the
6 administrative assistant. And sometime in the early
7 1990s, became associate director. And in 1994, became
8 executive director of CCL. I've held that post since
9 that time.

10 Q Can you describe your duties as executive director of
11 CCL, please?

12 A My duties. I am responsible for the day to day
13 operations of CCL. And my duty is to the board. I'm
14 responsible to the board of directors.

15 Q What do you actually do as executive director in a more
16 concrete way?

17 A I manage the staff. I sign the checks. I speak for
18 the organization publicly, am responsive to the media.

19 I implement the broad policy directives of the
20 board with respect to our operations, our day to day
21 operations, which sometimes include petitioning
22 campaigns, and other times include lobbying efforts in
23 the State House.

24 Q Would you say that you direct the policy and activities
25 of CCL on a day to day basis?

1 A Yes.

2 Q Okay.

3 MR. SUMMERS: I'd like to have the court
4 reporter mark an exhibit.
5 (Heath Deposition Exhibit Number 1 was marked for
6 identification.)

7 MR. BOPP: Before we do 1, I was expecting
8 you to go to the notice of deposition, and of course --
9 do you have a copy of the notice of deposition?

10 MR. SUMMERS: I do. I have no objection to
11 having that marked, if you --

12 MR. BOPP: Could we mark that now? Do you
13 have a copy?

14 MR. SUMMERS: I do. Is it okay if that's
15 marked as Exhibit 2?

16 MR. BOPP: Yes, sure.

17 (Heath Deposition Exhibit Number 2 was marked for
18 identification.)

19 MR. BOPP: Mr. Heath of course has been
20 produced pursuant to the notice of deposition, which is
21 Exhibit Number 2, pursuant to Rule 30(b)(6), as the
22 representative of CCL. And in that regard, the notice
23 of deposition has subject matters as required that he
24 is to familiarize himself with and be prepared to
25 testify about in this deposition.

1 Now we have to both the interrogatories and to the
2 document request, we have interposed objections and
3 have answered subject to those objections. And that
4 would be our intention here.

5 We have the same substantive objections to the
6 subject matters that you are asking this witness to be
7 prepared to answer on as we do to the interrogatories
8 and to the depositions -- or the document request.

9 Specifically, it is our -- we object to any
10 questions that go beyond the facts verified in the
11 complaint, that go beyond the content of the ad or
12 relevant contextual factors that go to whether or not
13 the particular ad in question is an electioneering
14 communication.

15 And specifically, we object to questions about
16 other lobbying efforts that have been engaged in by the
17 organization, by -- with respect to their subjective
18 intent in conducting this broadcast advertising
19 campaign, to their projected belief on whether or not
20 there will be any effect on any election by their
21 advertising campaign.

22 We object to any questions about practical
23 difficulties that they would encounter in creating a
24 PAC.

25 And so as a result, we object to subject matters

1 listed in the notice of deposition, Numbers 1, 3, 4, 5,
2 7, and 9.

3 We do not object to questions specifically related
4 to the ad in question in Number 2, which we believe is
5 encompassed in Number 2.

6 We do not object to the extent to which Number 6
7 is involved in -- in questions related to contributions
8 or expenditures for the ad in question.

9 We do object to questions beyond that, including
10 the identity of any donors.

11 And we do not object to questions related to 8, as
12 long as they're not asking for legal conclusions of the
13 witness, they're asking for factual matters that would
14 relate to that criteria, we do not object to that.

15 And I would ask -- and we of course had this
16 discussion prior to the deposition that we stipulate
17 that these objections are, you know, ongoing so we do
18 not have to interpose them to each question.

19 And we intend to have the witness to answer those
20 questions even though we believe they're objectionable.
21 And if we have any specific question -- objections go
22 beyond this, of course, we would make those at that
23 time.

24 So if that is agreeable to you, then that's the
25 way we'd proceed.

1 MR. SUMMERS: That is agreeable. We'll
2 stipulate to that, and we appreciate that.

3 Q (By Mr. Summers) Mr. Heath, if I could direct your
4 attention to what's been marked as Exhibit 1. And if
5 you could turn to Section 9 of that exhibit. Is this
6 exhibit the current bylaws of CCL?

7 A Yes.

8 Q And is Paragraph 9 an accurate description of your
9 duties as executive director today?

10 A Yes.

11 Q Mr. Heath, you were a Republican nominee for the Maine
12 House of Representatives in 1992; is that correct?

13 A Yes.

14 Q Have you made any other bids for government office?

15 A No.

16 Q Okay. Have you worked on any other electoral campaigns
17 since then, either paid or volunteer?

18 A No.

19 Q Have you held any position in a political party since
20 then?

21 A No.

22 Q Okay. You made reference earlier to the documents
23 produced to the Commission earlier this week. Is it
24 part of your job to maintain the documents that CCL
25 produced to the Commission earlier this week?

1 A I have a staff member who I delegate that
2 responsibility to.

3 Q I see. Were those documents true and correct copies of
4 documents kept in the course of CCL's regular business?

5 A Yes.

6 Q Were they made by persons with knowledge of the matters
7 they discuss?

8 A Yes.

9 Q And was it the regular practice of CCL to make those
10 documents?

11 MR. BOPP: I'll be glad to stipulate, they're
12 business records that are admissible.

13 MR. SUMMERS: Thank you.

14 Q (By Mr. Summers) Please answer, anyway, if you would?

15 A Could you repeat the question?

16 Q Yes. Was it the regular practice of CCL to make those
17 documents?

18 A No.

19 Q In what way was it not?

20 A Well, to make those specific documents, we maintain
21 some of those electronically, we produced those in that
22 sequence for this purpose.

23 Q Maybe I should explain. To -- was it the regular
24 practice of CCL to create documents like those in
25 whatever medium they were -- they are normally created

1 or maintained, whether in a digital version or in a
2 printed version?

3 A Yes, but not in the -- not in the sequence or --

4 Q I understand.

5 A -- organization that was given -- that was provided.

6 Q I understand. But in some organization that you may
7 have in the organization itself?

8 A Yes.

9 Q Thank you. Okay.

10 (Mr. Bopp and the witness confer.)

11 Q (By Mr. Summers) What is CCL?

12 A The Christian Civic League is a ministry that was
13 formed in 1897 and which has been active in the state
14 of Maine since that time bringing Christian individuals
15 and churches together to accomplish three purposes.

16 One, to elect honest and competent public
17 officials.

18 Second, to encourage all the people of Maine in
19 good citizenship.

20 And third, to enact good laws and provide for
21 their impartial enforcement.

22 Q Let me direct your attention once again to what's been
23 marked as Exhibit 1, Section 2. Section 2 describes
24 the purpose of CCL; correct?

25 A Uh-huh.

1 Q And I see four purposes there, are those four purposes
2 all still the current purposes of CCL?

3 A Yes.

4 Q How does CCL work to elect honest and competent
5 officials?

6 A The -- that has been a subject of discussion among
7 staff and board for years as a result of the, in part,
8 IRS designations and rules. Also rules related to
9 electioneering, some of which -- some of which are
10 beyond my -- I don't know them all. I don't work hard
11 to try to understand what presents itself as an issue.

12 So in recent decades, the Christian Civic League
13 of Maine, which is the name of the founding -- which
14 was the founding name in 1897, has seen that purpose of
15 electing honest and competent public officials become
16 less active in its actions, in its daily actions.

17 That's changing, and we are becoming more active
18 in our efforts related to candidates. In doing so, we
19 are familiarizing ourselves with contemporary rules and
20 regulations related to that sort of activity.

21 Some of the, from what I've been able to determine
22 in travelling around the state and speaking with our
23 supporters, reason for the election of honest and
24 competent public officials fading into the background
25 is the 501(c)(3) rules that churches operate

1 under related to the Internal Revenue Service.

2 And because the Civic League was founded to work
3 with churches, in part, that is a reality within our
4 organization, their concerns related to candidate --
5 related to any statements they might make or actions
6 they might take related to candidate politics.

7 So we are in process regarding that purpose,
8 discussing it.

9 Q CCL --

10 MR. BOPP: Just a second.

11 (Mr. Bopp and the witness confer.)

12 Q (By Mr. Summers) CCL is a 501(c)(4) organization under
13 the IRS rules; correct?

14 A Repeat the question.

15 Q CCL is a 501(c)(4) organization under the IRS law; is
16 that correct?

17 A Yes.

18 Q What does CCL -- I understand your prior answer about
19 the CCL's activities with regard to electing officials,
20 my question was directed at what CCL has actually done
21 in the past to -- and say in the last few years, to
22 pursue that goal?

23 A What goal?

24 Q The goal of electing honest and competent officials?

25 A Nothing.

1 Q Nothing. You've --

2 A Let me clarify, if what you mean by that is endorsement
3 of candidates or direct organized opposition of a
4 candidate, it hasn't done anything.

5 Q What has it done?

6 A It produces a voter guide, which can be viewed online,
7 which involves a questionnaire and a ranking of
8 candidates.

9 Q And what years has it produced voter guides?

10 A We began producing them in 2000 -- I don't remember
11 exactly when, but I --

12 Q If it would help --

13 A We've been producing them since the date that you
14 requested documents, January 1, 2004.

15 Q Did you produce one in 2002?

16 A We may have.

17 MR. SUMMERS: I'd like to mark another
18 exhibit.

19 (Heath Deposition Exhibit Number 3 was marked for
20 identification.)

21 Q (By Mr. Summers) I'll show you what's been marked as
22 Exhibit 3, a document dated 2002 and entitled voter's
23 guide. Do you recognize this?

24 A Yes.

25 Q As the CCL's 2002 voter's guide?

1 A Yes.

2 Q What's the purpose of the voter's guide?

3 A To inform our -- well, to inform the public.

4 Q I'll direct your attention to Page Number 5 of the
5 voter's guide. At the top of Page 5, there is a
6 listing of several federal candidates; correct?

7 A Uh-huh.

8 Q And then over -- and that includes Senator Susan
9 Collins; correct?

10 A Yes.

11 Q Then over on the right side of the page, there are
12 what's described as CCL ratings; correct?

13 A Yes.

14 Q Can you explain those?

15 A Page 4, halfway down the page, how we rated the
16 candidates. Christian Civic League board of directors
17 rated candidates according to their comments and
18 answers to the questionnaire. Our policy statement was
19 used as a standard to grade the stands of each
20 candidate. Each candidate running in the November
21 election was sent a questionnaire, and every effort was
22 made to assure the candidates received questionnaires
23 and had ample opportunity to respond. Followup
24 telephone calls were made when possible. And the
25 rating of A through F is shown here.

1 Q So what's on Page 4 is an accurate description of how
2 the rating process works in the voter guides for CCL?

3 A Uh-huh.

4 Q And is that also how it worked in -- for the -- well,
5 strike that. Did you also create a voter guide in
6 2004?

7 A Yes.

8 Q Was the same rating system used in 2004?

9 A Yes.

10 Q Did you also create a voter guide in 2000?

11 A 2000, I don't remember.

12 Q Do you remember any prior years, whether a guide was
13 created in years prior to 2000?

14 A None were -- none were created.

15 Q You're sure that none were created prior to 2000?

16 A Not during my -- not while I was executive director.

17 Q Was there a printed version of the 2004 voter's guide?

18 A I don't remember.

19 Q Is the 2004 voter's guide available on your web site?

20 A Yes.

21 Q Were any federal candidates rated in the 2004 voter's
22 guide?

23 A I don't remember.

24 Q Okay.

25 MR. SUMMERS: We would request a copy of the

1 2004 voter's guide if one can be created in hard copy.

2 MR. BOPP: If you -- the way we need to
3 handle this is not to ask it during the deposition, but
4 if you just make a list, give us a list in writing, and
5 we will do -- we will produce those as promptly as we
6 can, assuming they're not objectionable.

7 MS. SEALANDER: Is it all right if we make a
8 list on a piece of paper here today and hand it to you
9 on your way out the door?

10 MR. BOPP: Anything that's in writing, I'll
11 be happy to respond to.

12 MS. SEALANDER: Handwriting, however -- all
13 right.

14 MR. BOPP: I trust I can read your writing, I
15 don't know about Harry's, but --

16 MS. SEALANDER: I will make the list.

17 MR. SUMMERS: Maybe you've been able to see
18 some of my writing here.

19 Q (By Mr. Summers) Was the 2002 voter -- strike that.
20 Where was the 2002 voter's guide distributed?

21 A Online. And beyond that, I don't remember.

22 Q Was there a hard copy version of the 2004 voter's
23 guide?

24 A I don't remember.

25 Q Did CCL do anything beyond putting the 2002 voter's

1 guide on its web site to transmit the 2002 voter's
2 guide to persons outside of CCL?

3 A No.

4 Q Did CCL do anything beyond what you've described to
5 make persons outside of CCL aware that 2002 voter's
6 guide was available on the web site?

7 A We mentioned it in publications.

8 Q Which publications?

9 A The email which was then called the issues summary
10 would have mentioned it.

11 Q How often does that -- how often did that email -- how
12 often was that email sent?

13 A Daily.

14 Q So roughly how many emails mentioned the 2002 voter's
15 guide?

16 A I don't know.

17 Q Were the emails mentioning it sent prior to the --
18 prior to the November, 2002, elections?

19 A Yes.

20 Q Is there any other way in which the availability of the
21 2002 voter's guide was made known to those outside CCL,
22 other than the emails you've described?

23 A We may have sent a press release to the media
24 indicating that we produced a voter's guide.

25 Q Did you -- did CCL mention that the 2002 voter's guide

1 existed in any print publications?

2 A We probably mentioned it in a item -- in a printed
3 publication called The Record.

4 Q Please describe The Record?

5 A It's a four page newsletter that is sent to our
6 supporters.

7 Q How often was that sent in 2002?

8 A It was -- it changed over the years in frequency, it
9 was either monthly at that time or every other month.

10 Q Can you think of any other ways in which CCL made those
11 outside of CCL aware of the 2002 voter's guide?

12 A No.

13 Q Did CCL use the same methods you've described for the
14 2002 voter's guide in making people aware of the 2004
15 voter's guide being available on CCL's web site?

16 A Yes.

17 Q In 2002, did CCL encourage people outside of CCL to
18 print and distribute the voter's guide from the web
19 site?

20 A Yes.

21 Q And did that occur in 2004 also?

22 A Yes.

23 Q Did CCL encourage people to print and distribute the
24 voter guides through the same methods that it made
25 persons outside CCL aware that they existed through the

1 same media?

2 A Repeat the question.

3 Q Did CCL encourage people to print and distribute the
4 2002 and 2004 voter's guides through the same media
5 that you've said it used to make people aware that the
6 voter's guides existed on its web site?

7 A Yes.

8 Q Can you think of any other ways in which CCL made
9 people outside of CCL aware of the existence of the
10 voter's guides in 2002 and 2004?

11 A No.

12 Q Okay. You've mentioned -- you've described how CCL is
13 considering becoming more active in working to elect
14 good candidates; correct?

15 A Yes.

16 Q Does it plan to endorse candidates in the future?

17 A No.

18 Q How does it plan to become more active in working to
19 elect good candidates?

20 A The CCL?

21 Q Yes.

22 A It doesn't, if what you mean by the question is
23 endorsement.

24 Q How does CCL plan to become more active in working to
25 elect good candidates other than endorsement?

1 A Repeat the question.

2 Q How does CCL plan to become more active in pursuing its
3 purpose of working to elect good candidates other than
4 endorsement?

5 A It doesn't have any other plans.

6 Q What is it considering doing in order to become more
7 active in that area?

8 A Nothing beyond what I've indicated with respect to the
9 voter's guide.

10 Q You described earlier that CCL was, and correct me if
11 I'm not getting it right, CCL was reviewing the current
12 requirements for organizations engaged in political
13 activity. Can you explain a little more what the
14 purpose of that -- of that review is if you are not
15 considering becoming more active in pursuing the goal
16 of electing good candidates?

17 A Can you repeat or rephrase the question? I'm not sure
18 I understand it.

19 Q What is the purpose of CCL's review of current
20 requirements about political activity that you've
21 described?

22 A To practice good citizenship and maintain its
23 operations within the parameters of the law and
24 regulations related to our activities.

25 Q Has CCL ever stated that it is considering endorsing

1 state and local candidates in the future?

2 A We may have indicated such a thing in relationship to
3 the formation of the political action committee of the
4 Christian Civic League, which is the Christian Action
5 League.

6 Q Has CCL ever stated that it is considering endorsing
7 federal candidates including in connection with the
8 political action committee that you mentioned?

9 A No.

10 Q And I take it there are no plans to endorse federal
11 candidates by CCL?

12 A None, no.

13 Q CCL has a worldwide web site; correct?

14 A Yes.

15 Q And is the address www.cclmaine.org?

16 A It is.

17 Q And the statements on that site are statements of CCL;
18 right?

19 A Yes.

20 Q Please describe generally what activities CCL does to
21 achieve its purposes?

22 A Repeat the question.

23 Q Please describe generally what activities CCL does to
24 achieve its purposes?

25 (Mr. Bopp and the witness confer.)

1 THE WITNESS: Repeat it.

2 Q (By Mr. Summers) What does CCL do, day to day, what
3 does CCL do?

4 A CCL exists to enact good laws and provide for their
5 impartial enforcement.

6 Q I understand the purposes of CCL, you've described, but
7 what does it actually do, what does the staff of CCL do
8 day to day in order to pursue those purposes?

9 A They come to work. They review daily newspapers. They
10 receive and track contributions. They write opinion
11 and commentary. The staff is responsive to my leading
12 which is responsive to the board's direction.

13 Q Anything else?

14 A No.

15 Q How does CCL communicate with the public?

16 A Through its web site. Through its newspaper. Through
17 media interviews.

18 Q Does it also communicate through email?

19 A Yes.

20 Q How often does it -- please describe how it does that?

21 A It has an online email -- it has an email that it
22 produces three times a week called The Record.

23 Q Is that the same Record as is also created as a print
24 publication?

25 A Different -- same name, different publication.

1 Q Is there any content in common?

2 A Yes.

3 Q How much is in common?

4 A We started the newspaper three months ago. What was
5 the -- percentage, is that what you said?

6 Q Yes.

7 A Less than 20 percent.

8 Q How often is the print version distributed?

9 A Monthly.

10 Q How many people is it currently distributed to, the
11 print version?

12 A 5,000.

13 Q And how many -- how many recipients are there of the
14 email version of The Record?

15 A 3,000.

16 Q Does CCL have a radio program?

17 A No.

18 Q Does CCL prepare any audio commentary for distribution?

19 A No.

20 Q Do you prepare any audio commentary for distribution?

21 A Yes.

22 Q Please describe that?

23 A I produce a daily two minute commentary program called
24 Faith Matters in Maine for the CEL, Christian Education
25 League.

1 Q And what -- what is the basic content of that
2 commentary?

3 A It addresses political, cultural, moral issues and
4 occasionally discusses candidates or politicians,
5 elected officials and their positions on issues.

6 Q I believe you mentioned that CCL speaks with media;
7 correct?

8 A Yes.

9 Q Does CCL appear in press articles?

10 A Yes.

11 Q Are you quoted in press articles?

12 A Yes.

13 Q Does that happen often?

14 A Yes.

15 Q Have you published columns in newspapers?

16 A Yes.

17 Q How many columns have you published in newspapers since
18 the beginning of 2004?

19 A A dozen.

20 Q Has CCL run radio or TV ads?

21 A Has -- I can't speak for all the way back to the
22 beginning of radio and television, but in my tenure,
23 yes.

24 Q Please describe those in your tenure?

25 A We've advertised on Christian radio stations for

1 events, banquets that we have annually.

2 We've not done any television advertising.

3 Q Have there been any other radio ads other than the ones
4 you've described by CCL?

5 A Right. Not that I remember.

6 Q Has the Christian Education League placed any radio or
7 TV ads during your tenure?

8 A No.

9 Q Okay. Has CCL published advertisements in newspapers
10 other than its own newspaper?

11 A I -- print advertisements.

12 Q When I say advertisement, I include things that discuss
13 policy or political matters -- same question.

14 A Oh, so --

15 Q So the question is has CCL placed any advertisements in
16 newspapers other than its own newspaper?

17 A No.

18 Q Has it placed any advertisements on web sites other
19 than its own web site?

20 A I don't -- I don't think so.

21 Q Who would know?

22 A The question again was has it placed -- repeat the
23 question.

24 Q Has it placed any advertisements on web sites other
25 than its own web site?

1 A No.

2 Q Has it distributed written materials other than The
3 Record that you've described?

4 A Yes.

5 Q Please describe those?

6 A Books on various subjects related to the mission of the
7 League. Fliers. Publications related to various
8 events and issues.

9 Q In what physical form -- what physical form have those
10 materials taken, brochures?

11 A Brochures, books, magazines.

12 Q Any others?

13 A Well, electronic -- electronic media, emails, pdf
14 documents that people can download off the web site.

15 Q Anything else?

16 A No.

17 Q Has CCL used phone banks in your tenure?

18 A No.

19 Q Has it used billboards in your tenure?

20 A Well, that would get me in jail since they're illegal
21 in Maine. No.

22 Q Have CCL representatives appeared on television or
23 radio shows?

24 A Who?

25 Q Have representatives of CCL appeared on television or

1 radio shows?

2 A Yes.

3 Q Please describe those appearances?

4 A We have a lobbyist who is interviewed regularly. I'm
5 interviewed regularly by radio and television stations
6 on issues.

7 Q What is the lobbyist's name?

8 A Tim Russell.

9 Q How often do you appear on television or radio shows?

10 A How often, I've done hundreds of media interviews of
11 various kinds.

12 Q And Mr. Russell?

13 A He's been with us two years, he has done -- probably
14 he's done hundreds, I've done thousands by this time.

15 Q Is that -- have you appeared on national television and
16 radio shows?

17 A Yes.

18 Q And also on local television radio shows?

19 A Yes.

20 Q Has Mr. Russell appeared on national television or
21 radio shows?

22 A Yes.

23 Q And he's appeared on local television radio shows I
24 take it?

25 A Yes.

1 Q Has any other representative of CCL appeared on
2 television or radio shows in your tenure?

3 A Yes.

4 Q Who is that?

5 A The president of our board, Dallas Henry.

6 Q Anyone else?

7 A No.

8 Q CCL does create advertisements as I've described to
9 communicate its policy views to the public; correct?

10 A Clarify what you mean by advertisements.

11 Q CCL creates public communications to tell the public
12 what it thinks about policy issues; correct?

13 A Yes.

14 Q Who creates those advertisements?

15 A I do. And I have staff who work on those --

16 Q Which staff?

17 A -- items.

18 Q Sorry.

19 A That's it.

20 Q Which staff work on those now?

21 A I have a gentleman named Fritz Spencer on my staff who
22 does writing. I have a young lady named Leslie Gower
23 who works on graphics. And occasionally, we work with
24 a firm outside of the Christian Civic League on various
25 things.

1 Q What's the name of that firm?

2 A Design 4 Marketing.

3 Q Where are they located?

4 A Florida.

5 Q Which city in Florida?

6 A Tampa.

7 Q And could you spell the surnames of the two people
8 you've named for the court reporter?

9 A The surname, you mean --

10 Q The last name? Fritz and --

11 A Fritz Spencer and Leslie Gower, G-O-W-E-R.

12 Q And is that Spencer with a C or an S?

13 A C.

14 Q Does anyone else work on CCL's ads?

15 A No.

16 Q When did CCL become aware that a federal constitutional
17 amendment about marriage was under consideration in
18 Congress?

19 A Years ago.

20 Q Do you recall which year?

21 A No.

22 Q Could it have been in 2004?

23 A Congress, yes.

24 Q Could it have been later than 2004?

25 A No.

1 Q Could it have been earlier than 2004?

2 A I don't know.

3 Q CCL has spoken publicly about such a proposed
4 amendment; correct?

5 A Yes.

6 Q Did it do so in 2004?

7 A Yes.

8 Q Okay. In those public communications -- strike that.
9 Would you describe those public communications in 2004
10 as grass roots lobbying?

11 A Yes.

12 Q Who at CCL made the decision to do that activity in
13 2004?

14 A Me.

15 Q All right. I'd like to explore some of the ways in
16 which CCL has communicated on that issue since 2004.
17 Has CCL used the internet to communicate about that
18 issue since 2004?

19 A Yes.

20 Q Can you briefly describe those efforts using the
21 internet?

22 A We've written about the federal marriage amendment in
23 The Record that I mentioned before. And I believe --
24 and in 2004, there was an effort to influence our
25 senators on this -- on the federal marriage amendment.

1 Q Can you describe that effort in more detail?

2 A We designed a church bulletin insert, and we had a
3 young lady make phone calls and encourage citizens to
4 contact our senators and urge them to support the
5 federal marriage amendment.

6 Q The -- how was the church insert distributed?

7 A We mailed copies if they were requested, and we made
8 them available as printouts off of our web site.

9 Q How many were distributed by CCL?

10 A Yeah, I -- I have no idea. I don't know.

11 Q How many calls did the young lady you've described make
12 in 2004?

13 A I don't know.

14 Q Can you think of any other ways in which CCL
15 communicated its view in 2004 on that issue?

16 A No.

17 Q Did CCL organize public protests about the issue, by
18 which I mean encouraging people to gather together
19 physically to express a view about the federal marriage
20 amendment?

21 A I don't remember.

22 Q Did CCL distribute brochures other than the church
23 inserts that you've mentioned in 2004 about the issue?

24 A Not that I recall.

25 Q Okay.

1 MR. SUMMERS: I'd like to mark another
2 exhibit. Off the record.

3 (Recess at 10:56 a.m., to 11:03 a.m., after which the
4 following proceedings transpired.)

5 MR. SUMMERS: I'd like to have another
6 exhibit marked.

7 (Heath Deposition Exhibit Number 4 was marked for
8 identification.)

9 Q (By Mr. Summers) Show you what's been marked as
10 Exhibit 4, which appears to be a copy of a March 1,
11 2004, column called Coalition for Marriage, which says
12 it was published in the Portland Press Herald on that
13 date. Do you recognize this column?

14 A Yes.

15 Q Is that a column that you wrote?

16 A Yes.

17 Q Was it published in that newspaper on that date?

18 A Yes.

19 Q Do you think that this column was effective in
20 conveying CCL's message about the issue of gay
21 marriage?

22 A Yes.

23 Q Can you recall any other columns that you -- that CCL
24 published in the print press in 2004 about the gay
25 marriage issue?

1 A No.

2 Q Were any CCL personnel quoted in news pieces in 2004 on
3 the gay marriage issue?

4 A Yes.

5 Q Can you describe that?

6 A I'm sure that I was quoted and probably Tim Russell was
7 quoted.

8 Q How many press pieces would you say you and Tim Russell
9 were quoted in in 2004 on that issue?

10 A I have -- I don't know.

11 Q Was it more than 10?

12 A Yes.

13 Q More than 50?

14 A I don't know.

15 Q Okay.

16 MR. SUMMERS: I'd like to mark another
17 exhibit.

18 (Heath Deposition Exhibit Number 5 was marked for
19 identification.)

20 Q (By Mr. Summers) Please review what's been marked as
21 Exhibit Number 5, which is a reprint of an article
22 dated July 13, 2004, from the Portland Press Herald.

23 Please turn to the second page and find the
24 paragraph which begins executive director Michael
25 Heath, which is in the bottom half. And please review

1 that paragraph and the following two paragraphs.

2 Are those three paragraphs an accurate account of
3 what CCL and its members were doing at that time with
4 regard to the federal marriage -- excuse me, federal
5 marriage amendment?

6 A Yes.

7 Q Did you speak with the reporter of -- who wrote this
8 article --

9 A Yes.

10 Q -- on this issue? In the article, you're quoted as
11 saying that your members have been calling and emailing
12 their senators; correct?

13 A Yes.

14 Q How did CCL get its members to do that?

15 A We assigned a full-time staffer to make phone calls and
16 provide bulletin -- church bulletin inserts to churches
17 that were responsive.

18 Q So it used the methods that you described earlier?

19 A Yes.

20 Q Did it use any other methods to encourage supporters to
21 contact the senators?

22 A No.

23 Q Were those effective ways of achieving your goals?

24 A Yes.

25 Q The article also says that you wrote a column that

1 appeared in this same paper the preceding week which
2 would have still been in July; correct?

3 A Yeah. Yes.

4 Q Is it correct that that column was published the
5 preceding week before this article, or is it the one
6 from March that I believe we've marked as Exhibit 4?

7 A I don't remember.

8 Q It's possible there was more than one column?

9 A It's possible.

10 Q Okay. Did any CCL representative appear on any radio
11 or TV shows in 2004 on this issue?

12 A I don't remember.

13 Q Did CCL place any print advertisements or
14 communications on this issue in 2004?

15 A No.

16 MR. SUMMERS: I'd like to mark another
17 exhibit.

18 (Heath Deposition Exhibit Number 6 was marked for
19 identification.)

20 Q (By Mr. Summers) Please review what's been marked as
21 Exhibit 6, which is an undated one page document with
22 the heading, A Politician Fears Man?

23 A Yes. We published this, and I had forgotten about it.

24 Q Where was this published?

25 A I believe it was published in the Kennebec Journal,

1 which is a daily newspaper in Augusta.

2 Q Anywhere else that you can recall?

3 A No.

4 Q When was it published?

5 A I don't remember.

6 Q Do you think it was in 2004?

7 A I do.

8 Q What was the purpose of the advertisement?

9 A To support marriage and to point people to our online
10 voter's guide.

11 Q And what's the link between supporting marriage and
12 pointing them to the online voter's guide?

13 A In general, it's -- it was political. The ad was
14 political, and the ad must -- I don't know exactly when
15 it ran, but it must have run prior to the election, and
16 so we decided to include mention of our voter's guide.

17 Q In 2004? The election in 2004?

18 A As I said, I think so, but I can't remember.

19 Q Okay. Is it that you wanted voters to bear in mind
20 your position on this issue when they were voting?

21 A Yes.

22 Q And part of that would have been the information listed
23 in the voter's guide about different candidates and
24 their positions on this issue?

25 A Yes.

1 Q Who created this ad?

2 A This ad was created by Design 4.

3 Q And that's the firm in Florida that you mentioned
4 earlier?

5 A Yes.

6 Q Do you think this ad was effective in conveying CCL's
7 position on this issue?

8 A Yes.

9 Q Did CCL use direct mail in 2004 other than the church
10 inserts that you've described on this issue?

11 A We may have mailed our membership -- mailed our
12 supporters and our membership.

13 Q Roughly what was the size of your membership in 2004?

14 A 2,500.

15 Q And what roughly is the size of your membership today?

16 A Same.

17 Q And was it the same in 2005?

18 A And I'm -- we -- membership -- we define membership so
19 that actual membership is 300. Around 300,
20 approximately, 300 members of CCL.

21 Q You say you've designed it, can you explain what that
22 means?

23 A Well, a member. We have approximately 300 members.

24 Q And the other people --

25 A Are supporters.

1 Q Supporters. How do you define a member for CCL?

2 A A member pays annual dues and signs a form that we
3 provide to them. We maintain the form in our files.
4 They only have to sign it once. And then they have to
5 pay their dues annually.

6 Q Just generally, what does the form involve?

7 A It's a doctrinal statement, a religious doctrinal
8 statement.

9 Q And how are the supporters -- the supporters don't sign
10 that form?

11 A That is correct.

12 Q That is, the people who are not members? But they are
13 people who have given money to the organization?

14 A Maybe. Some have, some haven't.

15 Q Okay. Are some of the members -- strike that. What
16 types of entities are your members, individuals,
17 churches?

18 A Individuals and churches.

19 Q Any other types?

20 A Not that we identify, not that we keep track of.

21 Q So it's possible there's another type?

22 A Well, it's not possible there's another type that we
23 keep track of.

24 Q But if you're not sure -- if you're not sure that it's
25 only individuals and churches, isn't it possible

1 there's some other type of member such as another
2 501(c)(4) organization?

3 A Yes, but we wouldn't recognize them in membership as
4 another (c)(4) organization, we would recognize -- they
5 would come in as an individual member or a family
6 member or a church member. There's no business member.
7 There's no 501(c)(4) member.

8 Q How does someone get on your list of supporters, the
9 larger list?

10 A Variety of ways. They have involved themselves in a
11 campaign perhaps. They have indicated to me personally
12 that they would like to be on our mailing list.

13 They have indicated such to a board member. They
14 have been on the list for -- two -- I think it's two
15 years.

16 Actually, let me correct that. The number I gave
17 you, which is 2,500, references only those who have
18 given any money in the last two years and have made a
19 donation in the last two years. We have a much larger
20 list that we don't use that we never mail to, but we
21 maintain those names and addresses.

22 Q What do you do with the larger list?

23 A Nothing. It sits there.

24 Q Do you have a sense of how large that list is?

25 A 8,000, approximately.

1 Q And to get on that list, what are the likely ways other
2 than the ones you've described?

3 A Well, they indicated some interest in our mission or
4 were entered for the reasons I've mentioned. And then
5 they become part of the group, the inactive group above
6 2,500 by not contributing, by not making a contribution
7 for two years.

8 Q But it's only the medium size list of roughly 2,500
9 that receives the mailings; correct?

10 A Yes.

11 Q So why do you maintain the larger list?

12 A We may decide to use it at some point. We may decide
13 to communicate with that list.

14 Q Has CCL run any radio or TV ads about the federal
15 marriage amendment from 2004 until today?

16 A Not that I recall.

17 Q Okay. Can you think of any other ways that CCL has
18 spoken publicly about the federal marriage amendment
19 from 2004 until today other than what we've discussed?

20 A No.

21 Q Okay.

22 MR. SUMMERS: I'd like to mark another
23 exhibit.

24 (Heath Deposition Exhibit Number 7 was marked for
25 identification.)

1 Q (By Mr. Summers) I'll show you what's been marked as
2 Exhibit 7, which is the complaint in this lawsuit,
3 which it says was verified by you on March 28, 2006.

4 And you -- if you'd turn to Paragraph 11, please,
5 which I believe is on Page 3. That paragraph says that
6 CCL plans to run the radio ad that's attached as
7 Exhibit A to the complaint; is that correct?

8 A Yes.

9 Q And that ad is called Crossroads; correct?

10 A Yes.

11 Q Is it still CCL's plan today to run that radio ad?

12 A Yes.

13 Q When did CCL decide to run a broadcast ad about the
14 federal marriage amendment this year?

15 A We decided to run the ad a couple of weeks ago.

16 Q Who first had the idea for CCL to run such an ad?

17 A We were contacted by the organization that we associate
18 with called Focus on the Family, Colorado Springs,
19 Colorado.

20 And the -- it was suggested that this would be an
21 appropriate grass roots lobbying, appropriate and
22 effective grass roots lobbying effort. I agreed. And
23 I communicated my agreement with them.

24 Q Who at Focus on the Family did you communicate with
25 about it?

1 A I believe it was John Paulton.

2 Q Could you spell that last name?

3 A P-A-U-L-T-O-N.

4 Q Did you talk to anybody else at Focus on the Family
5 about it?

6 A No.

7 Q So Focus on the Family sent the text of the ad to CCL a
8 couple weeks ago?

9 A No. The Focus on the Family developed the text of the
10 ad after learning of my agreement or learning of my --
11 after I responded to them.

12 Q So when they first contacted you, what did they
13 communicate?

14 A They communicated that this would be an appropriate
15 grass roots lobbying activity.

16 Q And then you indicated your agreement, and then at some
17 later point, they sent back the ad text, proposed ad
18 text?

19 A Yes.

20 Q I see. Do you know who drafted that text?

21 A I don't.

22 Q Okay. Do you know who was involved in drafting it?

23 A I don't.

24 Q Can you explain what you mean by appropriate grass
25 roots lobbying effort?

1 A Well, the federal marriage amendment is due to be voted
2 in July, and -- in Congress. And it is appropriate to,
3 given the stand of Senators Snowe and Collins, for
4 citizens to be advised of that fact, and to be urged to
5 contact Senators Snowe and Collins, and urge them to
6 vote in the affirmative for the federal marriage
7 amendment. And that should happen -- that should start
8 happening soon and continue into July or toward July or
9 toward the vote.

10 Q Why does it have to start soon?

11 A Well, because these things take -- campaigns take time
12 to work their way through the grass roots networks, and
13 so it's good to get people thinking about, talking
14 about, and contacting political figures like Senators
15 Snowe and Collins as they're moving toward the vote.

16 Q So when you say appropriate, what does that -- what
17 does that include?

18 A Can you --

19 Q What is the ad trying to do?

20 A It is encouraging the listener to contact their
21 senator.

22 Q Does it have any other purpose?

23 A No.

24 Q Do you know where Focus on the Family got the idea for
25 these ads?

1 A No.

2 Q Do you know if they're sending them to other states for
3 use in other states?

4 A I don't know.

5 Q Do you know if they've sent them for use by other
6 groups in Maine?

7 A I don't know.

8 Q In your discussion with Focus on the Family about this
9 ad, did you discuss the -- did you discuss campaign
10 finance regulation?

11 A Can you rephrase the question?

12 Q In your discussion with Focus on the Family about this
13 ad, was there any discussion of campaign finance
14 regulation?

15 A Can you be more specific about campaign finance
16 regulation?

17 Q Yes. Was there any discussion of the electioneering
18 communication regulation and federal law?

19 A Yes.

20 Q Can you describe that?

21 A That it's -- that this is prohibited speech or prior --
22 within a certain window before an election, and Maine's
23 primary is in June, early June. And so our desire to
24 run the ad consistent -- in -- to run the ad at a time
25 that makes sense in order to influence Senators Snowe

1 and Collins with respect to a pending vote scheduled
2 for July is interfered with by the -- by the blackout
3 period 30 days prior to June. So that was -- that was
4 presented by Focus in good faith indicating that this
5 is the way it is.

6 Q So Focus brought you the idea, and in bringing you the
7 idea, they also mentioned there was this legal issue as
8 well?

9 A Yes.

10 Q So that's something that came from them?

11 A Yes.

12 Q So they suggested that you run the ad even though there
13 was this legal issue?

14 A Yes. No. I mean they didn't encourage us to do
15 something illegal, they advised -- they advised us of
16 the law. And they said that the -- and they suggested
17 that the grass roots advertising would be helpful in
18 influencing senators.

19 Q Did they suggest any way that you could run the ad
20 during the period you've described and not face a legal
21 problem?

22 A They -- they said that we should contact them if we
23 want to run the ad. And then we were -- we were put in
24 touch with counsel who is counsel for Focus on the
25 Family and for us. And here we are.

1 Q Can you think of anything else that Focus on the Family
2 told you during those discussions about running the ad?

3 A No.

4 Q Just to finish up this topic, did they -- did Focus on
5 the Family offer you any funding to assist with running
6 the ad?

7 A No.

8 Q Did they offer you any other kind of assistance other
9 than supplying a text for the ad?

10 A No.

11 Q You mentioned that they offered to put you in touch
12 with counsel?

13 A Uh-huh.

14 Q Correct?

15 A Uh-huh.

16 Q Can you think of any other -- were there any other
17 names they gave you of persons who might be of
18 assistance in connection with running the ad?

19 A Can you rephrase the question?

20 Q Did they offer to put you in touch with anyone else
21 other than counsel with regard to the ad?

22 A No.

23 Q Did they offer you a list of potential funders of the
24 ad?

25 A No.

1 Q Did they offer you any assistance in producing the ad?

2 A They researched the buy, the schedule.

3 Q The buy here in Maine?

4 A Yes.

5 Q And what -- can you describe more about that research?

6 A I have not seen the detail. The buy is planned for
7 radio stations in Portland and Augusta. And we
8 don't -- we haven't decided on a final cost for the
9 buy, but they have produced some -- they've produced
10 some information related to overall costs, but I have
11 not had an opportunity to review it.

12 Q But you have that information?

13 A I don't have it here.

14 Q I understand. But CCL has that information?

15 A I don't know if we have it in our offices yet. I don't
16 know.

17 Q But Focus on the Family has indicated that they will
18 provide it?

19 A Yes.

20 Q But the money to run the ad is planned to come solely
21 from CCL?

22 A Yes.

23 Q Has the actual recording of the ad been created?

24 A No.

25 Q Do you have specific plans to create it?

1 A We have not gotten to the point of making those plans.

2 Q How much money has CCL spent so far on the ad?

3 A Nothing.

4 Q Nothing. The complaint in Paragraph 11 describes a
5 specific period that CCL plans to run the Crossroads
6 ad, and I believe it indicates that CCL plans to start
7 running the ad on May 10; is that correct?

8 A Uh-huh.

9 Q Why start running the ad on May 10, if the vote may not
10 be until you said July?

11 A Uh-huh.

12 Q Why start running the ad on May 10?

13 A Well, it's an appropriate time to start introducing the
14 upcoming vote and to encourage our members and the
15 public to contact Senators Snowe and Collins and take a
16 position.

17 Q Do you know how often the ad is planned to run on the
18 two -- in the two markets that you described?

19 A I don't.

20 Q Do you know how many stations the ad is planned to run
21 on in those two markets?

22 A I don't.

23 Q Are those decisions that you will make at a later time?

24 A Yes.

25 Q Will anyone else be involved in making those decisions?

1 A I'll be responsible for the decision, but I will
2 consult with the board president perhaps. Well,
3 definitely, and -- at least him.

4 Q Will you consult Focus on the Family?

5 A I don't know.

6 Q Will you consult anyone else?

7 A No.

8 Q So you haven't spoken -- CCL has not spoken with any
9 radio stations yet about running the ad?

10 A No.

11 Q But the information about where the ad will run is
12 coming from Focus on the Family?

13 A The proposal is coming -- is coming from them.

14 Q I understand. Will CCL stop running the ad once the
15 vote that is -- that may occur in Congress on the
16 marriage amendment happens?

17 A Yes. But Congress does all kinds of things. So you
18 say the vote, the vote on what, so --

19 Q The vote referenced in the Crossroads ad?

20 A Yes.

21 Q If the vote is postponed, will CCL postpone running the
22 ad?

23 A I don't know.

24 Q We're almost ready to break for lunch, so just one or
25 two things.

1 Do you know how much CCL plans to spend to
2 broadcast Crossroads?

3 A No.

4 Q Does CCL currently have the funds to do it?

5 A No. But we have -- I have one donor who has committed
6 the funds if -- they've committed the funds, but I
7 haven't decided whether I will go to that donor to
8 fulfill that commitment or not.

9 Q The donor has pledged to cover whatever the cost is, or
10 is there a specific number?

11 A Donor was unclear, but my interpretation of it is that
12 they would cover the entire buy, if necessary.

13 Q Okay.

14 A They may.

15 Q Okay.

16 MR. SUMMERS: I think that's all I have for
17 now, we can go to lunch. Thank you.

18 (Recess at 11:40 a.m., to 1:30 p.m., after which the
19 following proceedings transpired.)

20 Q (By Mr. Summers) Mr. Heath, when we broke for lunch,
21 we were talking about the interactions that CCL has had
22 with Focus on the Family about the Crossroads ad.

23 Before we leave that topic, I want to make sure
24 I've heard everything about those interactions. Maybe
25 the best way to do that is to start with the first

1 contact that you had with Mr. Paulton?

2 A Uh-huh.

3 Q And ask you to describe everything that was said in
4 that contact?

5 A Uh-huh. First let me say that I got something wrong in
6 the morning, and that was the expected time when the
7 Congress will take up the -- will vote on the -- I said
8 July. And it's June. And that was just a -- I just --
9 I wasn't thinking right.

10 So it's John -- it was -- came to me in the form
11 of an email that was a broadcast email to myself and
12 all my colleagues in the country who work at the state
13 level in organizations called Family Policy Councils.
14 And I was -- I responded to that email with an email
15 and said that I was -- said that I was interested.

16 Q What did the initial email say?

17 A Nothing different from what I indicated in the morning.
18 It discussed the upcoming vote and the suggestion that
19 advertising would be appropriate to encourage grass
20 roots activism, appropriate and helpful, but
21 nevertheless, barred during this window. It mentioned
22 that as well. And sought a response from Family Policy
23 Councils that were interested in doing such
24 advertising.

25 Q How many recipients were there for that email?

1 A I don't know exactly, but in excess of 30.

2 Q And in various states?

3 A Yes.

4 Q Do you know if there are any others in Maine?

5 A There are not.

6 Q There are not. And can you think of anything else that
7 that email said?

8 A I can't.

9 Q And in your response, you said your response indicated
10 an interest, what else did you say in your response?

11 A It was very short, I said I'm interested.

12 Q What happened next?

13 A We were -- we were in contact with John, and then
14 counsel became involved because of the aspect of the
15 email having to do with the blackout period. And then
16 we proceeded toward the development of script and
17 research regarding the buy and began our plan, began
18 our planning.

19 Q Did you then have a number of interactions with
20 Mr. Paulton?

21 A No.

22 Q How many would you say?

23 A Just that original email, a response to that email, and
24 then I have a staff, and my -- they were involved. And
25 we consulted with counsel, and we consulted with Focus,

1 and leading up to.

2 Q Who else on your staff was involved in any dealing with
3 Mr. Paulton?

4 A Nobody.

5 Q How were they involved in the process then?

6 A They got involved later as it -- as it became clear
7 that we were going to have to -- as this process began
8 related to the blackout period, producing documents,
9 preparing documents, getting that material together.

10 Q What else did Mr. Paulton tell you about the
11 electioneering communications period that you've
12 described?

13 A Nothing.

14 Q All he said was this is a problem?

15 A I never spoke with him orally. I -- just email.

16 Q Right. What did he tell you in any form about --

17 A Just the email, just that original email.

18 Q Did he mention that there might be a court case about
19 it?

20 A I don't remember if that was contained in the email or
21 not.

22 Q Did he say that at any point? Did he tell you that at
23 any point?

24 A No.

25 Q By email or otherwise?

1 A I don't know.

2 Q So you only had communications with Mr. Paulton on this
3 issue by email?

4 A In the initial phase, yes.

5 Q Well, when did the initial phase end and a later phase
6 begin?

7 A We received the email. I responded to the email in the
8 affirmative. I don't remember how many days lapsed,
9 but then I spoke with counsel in reference to the
10 blackout aspect of the original email.

11 And then script development was ongoing at Focus.
12 This of course happened in the last two weeks, I
13 believe. And that -- and shortly after that staff
14 became involved.

15 Q So in that later phase, did you speak orally with
16 Mr. Paulton?

17 A No.

18 Q Still only by email?

19 A I had no further need for correspondence with
20 Mr. Paulton.

21 Q So after -- after you replied by email expressing
22 interest?

23 A Uh-huh.

24 Q You're saying you had no further correspondence with
25 Mr. Paulton?

1 A Correct.

2 Q Did Mr. Paulton communicate with anyone else at CCL?

3 A I don't know.

4 Q But at some point a text of the Crossroads ad arrived
5 at CCL?

6 A Uh-huh.

7 Q Do you remember when that was?

8 A I don't remember exactly.

9 Q Do you remember from whom that text came?

10 A I don't know.

11 Q But it was someone at Focus on the Family?

12 A Yes.

13 Q And someone at CCL received it?

14 A My operations director, Natalie Torgeson, was involved
15 at that point.

16 Q Did anything come with the text of the ad at that
17 point?

18 A I don't know.

19 Q Were there any other communications from Focus on the
20 Family about the ad after that?

21 A I don't know because those communications may or may
22 not have happened between my operations director and
23 Focus.

24 Q And what is her full name?

25 A Natalie Torgeson.

1 Q Torgeson, can you spell the last name?

2 A T-O-R-G-E-S-O-N.

3 Q Thank you. Has -- have there been any communications
4 with Focus on the Family between the time the ad was --
5 arrived at CCL and today?

6 A No.

7 Q Is it possible there were communications between
8 someone else at CCL and Focus on the Family during that
9 time?

10 A No.

11 Q Are you aware of any other versions of the Crossroads
12 ad that CCL has received?

13 A No.

14 Q Did anyone at CCL express a view about the text of the
15 Crossroads ad after it was received to Focus on the
16 Family?

17 A No.

18 Q Did anyone at CCL express a view on the ad to anyone
19 else other than counsel?

20 A Repeat the question.

21 Q Did anyone at CCL say anything else about the ad to
22 someone other than Focus on the Family or counsel?

23 A I don't know.

24 Q Did you discuss the text of the ad with anyone else
25 outside CCL or counsel?

1 A No.

2 Q Did Focus on the Family offer to help with the
3 recording of the ad?

4 A No.

5 Q I want to talk briefly about the timing to make sure I
6 have that correct.

7 I believe you've -- you've said that CCL believes
8 May 10 is an appropriate time to begin running the ad;
9 correct?

10 A Yes.

11 Q Would April 10th also be an appropriate time to begin
12 running the ad?

13 A No.

14 Q Why not?

15 A It's too soon.

16 Q Too soon for what?

17 A Well, given the fact that the vote is coming in June,
18 it's most appropriate to run it beginning in May.

19 Q And so I believe you've indicated that Focus on the
20 Family told you that May 10 would be an appropriate
21 date? Did I have that correct?

22 A I don't recall saying that. They may have recommended
23 that. I'm not certain.

24 Q You're not sure who came up with the May 10th date?

25 A People discussed the email that was sent by Focus on

1 the Family, made a suggestion in reference to the
2 June -- the upcoming June vote on the FMA, and
3 discussions ensued about what would be an appropriate
4 date to begin. And May 10 was settled on.

5 Q So would June 15th be an appropriate date?

6 A June 15th?

7 Q 15th to run the ad?

8 A Not if the vote is June 1st.

9 Q But if the vote were to be postponed until July,
10 when -- let's say the vote was postponed until
11 July 15th, when do you think would be an appropriate
12 day to start running the ad?

13 A I would have to consider the circumstances.

14 Q And if the vote is postponed until July 15th, do you
15 have any plan to run the ad on a different start date,
16 different than May 10th?

17 A No.

18 Q If the vote were to be held on the last day of July,
19 would you -- do you have any plan to start the ad on a
20 different date?

21 A No, I don't -- I don't have such a plan at this time.

22 Q Would that be appropriate to make later the start date
23 if the vote -- if you knew the vote were to occur on
24 the last day in July?

25 A Maybe.

1 Q What factors would go into that decision?

2 A Not -- realities in Washington, D.C., decisions that
3 may or may not be made that I can't predict at this
4 time. Or we're basing our time table now on a decision
5 to hold a vote that was made by a high ranking official
6 who has authority in the matter of setting the date.

7 And what that individual may choose to do or not
8 do, I can't predict. And for what reasons he would
9 choose to do those things, I can't predict. And so
10 what we might choose to do with respect to grass roots
11 lobbying related to Senators Snowe and Collins and
12 timing, I can't predict.

13 Q The current plan is to start running the ad less than a
14 month before the scheduled vote; correct?

15 A Uh-huh.

16 Q You've indicated that starting in advance of that --

17 A Uh-huh.

18 Q -- would not be effective in your view?

19 A Uh-huh.

20 Q Correct? So if the vote were to be moved to the end of
21 July, wouldn't it be appropriate to start running the
22 ad at the beginning of July?

23 A Repeat the question.

24 Q If the vote were to be moved until the end of July,
25 wouldn't it be appropriate to start running the ad at

1 the beginning of July?

2 A Maybe.

3 Q Is there any reason the analysis would be different if
4 that one month period were the month of July versus the
5 current one month period of May 10 through June 5?

6 A Sure.

7 Q What's different?

8 A I don't know what could develop related to the timing.

9 Q So you can't think of any reason why it would be
10 different today?

11 A Rephrase the question.

12 Q You can't think of any reason why the analysis about
13 when to run the ad would be different; correct?

14 A I still don't --

15 Q We've put -- we've proposed two periods, right, one is
16 the current period in let's say the month before the
17 scheduled vote in June; correct?

18 A Uh-huh.

19 Q I'm proposing another period, if the vote were to be
20 postponed until the end of July?

21 A Uh-huh.

22 Q And my question is, why wouldn't it be appropriate,
23 just as appropriate for you to start running the
24 Crossroads ad at the beginning of July because that
25 would be about the same distance before the

1 beginning -- before the vote?

2 A Well, it may or may not be appropriate to do that.

3 Q So you have no plans to change the start date for the
4 ad running based on a postponement of the vote if that
5 were to occur?

6 A None. I have no plans to change the date.

7 Q Is it possible that you would change the date?

8 A Yes.

9 Q Okay. Can you think -- strike that. Did anyone at
10 Focus on the Family give you any other information that
11 we haven't discussed about the Crossroads ad from the
12 initial contact until today?

13 A No.

14 Q Did they give you any other information about the
15 timing of the Crossroads ad, the timing that it would
16 be run that we haven't discussed?

17 A No.

18 Q Did they give you any other information about how the
19 ad would be created that we haven't discussed?

20 A No.

21 Q You've mentioned a potential donor to get CCL the funds
22 to run the ad, how did that donor learn about the ad?

23 A I told him about it.

24 Q When were those discussions?

25 A I told him about it this morning.

1 Q Did you discuss it with this potential donor before
2 today?

3 A No.

4 Q Please describe those discussions?

5 A It was over breakfast, and we were discussing the case.
6 And the donor offered to -- made a not a detailed
7 commitment with respect to an amount, but made a
8 commitment to be helpful.

9 Q Did the donor say anything else about being helpful?

10 A I --

11 Q Did the donor say any specific way in which the donor
12 might be helpful in running the ad?

13 A No.

14 Q Did you ask the donor to do anything specifically?

15 A No, I didn't even ask for a donation.

16 Q You didn't mention a specific amount?

17 A We discussed -- we discussed what such a campaign might
18 cost because I don't have -- I haven't -- I don't have
19 detailed information regarding that information. But
20 that was -- that was what we discussed.

21 Q Did you discuss the purpose of running the ad?

22 A Yes.

23 Q What did you tell the donor the purpose of running the
24 ad was?

25 A To influence Senator Snowe and Senator Collins to vote

1 yes for the -- to support the federal marriage
2 amendment.

3 Q Did you mention any other reasons for running the ad?

4 A We discussed this case, and the fact that it's
5 happening and shared with them what this case is about.

6 Q Did you -- what was the donor's reaction to that?

7 A They were interested.

8 Q Interested in what way?

9 A Interested in the case, interested in the grass roots
10 lobbying, interested in the federal marriage amendment,
11 interested in the Christian Civic League.

12 Q So if I understand, you did discuss a specific amount
13 of money that might be needed to run the ad?

14 A No.

15 Q Did you discuss a range of figures?

16 A Yes.

17 Q What was that range of figures?

18 A We've since learned because we have more detailed
19 information that we were inaccurate maybe, but five to
20 \$10,000.

21 Q You've referred to earlier information, where did that
22 information come from?

23 A Focus on the Family research regarding the buy.

24 Q Okay.

25 A Which --

1 Q And how much did that research indicate that the buy
2 would cost?

3 A \$3,500.

4 Q I see. And did the new research come from Focus on the
5 Family also?

6 A Yes.

7 Q And when did that new research come?

8 A I found out about it this morning.

9 Q Okay.

10 A I got that particular detail this morning, of \$3,500.

11 Q Okay. Who was at the -- this meeting this morning with
12 you and the donor?

13 A Counsel.

14 Q Counsel. Anyone else?

15 A No.

16 Q Has this donor ever given money to CCL in the past?

17 A Yes.

18 Q Please describe those donations in terms of time and
19 amount?

20 A I -- they've donated to the League a number of times.
21 And I don't know the exact times or amounts. They're
22 in writing, but I don't have them committed to memory.

23 Q Did it start more than five years ago, their donations?

24 A Yes.

25 Q Okay. Did you and the donor discuss a time frame for

1 determining whether the donor will support the running
2 of the ad?

3 A No.

4 Q Do you plan to be in touch about the ad in the future?

5 A I haven't decided.

6 Q Do you have other potential donors --

7 A Yes.

8 Q -- to support the ad?

9 A Yes.

10 Q How many?

11 A Probably possibilities, 1,500.

12 Q 1,500 donors?

13 A Possibilities, if I decide to direct mail and tell them
14 about the possibility, invite them to donate.

15 Q Would that be direct mail to people on your supporters
16 list that you've described?

17 A Yes.

18 Q Is there any other -- do you have any other donor in
19 mind who would be a large donor similar to the donor
20 you met with today?

21 A Yes.

22 Q And how many -- how many other large donors do you have
23 in mind who might support the ad?

24 A At least a half dozen.

25 Q Have you had any discussions with any of those --

1 A No.

2 Q -- persons? Just a few more on this area. In order to
3 start running the ad on May 10, when would CCL need to
4 have the funding?

5 A The -- a few days before the start date.

6 Q Would that include the funding for recording the ad?

7 A No.

8 Q Is the recording of the ad included within the figure
9 you gave earlier of the range?

10 A No. No, it isn't.

11 Q Do you have an estimate for how much it would cost to
12 record the ad, to create the recording of the ad?

13 A No.

14 Q Did you discuss with your potential donor this morning
15 assisting with that production of the ad cost?

16 A No.

17 Q Have you discussed the funding of the recording and
18 production of the ad with anyone?

19 A No.

20 Q How do you plan to run the ad -- strike that. What
21 plans do you have to have the ad recorded?

22 A At this point, none.

23 Q Do you know when the ad would have to be recorded in
24 order to be run on May 10?

25 A No.

1 Q Who was the donor from this morning?

2 MR. BOPP: I object and instruct the witness
3 not to answer the identity of the donor, potential
4 donor -- well, both a donor and a potential donor in
5 this case.

6 Q (By Mr. Summers) Was the -- is that potential donor
7 from this morning an individual or not an individual?
8 An individual person or -- sorry, strike that. I was
9 caught between two forces. Let me --

10 MR. BOPP: Your mind and her mind.

11 MR. SUMMERS: Let me rephrase that.

12 Q (By Mr. Summers) Would the potential donation that you
13 have described from your meeting, your meeting this
14 morning, be a donation of individual funds or funds
15 from an organization?

16 A I don't know.

17 Q Was the individual you met with this morning
18 representing an organization in that meeting?

19 A No.

20 Q Okay. Have that individual's donations in the past
21 been donations of personal funds or donations of funds
22 from an organization?

23 A I don't know.

24 Q Is an organization's name listed in your records along
25 with the donations that have been given in the past?

1 A I don't know.

2 Q So it may be that only the individual's name is listed
3 in your records of donations from the past by -- from
4 that donor?

5 A It may be.

6 Q Okay. Is that donor -- is that potential donor a
7 resident of Maine?

8 A Yes.

9 Q What are the names of the other I believe you said six
10 potential major donors?

11 MR. BOPP: And we object to identification of
12 any donors and instruct the witness not to answer.

13 Q (By Mr. Summers) Are those other six potential major
14 donors persons who have donated funds to CCL in the
15 past?

16 A Yes.

17 Q And were their donations in the past donations of
18 personal funds or organizational funds?

19 A Both.

20 Q For the donors who gave organizational funds, were they
21 corporate funds?

22 A I don't know.

23 Q Who would know?

24 A They would.

25 Q Anyone else?

1 A I don't know.

2 Q Are you saying no one at CCL knows?

3 A Right.

4 Q Okay. You've mentioned that CCL doesn't have right now
5 the funds to run this ad, has CCL had a shortage of
6 operating funds in 2006?

7 A Yes.

8 Q Has CCL curtailed any of its normal activities in 2006?

9 A Yes.

10 Q Generally speaking, what has it done to curtail
11 activities?

12 A I've been forced to cut the hours of some staff members
13 and make changes in benefit plans.

14 Q Anything else?

15 A No.

16 Q Can you describe in some more detail the shortage of
17 funds in 2006?

18 A Donations are not being made at the level that we
19 anticipated. I do not know the reason.

20 Q Have you made other efforts to make up for the
21 shortfall?

22 A Can you rephrase the question?

23 Q Have you tried to raise more funds to compensate for
24 the lack of funds in 2006?

25 A Yes.

1 Q What have you done to do that?

2 A Notified our supporters in writing of our challenge
3 through both email and written, printed letters.

4 Q And when did you do that?

5 A A couple of months ago. Ongoing.

6 Q Do you think running the Crossroads ad on the radio
7 will affect the election of Senator Snowe, primary
8 election?

9 A No. She doesn't have an opponent that I know of.

10 Q Do you think it might affect her election in a way
11 other than the ultimate outcome?

12 A I have no idea. I don't know.

13 Q Is it a concern of yours that it might affect the
14 election in some way other than the ultimate outcome?

15 A Rephrase the question.

16 Q Do you have a view about whether it will affect the
17 election of Senator Snowe in some way other than what
18 if she loses?

19 A No.

20 Q All right. Do you have any current plans to run ads on
21 radio or TV about the federal marriage amendment other
22 than the Crossroads ad?

23 A No.

24 Q Do you have any plans to run ads on radio or TV about
25 anything other than the Crossroads ad?

1 A No.

2 Q Do you have any plans to communicate about the federal
3 marriage amendment through nonbroadcast media during
4 the same period that you plan to run the Crossroads ad?

5 A Maybe. Strike that. Yes. We will write about it in
6 our house organs, the email and the print newspaper.

7 Q The Record newspaper?

8 A The Record newspaper, yes.

9 Q Will you communicate in any other way about it during
10 that period?

11 A We will do interviews with reporters.

12 Q Do you have plans to place any print ads about the
13 issue during that period?

14 A No.

15 Q Do you have plans to send communications to your
16 supporters about it during that period?

17 A Yes.

18 Q Please describe those plans?

19 A The email and the monthly Record which goes to our
20 supporters.

21 Q Okay. Can you think of any other plans to communicate
22 about the marriage amendment during that period other
23 than what you've discussed?

24 A No.

25 Q All right. Do you have plans to communicate about the

1 issue through nonbroadcast media after the period you
2 plan to run the Crossroads ad?

3 A No.

4 Q No plans?

5 A Oh, you said nonbroadcast?

6 Q Right, nonbroadcast?

7 A Yes.

8 Q Please describe those plans?

9 A Information for our supporters following the progress
10 of the federal marriage amendment.

11 Q And would it be the same types of media that you just
12 described?

13 A Yes.

14 Q Other than broadcast?

15 A Yes.

16 Q Has CCL run any ads in the past in any media that have
17 identified a federal candidate other than the ones
18 we've discussed today?

19 A Repeat the first part of the question.

20 Q Has CCL run any ads in the past in any media that have
21 identified a federal candidate other than what we've
22 discussed today?

23 A I don't know.

24 Q Well, maybe it will help to break it down by media.

25 Has CCL in the past ever run any radio or TV ads that

1 have identified a federal candidate?

2 A I don't know. I don't know.

3 Q Has it ever placed a print ad that has identified a
4 federal candidate before now?

5 A Well, we have already seen one.

6 Q Anything else beside the one we've seen?

7 A Not that I recall.

8 MS. SEALANDER: Let's go off the record.

9 (Discussion had off the record, after which the
10 following proceedings transpired.)

11 MR. BOPP: Back on the record. That is not
12 proper for you to challenge the witness on the record
13 or off the record. So we're back on the record, let's
14 just -- and Harry is the deponent -- or he's doing the
15 deposition.

16 MS. SEALANDER: Jim, we're getting an awful
17 lot of I don't know to questions that were outlined in
18 30(b)(6), and you designated this man. He's been
19 designated as the person to answer.

20 MR. BOPP: There isn't corporate records that
21 go back to 1886.

22 MS. SEALANDER: This morning he had no
23 trouble saying during my tenure, the answer is such and
24 such, that's a reasonable qualifier to put on. What's
25 happening right now is we're getting a whole bunch of I

1 don't knows because I think he's interpreting the
2 question in a way that Harry doesn't intend it, and
3 we're not going to get through this any time --

4 MR. BOPP: Then Harry is to ask the question.
5 And when -- and it's a perfectly appropriate answer for
6 him to say that he doesn't know. And there are no
7 records that would ever indicate that since 1886, they
8 have run radio ads. So that is a perfectly appropriate
9 answer.

10 And you are not to challenge this witness on -- go
11 off the record and raise your voice and challenge this
12 witness. That's improper. Honestly. So we're back on
13 the record --

14 MS. SEALANDER: I wanted to make sure that he
15 was testifying truthfully because I know --

16 MR. BOPP: He is testifying truthfully.

17 MS. SEALANDER: I know he's trying to, and I
18 wanted to make sure that we -- that he was
19 understanding the questions that Harry was asking and
20 that everybody was understanding everybody because it
21 sounded to me as if we were getting awfully
22 inconsistent answers. So that is why I raised this
23 point.

24 MR. BOPP: Okay. Colleen --

25 MS. SEALANDER: I have no problem doing it on

1 the record.

2 MR. BOPP: Colleen, that is simply improper
3 for you to challenge the witness on whether or not he
4 is answering truthfully or not. So let's resume.

5 Q (By Mr. Summers) Let me direct your attention to
6 what's been marked as Exhibit 7, which is the
7 complaint, if you have a copy. Do you see it? I think
8 it's that one.

9 A Yes.

10 Q And Paragraph 16. Please review Paragraph 16 just
11 briefly.

12 MR. BOPP: By the way, in light of that
13 colloquy, let me make clear that the time period of
14 this deposition is since January 1, 2004. It is not
15 for the history of the world.

16 And that all questions -- I object to any question
17 that is directed at time period prior to January 1,
18 2004, because it's not part of the notice for the
19 period of time in which he is to be prepared to answer
20 questions.

21 If we can make that a continuing objection, then I
22 won't object to whenever he says, has CCL ever run a
23 radio ad. Can we stipulate to that, or do you want me
24 to object?

25 MS. SEALANDER: I think that's an excellent

1 example about why I -- I just wanted to make sure that
2 the witness understood the questions that I thought
3 Harry was asking and was understanding them in the way
4 that Harry meant them.

5 MR. BOPP: Do we agree to the time period,
6 January 1, 2004, or do I have to object?

7 MR. SUMMERS: You're asking do we agree that
8 you can have a standing objection?

9 MS. SEALANDER: I think you're right the
10 deposition notice specifies 2004. Nobody has any
11 problem with that. There are occasions when
12 understand -- the answers to questions regarding the
13 time period from then forward is helpful to go back a
14 few years. I don't think that in the course of this
15 deposition, Harry has pushed that envelope too much.

16 If I -- I think you should -- I mean, I think he
17 can endeavor to continue to try, to the extent that you
18 think that he's not done that, he can try harder.

19 I think you ought to say something if you have a
20 problem, say something about it, but I think there's
21 times when going beyond before 2004 is entirely
22 appropriate in a contextual manner. I think you would
23 think so if you were sitting in Harry's chair, too.

24 MR. SUMMERS: In general, I'm not, or maybe
25 never, I'm not talking about 1900, I'm talking about

1 during the witness's tenure at CCL. Obviously, if you
2 have --

3 THE WITNESS: That was not clear to me. And
4 that's why I said I don't know because what I heard you
5 asking was has the CCL Maine ever, that's what I heard.
6 And so in my mind, I was thinking I don't know.

7 Q (By Mr. Summers) I understand. But would your answer
8 change if it had been specified during your tenure,
9 because --

10 A Yes.

11 Q It would?

12 A Yes.

13 MS. SEALANDER: Perhaps we ought to go back
14 and do some questions, I wouldn't want to go back to
15 the beginning.

16 Q (By Mr. Summers) I would interpret ever to include
17 your tenure plus more. So if you didn't recall
18 anything ever, that would mean you didn't recall
19 anything during your tenure because your tenure is a
20 small --

21 MR. BOPP: We're not going to argue about
22 these questions. Let's just go back in the proper
23 order here and with that clarification.

24 Q (By Mr. Summers) Okay. During your tenure at CCL, has
25 CCL run any radio or TV ads that identified federal

1 candidates?

2 A None that I recall in addition to the print
3 advertisement that has already been discussed.

4 Q And that's my next question is whether CCL during your
5 tenure has run any other print advertisements
6 identifying federal candidates?

7 A None that I recall.

8 Q Okay. Now directing your attention to what's been
9 marked as Exhibit 7, a complaint, Paragraph 16. Have
10 you had a chance to look at Paragraph 16?

11 A Yes.

12 Q Paragraph 16 says that CCL plans to run materially
13 similar ads after mid June on a range of other issues;
14 correct?

15 A Uh-huh. Uh-huh.

16 Q Is that a correct statement of CCL's plans today?

17 A Yes.

18 Q Can you describe those plans?

19 A No.

20 Q Why not?

21 A Because it's not beyond a simple plan or intention to
22 do that.

23 Q Does -- is Paragraph 16 a complete statement of CCL's
24 current plans to do that, in other words, is there
25 anything more than what's in Paragraph 16?

1 A Can you rephrase the question?

2 Q Is there any specific issue you can tell me that CCL
3 plans to run a radio or TV ad on in the future other
4 than the Crossroads ad?

5 A No. We have no other script written. We have no other
6 issues selected for future campaigns.

7 Q Does CCL have plans to run such ads in any other media
8 other than radio or TV in the future?

9 A Such as?

10 Q Such as what media?

11 A Yes.

12 Q Newspapers?

13 A No.

14 Q Okay. CCL has spoken publicly about Senator Snowe in
15 the past; correct?

16 A Yes.

17 Q Please describe generally what CCL has discussed about
18 Senator Snowe?

19 A We've been critical of the senator's position on
20 marriage. We've been critical of the senator's
21 position on partial birth abortion. That's all that I
22 can recall.

23 Q I'm talking about during your tenure of course?

24 A Right.

25 Q You can't recall any other issues that you've discussed

1 Senator Snowe?

2 A I can't.

3 Q You can't. During your tenure, has CCL ever expressed
4 a view about Senator Snowe's candidacy for any office?

5 A No.

6 Q Okay.

7 MR. SUMMERS: I'm going to mark another
8 document.

9 (Heath Deposition Exhibit Number 8 was marked for
10 identification.)

11 Q (By Mr. Summers) I'll show you what's been marked as
12 Exhibit 8, a document headed The Record, and dated
13 February 23, 2005. Do you recognize this document?

14 A I do.

15 Q What is it?

16 A It's an article that appeared in our -- on our web
17 site. And I think it's still there.

18 Q Did it appear on or about the date that's listed,
19 February 23, 2005?

20 A Uh-huh.

21 Q I'd like to direct you to the -- really the first
22 paragraph which is the introductory material on the
23 first page. And if you would, I'd like to ask you to
24 read aloud the last three sentences of that paragraph,
25 the sentence starting Representative Duprey is?

1 A Representative Duprey is the courageous third term
2 legislator who is the State House's most faithful
3 defender of traditional marriage. Here, Representative
4 Duprey announces for the first time that he is willing
5 to run against Senator Olympia Snowe in next year's
6 Republican primary. The Record is proud to be the
7 first publication in Maine to provide you with this
8 information.

9 Q This basically says CCL's proud to tell the public that
10 Representative Duprey was quote, willing, unquote, to
11 run against Senator Snowe in the 2006 Republican
12 primary; right?

13 A Uh-huh.

14 Q Okay. So I take it from this that CCL would rather see
15 a Republican senate candidate whose positions were
16 closer to its own than Senator Snowe's are; is that
17 correct?

18 A Yes.

19 Q Has CCL spoken publicly on any other occasions about
20 potential primary challengers to Senator Snowe, other
21 than this?

22 A Not that I recall.

23 Q CCL has no federal separate segregated fund or PAC;
24 correct?

25 A Yes.

1 Q And CCL has currently two Maine state political action
2 committees; correct?

3 A Technically, one, depending on how you define that
4 because we register two PACs with the Ethics
5 Commission, but they're incorporated under one
6 incorporation.

7 Q And what are the names of those for the record?

8 A Christian Action League and Coalition for Marriage.

9 Q And you say they're incorporated as one, can you
10 explain what that means?

11 A Well, the way my lawyer explained it is that Coalition
12 for Marriage is a d/b/a for the Christian Action
13 League.

14 Q And why is there a separate registered PAC entity?

15 A To comply with state ethics rules regarding a petition
16 drive that we ran last year.

17 Q And so I take it CFM was created in order to pursue
18 that project?

19 A Correct. Yes.

20 Q All right. What's involved in setting up and running a
21 state PAC in Maine?

22 A Registration with the State Ethics Commission which
23 includes the filing of a form, which requires certain
24 information, all of which I can't -- I would have to
25 see the form to familiarize myself with the detail that

1 they request.

2 And then the filing of reports on a regular basis
3 with the Ethics Commission indicating what the PAC's
4 activities have been, expenditures and income.

5 Q Are there requirements about maintaining records?

6 A I'm not sure. I know that there's a requirement about
7 presenting information. I do not know about
8 requirements regarding the maintenance of records.

9 Q And by presenting information, you mean reporting the
10 financial information to the state?

11 A Yes.

12 Q And is that information about contributions received
13 and expenditures made?

14 A Yes.

15 Q Any other information?

16 A No.

17 Q Is there anything else that from your perspective is
18 involved in running these PACs?

19 A Can you rephrase the question?

20 Q I'm looking for your sense of what work is required to
21 run and maintain the state PACs, what does CCL have to
22 do?

23 A A lot in the case of the Coalition for Marriage.

24 Q How so?

25 A People's veto drive.

1 Q Right.

2 A Well, I mean, the PAC is the entity that does the work,
3 so let me rephrase my answer. The PAC does -- did the
4 work on the petition drive last year, the Coalition for
5 Marriage work. The Christian Civic League of Maine did
6 not do that work.

7 Q Okay. And in general, what work was that that was done
8 that CFM did?

9 A It was the gathering of signatures, the fund raising
10 related to supporting the field team that made that
11 happen. The coordination of 2,000 volunteers --

12 Q Okay.

13 A -- statewide. All of the operational matters related
14 to fielding and leading and managing such a campaign.

15 Q Okay. In running -- in running the PACs, one thing you
16 have to do is to disclose the identities of your
17 donors; correct?

18 A Yes.

19 Q And you've done that at least in the case of CFM;
20 correct?

21 A Yes.

22 Q Have you also done that with CAL?

23 A Yes.

24 Q All right. And those disclosures are public records in
25 Maine; correct?

1 A Yes.

2 Q Have you or any of your donors ever faced any kind of
3 harassment as a result of those disclosures to the
4 state?

5 A I don't know.

6 Q You're not aware of any harassment that you or the
7 donors have faced as a result of those disclosures?

8 A I cannot prove that harassment or vandalism has taken
9 place as a result of those disclosures. However,
10 harassment and destruction of property has taken
11 place --

12 Q Has taken place?

13 A -- at times related to our work on these issues.

14 Q Okay. Is CAL a corporation?

15 A Yes.

16 Q It's a Maine corporation?

17 A Yes.

18 Q And CFM is not a separate --

19 A I'm sorry, you said CAL?

20 Q Yes.

21 A I was thinking -- yes, CAL, Christian Action League,
22 yes.

23 Q Yes. It's a corporation?

24 A Yes.

25 Q And it's distinct from CCL?

1 A Yes.

2 Q Is CAL a Maine corporation?

3 A Yes.

4 Q Is it tax exempt?

5 A I don't know.

6 Q Do you know what kind of corporation is it?

7 A I don't know.

8 Q Okay. When was it founded?

9 A I'm not sure of the exact year, but I believe just a
10 few years ago. Since 2000.

11 Q All right.

12 MR. SUMMERS: I'm going to mark an exhibit.
13 (Heath Deposition Exhibit Number 9 was marked for
14 identification.)

15 Q (By Mr. Summers) I'll show you what's been marked as
16 Exhibit 9, which says that it's a registration for
17 political action committees for Christian Action
18 League, do you recognize this?

19 A Yes. I recognize the form.

20 Q And what is it?

21 A It's the registration for the Christian Action League
22 with the Ethics Commission of the state of Maine.

23 Q Directing your attention to the second page, Section 5,
24 Part B, it lists a date of origin/incorporation of
25 April, 1999. Is that correct for the beginning of CAL

1 as far as you know?

2 A Yes.

3 Q Okay. You were executive director at the time CAL was
4 set up; correct?

5 A Yes.

6 Q Why did CCL decide to set up CAL?

7 A To get involved with in a -- politics, potentially
8 endorsements or direct opposition of candidates during
9 elections.

10 Q So the statement in Section 6 of this document, which
11 is entitled statement of support or opposition, is that
12 a correct statement of the purpose of CAL?

13 A It's incomplete, should be amended.

14 Q What else does CAL do?

15 A Well, right now, it is -- it is not doing much, but we
16 are discussing supporting or opposing candidates for
17 state.

18 Q State candidates, also --

19 A Legislature.

20 Q -- federal candidates?

21 A No.

22 Q There's no plan to endorse or oppose federal candidates
23 by CAL?

24 A No.

25 Q Do you direct CAL's activities?

1 A Yes.

2 Q What have CAL's activities been between 1999 and today
3 generally speaking?

4 A The most activity came last year -- strike that. The
5 Christian Action League was very active in 2000 on a
6 state matter related to gay rights. And then again in
7 2004 on a state matter involving the same issue.

8 In 2004, the Christian Action League was involved
9 through its d/b/a, the Coalition for Marriage. Same
10 corporation both times, same issue both times.

11 Q Okay.

12 A D/b/a in 2004.

13 Q Is there anything else that CAL has done since 1999
14 other than what you've described?

15 A No.

16 MR. SUMMERS: I want to mark another exhibit.
17 (Heath Deposition Exhibit Number 10 was marked for
18 identification.)

19 Q (By Mr. Summers) I'll show you what's been marked as
20 Exhibit 10, which is the responses of CCL to the FEC's
21 interrogatories served earlier this week, and I direct
22 your attention to the second page, Interrogatory 1, the
23 answer at the bottom.

24 I take it -- let me ask, is this a correct
25 statement of the activities of CCL -- CAL?

1 A Yes.

2 Q Did CAL do anything prior to 2004?

3 A Did CAL?

4 Q Yes.

5 A In 2000 --

6 Q Prior, between 1999 and the end of 2003?

7 A Yeah. We worked in 2000 on a state ballot issue
8 related to gay rights through the PAC.

9 Q Briefly, what was that issue?

10 A The legislature put gay rights on the ballot, and we
11 led the opposition.

12 Q Has CCL -- PAC -- strike that. Has CAL done anything
13 other than what you've described?

14 A Not that I recall.

15 Q Has it ever supported or opposed candidates from 1999
16 until today?

17 A No.

18 MR. BOPP: By the way, now that we're on the
19 interrogatories, I want to advise you all that with
20 respect to Interrogatory Number 9, which has an Exhibit
21 B attached, that Exhibit B is attached in error.
22 Exhibit B is not responsive to Interrogatory Number 9.
23 And that was a mistake made in our office.

24 MR. SUMMERS: Okay. While we're on that,
25 there's no other answer listed for Interrogatory 9, so

1 obviously we're interested in an answer of
2 Interrogatory 9.

3 MR. BOPP: There's the guy that can answer it
4 right here.

5 MR. SUMMERS: We'd still like an answer to
6 the interrogatory itself.

7 MR. BOPP: But given the expedition, I
8 thought rather than amend, you know, the interrogatory
9 answers, I would tell you right now, and you can ask
10 whatever you want to ask.

11 MR. SUMMERS: We will get to that.

12 Q (By Mr. Summers) Generally speaking, how has CAL
13 communicated with the public?

14 A Can you be more specific?

15 Q What media has CAL used to --

16 A The internet, in the form of a web site. Email. I'm
17 assuming in answering your question since you mentioned
18 CAL and since CFM is a d/b/a, you're referring to both?

19 Q We'll actually get to CFM in a minute.

20 A You're referring only to CAL?

21 Q Yes, just CAL?

22 A Ask the question again.

23 Q What methods has CAL used to communicate with the
24 public?

25 A I can't think of any except -- except for 2000, when

1 we -- when we were engaged in leading the opposition to
2 that particular ballot initiative. In that case, we
3 employed internet, print media. Since I wasn't charged
4 with preparing for 2000 in the --

5 Q I understand.

6 A I don't remember the specific ways that the CAL
7 communicated.

8 Q CAL has a presence on the web site of CCL; correct?

9 A Limited, I believe. It's mentioned, I'm sure.

10 Q Can you think of any other ways that CAL has
11 communicated?

12 A No.

13 Q It hasn't sent its own emails except for --

14 A No.

15 Q It hasn't placed -- has it placed ads in newspapers?

16 A No.

17 Q Has it run broadcast ads during your tenure?

18 A It may have in 2000 related to that specific ballot
19 measure.

20 Q All right. Let's talk about CFM.

21 MR. SUMMERS: Let me mark another exhibit,
22 actually.

23 (Heath Deposition Exhibit Number 11 was marked for
24 identification.)

25 Q (By Mr. Summers) Show you what's been marked as

1 Exhibit 11, do you recognize -- I should say, it's a
2 registration for a political action committees for
3 Coalition for Marriage, dated February 27, 2006, as
4 received by the Commission on Governmental and Election
5 Practices. Do you recognize this document?

6 A Uh-huh. Yes.

7 Q What is this?

8 A It's a registration for a political action committee
9 with the Commission on Governmental Ethics and Election
10 Practices.

11 Q And this is for the Coalition for Marriage that we've
12 discussed; correct?

13 A Yes.

14 Q Do you direct CFM's activities?

15 A Yes.

16 Q What have those activities been?

17 A The Coalition for Marriage was formed in the spring of
18 2005 in response to the decision of our legislature to
19 add sexual orientation to the Human Rights Act. And
20 the Coalition for Marriage led a people's veto of that
21 law, which -- the result of which was an election in
22 November of 2005, and that we lost -- that we lost.

23 Q You say an election, do you mean a measure that was on
24 the ballot for people to vote on?

25 A Yes.

1 Q Okay. I take it CFM communicated with the public quite
2 a bit during 2005?

3 A Yes.

4 Q Did it have a web site?

5 A Yes.

6 Q Was that www.coalitionformarriage.net?

7 A Yes.

8 Q Did CFM send emails during 2005 about the ballot
9 measure and the petition drive?

10 A Yes.

11 Q Was the internet an important method of building
12 support for that campaign in 2005?

13 A Yes.

14 Q Did CFM run radio and TV ads during 2005 for that
15 campaign?

16 A Yes.

17 Q Okay.

18 MR. SUMMERS: I'll mark another exhibit.

19 (Heath Deposition Exhibit Number 12 was marked for
20 identification.)

21 Q (By Mr. Summers) I'll show you what's been marked as
22 Exhibit 12, which is a reprint of an article from the
23 Morning Sentinel dated April 27, 2005, with the
24 headline, Civic League Head Expects Large Turnout for
25 Anti Gay Rights Rally.

1 Please look at the second page at the top, the
2 first paragraph?

3 A Uh-huh.

4 Q Is that paragraph a correct statement of some of --
5 well, strike that. That paragraph says that CCL was
6 running radio ads; correct?

7 A Uh-huh.

8 Q Were those -- were those ads actually being run by CFM
9 in April, 2005?

10 A I think they were.

11 Q It's correct that those radio ads were being run?

12 A I believe -- I believe they were.

13 Q Can you describe those ads?

14 A A lobsterman named Dan Riley recorded a spot, and they
15 were aired as -- I believe the story is accurate with
16 regard to the number of times they were aired, seven to
17 800 times.

18 And they -- I don't recall the script, exactly
19 what the -- what it asked for. I remember the general
20 subject matter being as described here.

21 Q Did it name -- did the script name any candidates?

22 A No.

23 Q And you ran TV ads as well; correct?

24 A Later, I believe.

25 Q Do you know when those ran?

1 A In the fall of 2005.

2 Q Just prior to the November ballot vote?

3 A Yes.

4 Q What did those ads say?

5 A They were an appeal to the public to vote yes on that
6 ballot measure.

7 Q Did those ads name any candidates?

8 A No. No.

9 Q What other ways has CFM communicated with the public
10 other than what we've discussed?

11 A None that I can think of.

12 Q Has CFM placed any newspaper ads?

13 A Yes.

14 Q Can you describe those?

15 A We ran many large ads at about the same time this radio
16 advertising campaign was running in the spring of 2005
17 mentioning the rally and encouraging people to commit
18 to gather signatures for the petition drive.

19 Q Can you think of any other -- anything else about the
20 newspaper ads that you ran, what -- sorry. Strike
21 that. What newspapers did they run in?

22 A I don't know all the papers they ran in, but I know
23 they ran in the Portland Press Herald, the Kennebec
24 Journal, I think in the Bangor Daily News. And they
25 may have run in the Waterville Sentinel also.

1 Q Did --

2 A No, go ahead.

3 Q Did you speak often with the press about the ballot
4 initiative?

5 A Yes.

6 Q And were your comments published in the press?

7 A Yes.

8 Q And did you speak with the broadcast media about the
9 ballot issue?

10 A Yes.

11 Q And were those comments broadcast?

12 A Yes.

13 Q Did that include the national media?

14 A Yes.

15 Q The CFM web site even today contains a number of
16 documents that appear to be newspaper ads?

17 A Uh-huh.

18 Q Were those in fact newspaper ads?

19 A Yes.

20 Q That were -- and those were placed in the newspapers as
21 you've described?

22 A Yes. I was describing a different set of -- a
23 different print advertising campaign that ran in the
24 spring. The ads that you're referencing were developed
25 for the fall campaign. And those were placed on the

1 web site as pdf -- as downloadable files that people
2 were encouraged to place in their own local weekly and
3 daily newspapers. I have no way of knowing how many of
4 those were run, could have been none, could have
5 been -- I have no way of knowing.

6 Q What other methods did -- strike that. You mentioned a
7 rally?

8 A Uh-huh.

9 Q Can you describe the rallies that CFM put together for
10 this effort in 2005?

11 A We organized a rally for the State House steps in I
12 think it was -- it's mentioned there, March, I guess,
13 that attracted over 500 people and addressed the recent
14 passage of the gay rights law and responded to that by
15 encouraging citizens to sign up to become petition
16 circulators. And 2,000 of them did that.

17 Q What other rallies did you hold as part of the CFM
18 effort in 2005?

19 A Well, rallies.

20 Q Or any public gathering of that nature?

21 A None.

22 Q What methods did CFM use to persuade people to come to
23 the rally?

24 A The full page ads. The radio advertisements mentioned
25 the rally, I think. Email mention on the web site.

1 Direct mail. Phoning, but not phone banking, just
2 informal grass roots voluntary phoning.

3 Q Was that by the woman you mentioned earlier or --

4 A No.

5 Q Who was -- please describe the phoning?

6 A We worked with a group called the Maine Grass Roots
7 Coalition, and they did phoning. And they made direct
8 contact, personal appeals to people.

9 Q Was it a shared effort between CFM and Maine Grass
10 Roots Coalition to do that phoning?

11 A They did most of the work. We provided funding to them
12 to do that and to coordinate and organize the signature
13 gathering.

14 Q And you mentioned direct mail, can you describe what
15 you did in direct mail with CFM?

16 A There were a number of mailings that went out to donors
17 and potential donors inviting them to participate. I
18 cannot remember -- I cannot remember any of them
19 specifically.

20 We had a group of people numbering around 20 to 30
21 who were in my orbit, and beyond them, there were many
22 more as you can imagine with 2,000 people active. And
23 there was a number of -- there was mailing and phoning
24 and solicitation ongoing at a number of levels in a
25 number of different ways.

1 Q Are there any other ways in which CFM communicated its
2 views on the ballot initiative in 2005?

3 A None that I can think of.

4 Q CFM reported the contributions it received in 2005 to
5 the state of Maine; correct?

6 A Uh-huh.

7 Q And I take it those reports are accurate as far as you
8 know?

9 A Yes.

10 Q Did CFM receive any money from business corporations in
11 2005?

12 A I don't know.

13 Q Okay.

14 MR. SUMMERS: This might be a good place for
15 a break. Does that sound good?

16 (Recess at 2:56 p.m., to 3:06 p.m., after which the
17 following proceedings transpired.)

18 Q (By Mr. Summers) Mr. Heath, has CCL considered during
19 your tenure setting up a federal PAC?

20 A No.

21 Q Why not?

22 A We're -- I'm taking it slow.

23 Q Can you explain?

24 A Getting involved with candidate politics in the form of
25 express endorsements or in the form of endorsements or

1 direct opposition is -- has appeared to me to be
2 complicated, not just with respect to regulations, but
3 with respect to the theological perspectives of our
4 supporters. So I'm taking my time.

5 Q Do you have concerns about the -- those issues with the
6 state PACs that you have?

7 A Yes. Some -- some of the same issues on the
8 theological side, yes. But with respect to regulations
9 and rules and funding on the federal side with federal
10 candidates and PACs and activity, I don't have enough
11 information yet.

12 Q Have you talked about possibly setting up a federal PAC
13 during your tenure with anyone else?

14 A No.

15 Q What are the sources of CCL's funding?

16 A CCL. Churches and individual contributors.

17 Q Anything else?

18 A The -- we just started accepting advertising for our
19 print Record so we do have advertising income now.

20 Q Is that -- strike that. The complaint in this case
21 that you verified says that CCL does not qualify for
22 the exception for qualified nonprofit corporations
23 under the federal law. Do you recall verifying that as
24 a factual --

25 MR. BOPP: That is not a fact. That is a

1 legal -- I object to the question.

2 MR. SUMMERS: We'll bring him to the
3 complaint then.

4 Q (By Mr. Summers) I'll ask you to take a look at the
5 complaint which is Exhibit 7, and please turn to
6 Paragraph 22?

7 A Okay.

8 Q Okay. Please read Paragraph 22. I'm asking for the
9 factual basis for the statements in Paragraph 22 as to
10 why CCL does not qualify for the exception for
11 qualified nonprofit corporations?

12 MR. BOPP: Well, I'd object because that
13 would be based upon the legal requirements. So he
14 cannot be expected to know the legal requirements that,
15 you know, are encompassed within that determination.

16 Q (By Mr. Summers) Let me direct you to the
17 interrogatory responses, which are Exhibit 10. Exhibit
18 10 which are the interrogatory responses CCL served
19 earlier this week, and Interrogatory 4, response is on
20 Page 5. Okay. The first full paragraph on Page 5, do
21 you see that?

22 A Uh-huh.

23 Q Is it correct that CCL has offered books and materials
24 in exchange for a suggested donation?

25 A Yes.

1 Q Please describe how that -- how that works?

2 A Well, we were in receipt of over 400 books entitled How
3 Now Shall We Live some years ago, I don't know if it's
4 been since 2004, but it may have been. And --

5 Q Who wrote that?

6 A Charles Colson.

7 Q Go on.

8 A And those books -- I'm hesitating because that
9 particular campaign may have been a Christian Education
10 League activity, CEL, instead of CCLM. The CCLM has a
11 literature table when I speak, and we provide books to
12 people who sign up to become members or supporters, we
13 provide them for the donation or for the -- for their
14 first donation or their dues, whatever, depends. It
15 may be dues or it may be just a donation for support,
16 and we would provide books.

17 Q So does CCL or possibly the Education League say if you
18 make a donation of a certain amount, we will give you a
19 copy of this book or this material?

20 A Yes.

21 Q Is there any other -- any other materials that are
22 offered in exchange for donations by CCL?

23 A Occasionally.

24 Q What are those?

25 A We're working on a project now that would involve a DVD

1 for -- we will probably make those available not for
2 donation, but for sale. People would give us a certain
3 amount, and we would provide the product.

4 Q When you -- what you've described, offering the books
5 and other materials at your meetings, is that a CCL
6 activity?

7 A Yes.

8 Q And so what CEL activity might involve this kind of
9 transaction?

10 A I mentioned one, that book project that we provided to
11 churches.

12 Q All right. Anything else?

13 A Nothing that I can think of.

14 Q All right. Now coming back to CCL activities, other
15 than the books and materials offered in exchange for
16 the suggested donations at the meetings, are there any
17 other ways in which CCL provides books and materials to
18 supporters that generates income to or that generates
19 funds for CCL?

20 A No.

21 Q In the same paragraph on Page 5 of the interrogatory
22 responses, there's a reference to events such as
23 banquets which are likewise providing goods and
24 services or are advertising or promotional activity.

25 Can you describe -- is that any different from

1 what we just talked about, or is that the same thing by
2 CCL?

3 A The banquets are different from my speaking
4 engagements. We hold an annual banquet, and we invite
5 people to sponsor tables. Occasionally we will provide
6 a book or CD or some goods related to their
7 contribution.

8 Q Is that sentence describing anything other than that?

9 A No.

10 Q At the end of the paragraph, there's a reference to
11 advertising revenue from The Record; correct?

12 A Yes.

13 Q Is that the revenue that you mentioned earlier that you
14 had just recently started to --

15 A Yes.

16 Q -- create? When did The Record begin receiving
17 advertising revenue?

18 A Three months ago.

19 Q Before that period, before 2006, had The Record ever
20 received such advertising revenue?

21 A Yes.

22 Q Please describe that during your tenure?

23 A None during my tenure.

24 Q So during your tenure, The Record has not received?
25 Have you -- has CCL during your tenure received any

1 other advertising revenue aside from what The Record
2 decided to do three months ago?

3 A No.

4 MR. SUMMERS: I'm going to mark another
5 exhibit.

6 (Heath Deposition Exhibit Number 13 was marked for
7 identification.)

8 Q (By Mr. Summers) Please review what's been marked as
9 Exhibit 13 which is a series of invoices produced by
10 CCL to the Commission earlier this week with dates
11 ranging from late January, 2006, to March, 2006?

12 A Uh-huh.

13 Q Do you recognize these?

14 A Yes.

15 Q Are those invoices for The Record's advertising?

16 A Uh-huh.

17 Q And this is the advertising that you just discussed?

18 A Uh-huh.

19 Q Correct? Can you tell me which of these invoices
20 reflect money from business corporations?

21 A I don't know which are business corporations and which
22 aren't.

23 Q I take it that zero invoices do not generate any income
24 for CCL?

25 A Zero invoices may or may not be related to donations.

1 Q So please explain what that means?

2 A Some ads that have zero invoices are thank yous that we
3 just might give to a potential -- an advertiser, a
4 church, an individual or a business. Some are zeros
5 that are part -- that are part of an advertising series
6 where we don't invoice this month, but we're going to
7 invoice next month or the month after because they've
8 made a commitment over a period of months.

9 Q So the thank yous you've described to an individual,
10 what would that look like as far as the ad text?

11 A Whatever they want it to look like.

12 Q Can you give me an example of what people typically --

13 A Look through here.

14 Q -- create?

15 A Well, there's one ad here which is listed as a zero,
16 it's invoice number 171, which would be invoice number
17 171, top right, which has a zero value. The newspaper
18 ad itself has a retail value of \$56, but we didn't
19 charge anything as a thank you to this particular
20 individual for donation.

21 Q And what did that ad text actually say?

22 A Well, this individual chose to advertise a particular
23 ministry of which he was fond -- that he was fond of.
24 And so we put an ad in for him advertising that
25 particular -- it happened to be a retreat center.

1 Q Is it really whatever the donor would like to put in
2 there?

3 A As long as it's consistent with our mission values.

4 Q Do donors sometimes create ads that thanks CCL for its
5 work?

6 A Well, not yet, but I hope so.

7 Q Do donors sometimes create ads that are in the nature
8 of tributes to people they admire?

9 A That's another good idea.

10 Q Can you describe any other -- any other -- please
11 describe other types of things that people put in their
12 ads?

13 A Well, one -- this top one here, he advertises his car
14 dealership.

15 Q What does that ad say?

16 A Buy a car from me, his company, full page, basically.
17 I mean that's not exactly what it says, but that's what
18 it -- that's what it tries to get people to do.

19 Q Is it possible that none of the -- that none of these
20 ads are for business corporations?

21 A Is it possible, yes. Is it likely, no, because this
22 particular ad for the car company, I'm not a lawyer, so
23 when you say business corporation, I can't -- I don't
24 know whether he has a business corporation. I know
25 it's a business. But I don't know what his corporate

1 status is or anything like that.

2 Q I mean a for profit corporation?

3 A I would assume, but it's an assumption on my part, that
4 this particular ad for the Linnehan family business is
5 such an ad, but it's an assumption on my part because
6 we don't keep track of that.

7 Q Does The Record have any policy about offering the
8 courtesy advertisements?

9 A Can you elaborate on the question?

10 Q Who is entitled to a courtesy advertisement?

11 A We developed some broad guidelines, but I have
12 authorized my advertising director to use her
13 discretion in those decisions.

14 Q How much revenue has advertising in The Record created
15 for CCL in 2006?

16 A It would be an estimate, but pretty close, I would say,
17 not in excess of \$3,000.

18 Q How much of that came from individual human beings?

19 A Probably at least two-thirds of it, I'm guessing. But
20 I don't know because I'd have to review the -- all the
21 ads and the income that came in from those ads.

22 Q Did some of it come from churches?

23 A Yes.

24 Q How much came from churches?

25 A I don't know. I don't know.

1 Q Did some come from other nonprofit groups that are not
2 churches like CCL itself?

3 A Not that I -- not that I recall.

4 Q Does CCL do anything else other than what we've
5 discussed that you regard as business activity?

6 A No.

7 Q Okay. I'd like to direct your attention back to the
8 interrogatory responses, which I believe were marked as
9 Exhibit 10. And that same Page 5, now the last
10 paragraph on Page 5, a statement about halfway down in
11 that paragraph, the sentence beginning, however, 11
12 CFR, and the statement, the second half of that
13 sentence which states, CCL may have received
14 contributions from nonprofit corporations who may have
15 received contributions from business corporations.

16 Do you see that?

17 A Yes.

18 Q Can you please explain the factual basis for that?

19 A Well, we don't keep track of the corporate status of
20 donors. So it's accurate for us to say we may have
21 received contributions. We receive somewhere between
22 10 and 20,000 contributions a year.

23 And so we may have received contributions for
24 business corporations, may have received -- so that's
25 the factual basis.

1 Q Can you think of any examples of a donation from a
2 nonprofit that you suspect may have received money from
3 a business corporation?

4 A There's -- in the Exhibit B, which has been mentioned
5 as not responsive to interrogatory whatever, I don't
6 remember the question, there's the International Reform
7 Federation is listed there.

8 And I -- they may be a nonprofit corporation, says
9 they are in our notation here. And they may have
10 received contributions from a business corporation. I
11 can't say they did or didn't.

12 Q In the next sentence of the same paragraph of the
13 interrogatories, there's a statement that the Christian
14 Education League does receive donations from business
15 corporations. Is that correct?

16 A Yes.

17 Q How much in donations from business corporations has
18 the Education League received in 2006?

19 A I don't know.

20 Q How would you find out?

21 A I would have to review each individual contribution,
22 and if I saw a name that looked like a business, I
23 would then have to confirm or deny that it is -- was
24 actually a business by I assume contacting the
25 business. And that would be how it would have to be

1 done.

2 Q Is that the same answer for 2005?

3 A Are you referencing something here?

4 Q Has the Education League -- did the Education League
5 receive donations from business corporations in 2005?

6 A Yes.

7 Q And how much did it receive in 2005?

8 A I don't know.

9 Q Would you have to go through the same process you've
10 just described for 2005?

11 A Yes.

12 Q And in 2004, did the Education League receive donations
13 from business corporations?

14 A Yes.

15 Q How much?

16 A I don't know.

17 Q And would you have to go through the same process to
18 find out?

19 A Yes.

20 Q Okay. Is it possible because you've said that you --
21 if I understand -- if I understand you, that you aren't
22 sure exactly what the Education League has received in
23 2006 from business corporations, is it possible that it
24 has not actually received any money from business
25 corporations in 2006?

1 A Business corporations. Is it possible, I don't know.
2 I would have to review the contributor list for 2006 to
3 give an answer.

4 Q So if you -- then if you don't know as you sit here
5 right now, then it's possible; correct?

6 A It's possible that we did not, possible, yes.

7 Q The same sentence in the response to Interrogatory
8 Number 4 that talks about the Education League also
9 mentions the sharing and allocating of expenses between
10 CCL and the Education League?

11 A Uh-huh.

12 Q Please explain generally how that works?

13 A The CEL is bound by (c)(3), 501(c)(3) rules to only
14 fund certain activity. And that activity, some of its
15 funds are provided to the Christian Civic League of
16 Maine in the form of grants that fund appropriate
17 (c)(3) activity. That's -- and then some of the funds
18 in the CEL are directly expended by the CEL by that
19 corporation.

20 Q Okay. The CEL and the CCL share staff; correct?

21 A The CCL is the only entity that has staff. And the
22 staff of the CCL is -- keeps track of hours and related
23 to projects that the grants from the CEL are funding.
24 And that's how -- that's one way that that relationship
25 works.

1 The CCL also provides the staff for CEL activities
2 directly, and the CEL pays for that.

3 Q So does the -- I'm trying to understand. Does the CEL
4 finance activities of the CCL?

5 A It funds only activities that it -- that its board,
6 which is a separate entity, determines are appropriate
7 (c)(3) activities. And the CCL submits paperwork
8 consistent that indicate that detail -- that detail
9 that activity.

10 Q And that's sometimes activity of CCL that is funded
11 that way?

12 A Yes.

13 Q All right. Okay. I'd like to direct your attention to
14 the response to Interrogatory Number 7, same exhibit,
15 and Exhibit A to the responses. The Exhibit A lists
16 donations over \$1,000 to CCL in the time period 2004
17 through March of 2006; correct?

18 A Yes.

19 Q And are these donations by individual human beings?

20 A Some are, some aren't.

21 Q What else -- what other kinds of entities are they
22 from?

23 A Churches. Perhaps some nonprofit corporations, perhaps
24 some -- what you're calling -- perhaps some businesses.

25 Q Do you know for certain that any are businesses?

1 A I don't.

2 Q Do you know for certain that any are individual human
3 beings?

4 A Yes.

5 Q How many are individual human beings?

6 A I don't know.

7 Q The third column is headed fund code; correct?

8 A Uh-huh.

9 Q Can you explain the meaning of the entries under fund
10 code?

11 A Well, this is a code that's produced by our operations
12 director and is used I assume by her in her work with
13 our accounting firm that does the -- that does the --
14 not audit, but the review of our finances every year.

15 Q Can you explain what the entries mean, though? For
16 instance, what does SPLG mean?

17 A I believe that means special gift. I think wills,
18 probably self-explanatory. Miscellaneous. CHBD would
19 be I assume again church budget. I would need to
20 confirm that. AP204, I don't know. EOYG, I don't
21 know.

22 Q RCPT?

23 A I don't know.

24 Q SPDS?

25 A Don't know.

1 Q All right. Since January 1, 2004, CCL has received
2 donations from other nonprofit corporations; correct?

3 A Yes.

4 Q And since that time, it's received donations from
5 churches; correct?

6 A Yes.

7 Q Has it received donations from other 501(c)(4)
8 organizations since that time?

9 A I don't know.

10 Q What other types of organizations do you know that CCL
11 has gotten donations from during that time?

12 A Rephrase the question.

13 Q Do you know that CCL has received donations from any
14 other type of organization since January, 2004?

15 A I don't know.

16 MR. SUMMERS: I'm going to mark one exhibit.
17 I believe it may be the last exhibit. Is that
18 encouraging?

19 (Heath Deposition Exhibit Number 14 was marked for
20 identification.)

21 Q (By Mr. Summers) I'll show you what's been marked as
22 Exhibit 14, which is a Form 990 of the Internal Revenue
23 Service which states that it's for fiscal year 2004 for
24 Christian Civic League of Maine, Inc. Do you recognize
25 this?

1 A Uh-huh.

2 Q Please turn to Page 6. What is this document?

3 A Form 990.

4 Q Is it a Form 990 that CCL filed for fiscal year 2004?

5 A Yes.

6 Q On Page 6, there are entries for Line 93A and 103A, do
7 you see those?

8 A Uh-huh.

9 Q The entry for 93A on Page 6 says program service
10 revenue along with other income; correct?

11 A Uh-huh.

12 Q What is that?

13 A I believe that that would be income that came from a
14 convention we had that year, our banquet. It's
15 referenced as a banquet in other documents.

16 Q And what income related to the banquet, what was that?

17 A Could have been donations. It could have been what
18 people paid us to get in.

19 Q Ticket prices?

20 A Ticket type of thing. But I don't recall exactly what
21 it was that year.

22 Q Is there anything else it could have been?

23 A Not that I can think of.

24 Q For 103A, the description is, provide the League with
25 the capital necessary to fund its operations. What was

1 that?

2 A I don't know.

3 Q You were the person who signed this form on behalf of
4 CCL; correct?

5 A Yes.

6 Q All right. Turning back once again to the
7 interrogatories, which you should have in front of you,
8 which are Exhibit 10. And please look at Exhibit 9 --
9 I'm sorry, Interrogatory 9, and Exhibit B, which has
10 been deleted from the response to Interrogatory 9. Do
11 you see Interrogatory 9?

12 A Uh-huh.

13 Q What is the answer to Interrogatory 9?

14 A Zero.

15 Q Please explain.

16 A No individual has pledged to contribute in excess of
17 \$1,000 to CCL to pay for CCL's campaign for passage of
18 the federal Marriage Protection Amendment Act, not one.

19 Q I understand.

20 MR. SUMMERS: I think that's all I have.

21 Jim, do you have any questions you'd like to ask?

22 MR. BOPP: Yes.

23 EXAMINATION

24 BY MR. BOPP:

25 Q Turn to Page 5, please, again.

1 MR. SUMMERS: Page 5 of?

2 Q (By Mr. Bopp) The interrogatory answers. You were
3 asked about banquets?

4 A Uh-huh.

5 Q And with respect to people buying tables, you mentioned
6 that they might be provided goods and services like
7 books or other premiums?

8 A Uh-huh.

9 Q Okay. Aren't they also provided meals?

10 A Yes.

11 Q Okay. And meals would be a good or service that
12 resulted in income to the corporation?

13 A Yes.

14 Q Okay.

15 MR. BOPP: No further questions.

16 MS. SEALANDER: We had talked earlier about a
17 list.

18 MR. BOPP: Are we done?

19 MS. SEALANDER: But I want to do this on the
20 record because I'm giving you the only copy of this. I
21 want to just read to you the things that we've listed.

22 MR. BOPP: Okay, sure.

23 MS. SEALANDER: So the first thing is the
24 2004 voter's guide.

25 And second thing is the radio buy information that

1 Focus on the Family produced which I believe he
2 indicated that he may have, but in any event, I believe
3 they have, and at this point they're sort of acting as
4 the agent.

5 Number three, email from Focus on the Family, the
6 initial email that was sent to you from Focus on the
7 Family asking whether you wanted to do an advertising
8 campaign on the amendment. You described it as being
9 sent to the Family Policy Councils.

10 Number four, you indicated that you responded by
11 email. So we would like that email response.

12 Number 5, you indicated there have been
13 communications between Natalie Torgeson and Focus on
14 the Family regarding the script. We'd like any
15 documents related to that.

16 Number 6. There's only two more. Number 6 is
17 copies of the print version of The Record for the last
18 three months that contain paid advertising.

19 And Number 7 is all invoices that weren't produced
20 earlier that relate to paid advertising in The Record.
21 You indicated at deposition that you thought there were
22 about \$3,000 worth. My quick math said we didn't have
23 that much here. If there's others, we'd like those.
24 If there's not, there's not.

25 MR. BOPP: All right. We'll do this as

1 quickly as possible subject to --

2 MS. SEALANDER: Maybe we can get this
3 tomorrow?

4 MR. BOPP: We'll try, subject to any
5 objections, if we have any. I don't know that we do,
6 but we will --

7 MS. SEALANDER: Can you read all of that?

8 MR. BOPP: Yes, thank you. Yes. I think I
9 know what you're saying. And we'll do that as quickly
10 as possible, hopefully tomorrow, but we will see.

11 MS. SEALANDER: We're all done.

12 (At 3:52 p.m., the foregoing proceedings were
13 concluded.)

14 - - - - -

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CERTIFICATE

I, Cindy Packard, a Notary Public in and for the State of Maine, hereby certify that the within-named deponent was sworn to testify the truth, the whole truth, and nothing but the truth in the aforementioned cause of action.

I further certify that this deposition was stenographically reported by me and later reduced to print through Computer-Aided Transcription, and the foregoing is a full and true record of the testimony given by the deponent.

I further certify that I am a disinterested person in the event or outcome of the above-named cause of action.

IN WITNESS WHEREOF I subscribe my hand this 14th of April, 2006.

Dated at Falmouth, Maine.

Cindy Packard

Notary Public

My Commission Expires
November 9, 2008

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-1
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-1 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

By-Laws of The Christian Civic League of Maine

- Adopted October 17, 1998 -

The Constitution and By-laws of The Christian Civic League of Maine are hereby revoked and replaced with the following new By-laws.

1. Mission Statement

The Christian Civic League of Maine exists for the purpose of bringing a Christian influence to the public square through effectively working with public policy makers and members by providing accurate, timely and persuasive information from a biblical perspective.

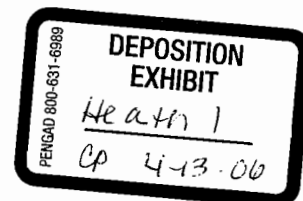
2. Purpose

The purpose of The Christian Civic League of Maine shall be to present and maintain an effective, positive and faithful witness in the public life of our state; to have an impact on the development of public policy in Maine; to uphold a biblical standard of justice and righteousness; and to reflect a genuine Christian compassion and respect for all people. The League shall endeavor to: (1) promote good citizenship; (2) elect honest and competent officials; (3) secure good laws and their impartial execution; and (4) cooperate and assist the home, church and schools in these efforts.

3. Statement of Faith

- We believe the Bible to be the only infallible authoritative Word of God.
- We believe that there is only one God, eternally existent in three persons: Father, Son and Holy Spirit
- We believe in the deity of our Lord Jesus Christ, in His virgin birth, in His sinless life, in His miracles in His vicarious and atoning death through His shed blood, in His bodily resurrection, in His ascension to the right hand of the Father, and in His personal return to power and glory.
- We believe that for the salvation of lost and sinful man a person must repent of his/her sins, ask Jesus Christ to be Lord of his/her life and be regenerated by the Holy Spirit.
- We believe in the present ministry of the Holy Spirit, by Who's indwelling the Christian is enabled to live a godly life.
- We believe in the resurrection of both the saved and the lost; that they are saved unto the resurrection of life and they that are lost unto the resurrection of damnation.
- We believe in the spiritual unity of believers in our Lord Jesus Christ.

4. Members



a. Membership

Any person who signs a statement that they agree with the League's mission, Statement, Purpose and Statement of Faith, set forth above, and who pays the annual membership fee (to be determined annually by the Board of Directors) shall be a member of The Christian Civic League of Maine.

The Board of Directors may revoke the membership of any person at any time.

All Board Members, officers, committee members and employees of The League must be members of The League.

b. Meetings of the Members

An annual meeting of the members will be held each year on the first Friday of the month of December and place to be specified by the Board of Directors. Notice of the time and place of the annual meeting will be given by the Secretary by inserting such a notice in The Civic League RECORD at least thirty (30) days prior to such a meeting. At the annual meeting the members shall elect a Board of Directors (consisting of eleven [11] directors), and shall set general policies and goals for The League.

The Board of Directors may call additional meetings of the members at any time. Notice of any such additional meetings shall be given in the same manner that notice is to be given for the annual meeting of the members.

c. Votes taken by the Members

Members of Record: The secretary shall prepare a list of members of record at least ten (10) days prior to any meeting of the members. Only those members who are listed as members of record may vote at the meeting of the members.

Quorum of Members: A quorum of members will be present if fifteen (15) or more members of record are present at the meeting. No business can be conducted at a meeting of the members unless a quorum of the members is present.

Majority Vote: No action of the members will be of any legal force or effect unless a majority of the members of record present at a valid meeting of the members vote in favor of the action.

5. Board of Directors

a. Board Membership

The Board of Directors shall consist of eleven (11) persons elected at large by the members at the annual meeting of the members.

A board member may be expelled from the Board of Directors for any reason if:

1. A special meeting of members is called expressly for that purpose.
2. Notice of the time, place and purpose of that special meeting is printed in the RECORD at least thirty (30) days prior to the meeting.
3. At least fifteen (15) members are present at the meeting; and
4. A majority of members present at that meeting votes in favor of expelling the director.

The responsibilities of members of the Board of Directors shall include regular attendance at board meetings, ongoing involvement in raising resources and the encouragement and prayerful support of the executive director.

Vacancies on the Board of Directors may be filled by the board at any time.

b. Powers

The Board of Directors shall be the governing body of The League. The board shall carry out the resolutions of the members, made at a meeting of the members. In addition, the Board of Directors is empowered to take any actions not expressly reserved to the members under the laws of the state of Maine. The powers of the Board of Directors shall include, but shall not be limited to, establishing goals and policies for The League.

c. Meetings of the Board of Directors

Meetings of the Board of Directors may be called at any time by the executive director, by the president, or by three (3) or more of the directors. Notice stating the time and place of the meeting of the Board of Directors must be mailed by the person or persons calling the meeting (first class, postage prepaid) to each director at least five (5) days in advance of the meeting. Notice may be waived by a director at any time, either before or after a meeting of the Board of Directors.

The president shall act as the chairman of the board, and preside over all meetings of the Board of Directors. The president may establish whatever procedure and rules of order he deems appropriate for the meeting.

Generally, any member of The League may attend meetings of the Board of Directors, but may not participate in discussions by the board unless called upon by the president. However, if the president deems a particular issue to be highly sensitive, the president may order the board into "executive session", and exclude all non-board members from the meeting during the discussion of that issue.

d. Votes of the Board of Directors

Quorum of Directors: Seven (7) directors shall constitute a quorum. No business shall be conducted at a meeting of the Board of Directors unless a quorum of the directors is present.

Majority Vote: No action of the Board of Directors shall be of any legal force or effect unless a majority of the directors present at a valid meeting of the Board of Directors votes in favor of the action.

6. Officers

The Board of Directors shall appoint a president, first vice-president, secretary and treasurer from among the members of the Board of Directors at the first meeting of the board following the annual meeting of the members. These officers shall hold office for one year or until successors are appointed. Officers may be removed from their office and replaced by the Board of Directors at any valid meeting of the board.

a. Powers of the Officers

The officers shall have any and all powers, which the Board of Directors delegates to them. In addition to the powers expressly delegated to the officers by the Board of Directors; the officers shall have the following powers and duties:

President: The president shall serve as the chairman of the Board of Directors and shall preside over all board meetings. In addition, he shall sign any documents approved by the Board on behalf of The League.

Vice President: The vice president shall exercise any and all powers of the president when the president is unavailable. He shall appoint a chair of nominations, and is responsible for the oversight of Board policy.

Secretary: The secretary shall keep a correct record of each meeting of the members and of the Board of Directors. He shall count all votes at the meetings of the members and of the Board of Directors. He shall see that timely notice is placed in the RECORD prior to all meetings of the members.

Treasurer: The treasurer shall maintain the security of all funds of the corporation and disburse the same only as directed by the Board of Directors. He shall be responsible for keeping accurate records of all financial matters of the corporation. He shall present an annual report to the membership at the annual meeting of The League; and shall present financial reports to the Board of Directors upon request by the board. He shall present a proposed budget, approved by the Board to the annual membership at the annual meeting.

7. Advisory Board

In addition, those church denominations that agree with The League's Mission Statement, Purpose, and Statement of Faith may send a representative to serve on the advisory board of The League. All such representatives must become members of The League and must be approved to sit on the advisory board by vote of the board at a valid board meeting.

The Board of Directors may also appoint former board members to an advisory board to consult with and advise the Board of Directors. Such advisory board members shall be called "emeritus" board members.

Advisory board members may attend all meetings of the Board of Directors – including executive sessions, and may participate in all board discussions in an advisory capacity. Advisory board members have no vote.

8. Committees

The Board of Directors may establish committees to advise the board and/or the executive director, as the board deems necessary and appropriate.

9. Executive Director

The Board of Directors shall hire an executive director, who shall be in charge of carrying out the on-going, day-to-day administrative duties of the corporation. He shall serve in that capacity until he resigns, or until his employment is terminated by vote of at least eight (8) members of the Board of Directors.

The executive director shall serve as an ex-officio member of the Board of Directors and of all committees. However, he shall only be entitled to vote on an issue at a board meeting:

- (1) in the event of a tie vote by the other board members present at the meeting; or

(2) if there are only six (6) other board members present at the meeting.

He shall establish employment positions and fill those positions, within the budget constraints established by the Board of Directors. He shall supervise the staff, both employees and volunteer persons, and shall manage The League's office.

He shall be responsible for leading funding and resource development efforts.

The executive director is authorized and empowered to represent The League in all matters; i.e. – in church and community relations, in dealing with the legislature or the governor's office, and in dealing with the media. Whenever it becomes necessary, between meetings of the Board of Directors, the executive director shall exercise full authority in acting and speaking on behalf of The League; and he shall act and speak in a manner consistent with The League's Mission Statement, Purpose, Statement of Faith, and with the policies, resolutions and directives of the members and of the Board of Directors.

The Executive director shall also be the "Registered Agent" of the corporation. He shall be responsible for filing the annual report of the corporation with the Secretary of State, pursuant to Title 13-B M.R.S.A §1301, on or before June 1. He shall also be the corporation's designated representative for receipt of any service of legal process upon the corporation.

The executive director shall be accountable to the Board of Directors. However, the board shall, at all times, encourage and support the executive director, and pray for him and The League's staff.

10. Indemnification of Board Members, Officers and Employees

The Corporation shall indemnify and hold all board members, officers and employees harmless from all liability for anything done in good faith within the scope of their duties on behalf of the corporation.

11. Disposition of Assets on Dissolution

Upon the dissolution of the corporation or the termination of its activities, the assets of the corporation remaining after the payment of all its liabilities shall be distributed exclusively to one or more organizations organized and operated exclusively for such purposes as then qualifying as an exempt organization or organizations under section 501(c)(3) of the Internal Revenue Code of 1986 as amended, and as a charitable, religious eleemosynary, benevolent or educational corporation within the meaning of Title 13-B of the Maine Revised Statutes as amended.

No part of the net earnings of the corporation shall inure to the benefit of any member, director, or officer of the corporation, or any private individual (except that reasonable compensation may be paid for services rendered to or for the corporation in carrying out one or more of its purposes), and no member, director or officer of the corporation or any private individual shall be entitled to share in the distribution of any of the corporate assets on dissolution of the corporation.

12. Amendments

These By-laws may be amended at any time by vote of the members at the annual meeting of the members or at a special meeting of the members called for the purpose of amending the By-laws. However, the proposed

amendment must be published in the RECORD at least thirty (30) days prior to the meeting.

13. Effective Date

These By-laws shall take effect immediately upon their adoption –and all other constitutions and By-laws of the corporation shall be null and void – except for the provision of Article 4 of these by-laws, concerning who qualifies to be a member of The League. That provision shall go into effect immediately following the meeting at which these By-Laws are adopted, and those persons who qualify as members of The League at the outset of that meeting, before these by-laws are adopted, shall continue to conduct business at that meeting.

(NOTE: These By-laws were adopted by vote of at least two-thirds of the members present at the annual meeting of the members, held on October 17, 1998.)

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-2
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-2 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF
MAINE, INC.,

Plaintiff,

v.

FEDERAL ELECTION COMMISSION

Defendant.

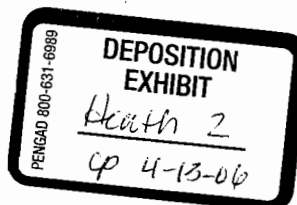
No. 1:06CV00614

NOTICE OF DEPOSITION

To: James Bopp, Jr., Esq.
Bopp, Coleson & Bostrom
1 South Sixth Street
Terre Haute, IN 47807
Fax: (812) 232-2434

M. Miller Baker, Esq.
McDermott Will & Emery LLP
600 Thirteenth Street, NW
Washington, DC 20005-3096
Fax: (202) 756-8087

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure plaintiff will take the deposition upon oral examination, before a Notary Public or other person authorized to administer oaths, of the corporate designee(s) of the Christian Civic League of Maine, Inc. regarding each matter set forth in Schedule A. The deposition will be recorded by stenographic means and will continue from day to day until completed.



Deeley Decl. Exh. 1

The deposition will take place at the United States Attorney's Office, 100 Middle Street,
Portland, ME, 04101 at 9:00 a.m. on April 13, 2006.

Dated: April 5, 2006

Lawrence H. Norton
Richard B. Bader
David Kolker
Harry Summers
Kevin Deeley
Steve N. Hajjar
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463
(202) 694-1650
Facsimile (202) 219-0260

Schedule A

Definitions

1. "Christian Civic League, Inc." ("CCL") shall mean the Christian Civic League, Inc., including all officers; employees, whether paid or unpaid; supervisors; volunteers; agents, consultants, or persons otherwise working on behalf of or at the request of the Christian Civic League, Inc.; co-workers; subordinates; and staff or in-house attorneys thereof.

Subject Matters of Testimony

1. CCL's campaign for passage of the federal Marriage Protection Amendment.
2. "Crossroads," CCL's proposed broadcast advertisement.
3. CCL's grassroots and legislative lobbying campaigns from January 1, 2004 through the present.
4. CCL's advocacy for or against candidates from January 1, 2004 through the present.
5. CCL's broadcast advertisements from January 1, 2004 through the present.
6. CCL's current budget and financial resources from January 1, 2004 through the present, including any donations to CCL from corporations or unions and the number of donations to CCL from individuals that were in excess of \$1000.
7. CCL's relationship to the Christian Education League, Inc., the Christian Action League, and the Coalition for Marriage.
8. Application of the criteria listed for qualified nonprofit corporations in 11 C.F.R. 114.10 to CCL.
9. CCL's efforts, if any, to create and raise funds for a federal, state or local political action committee.

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-3
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-3 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

The Christian Civic League Of Maine



Bringing a Biblical perspective to the dialogue over public policy.

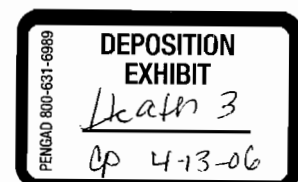
2002

Voter's Guide

A reference guide to help you cast an informed vote

Maine's General Election is:

Tuesday, November 5, 2002



REMEMBER TO VOTE

For information on where to vote, contact your Town Registrar of Voters or the Town Clerk.

The Christian Civic League of Maine is a 104-year-old organization that exists to bring a biblical perspective to the dialogue over public policy. Our executive director, Michael S. Heath, regularly lobbies in the legislature, speaks in churches and other public forums around the State of Maine and keeps abreast of events in the Legislature at the state and national level.

The League is a non-profit 501c4 corporation that is funded entirely by voluntary contributions. **Your gift ensures that pro-family advocates will continue to have a strong voice in Maine public policy and culture.**

For further information on candidates, we have comments on file available for viewing at our 70 Sewall Street office. Please call 207.622.7634 to arrange for a time to review these documents.



The Christian Civic League of Maine

Dear Maine Citizen:

The League is pleased to bring you the Maine Voter's Guide for the upcoming November Election.

Your copy of the Voter's Guide represents many hours of writing, editing, printing, phone calls, interviews and set up work. I want to thank all those who have helped to put this publication together, the volunteers and staff of the League and also the candidates who took the time to respond to our questionnaire.

This resource is designed to provide you with vital information you can use to make an informed vote on Election Day. If you would like any more information, please call our office at 207.622.7634.

We sincerely hope this guide will be a help to you. Remember, your vote counts.

Michael S. Heath
Executive Director

**To locate your district for the State
Senate or State Representative Race
go to the Secretary of State web site:**

www.state.me.us/sos/cec/elec/elec.html

Questionnaires containing the following questions sent to all candidates who are running for office in the November election.

Please answer each question with a **YES, NO or UNDECIDED**, except as specified. Feel free to expand on your answers on the back or on additional sheets of paper.

Abortion:

1. Do you believe that the current abortion law is acceptable?
2. Do you believe partial birth abortion should be banned?
3. Do you favor providing “confidential” contraceptive services to schoolchildren?
4. Are you in favor of a minor obtaining an abortion without parental consent?

Alcohol

1. Do you favor strong and aggressive enforcement of alcohol laws?
2. Do you believe that OUI offenders should be strongly punished for their offense?

Education

1. Should parents have a school choice option (i.e. school vouchers or tax credits)?
2. Do you support a parent’s right to home school their children?
3. Should children be exposed to homosexuality as an acceptable alternative lifestyle?

Gambling

1. Do you support the expansion of legalized gambling?
2. Do you support a casino in Maine?
3. Do you think Maine should have a state lottery?

Homosexual Issues

1. Do you favor expanded laws establishing sexual orientation as a protected class?
2. Do you favor homosexual adoption?
3. Do you support homosexual marriage?
4. Do you support repeal of laws that attach greater rights to certain victims, such as “hate crimes”?
5. Should public funding of faith-based organizations be denied because they do not support the homosexual agenda?

Marriage and Family Values

1. Do you believe that marriage is an institution between one man and one woman and should last a lifetime?
2. Do you favor health insurance benefits for non-married heterosexual couples and for homosexual couples (“domestic partners”)?
3. Do you agree with the status quo of “no fault” divorce?
4. Would you support a voluntary “Marriage Covenant” option whereby couples would have to meet more requirements before they are granted a divorce?

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Pornography

1. Do you support the sale of so-called "soft porn" in public stores?
2. Do you believe that pornography is a destructive force in society today?
3. Do you support enforcement of existing obscenity laws against pornography?

Spiritual Life

1. My religious affiliation is: _____
2. Do you attend religious services on a regular basis?
3. Do you believe religious ethics and reasoning should be part of the decision making process in law, politics and nation building?

Taxes

1. Are you in favor decreasing the income tax burden for working families?
2. Do you feel that there should be property tax relief for retired persons and those on a fixed income?
3. Do you think the size of government should be reduced in order to stimulate economic development and job creation?

Comments: (These will be kept on file and available for review by request)

How We Rated the Candidates:

The Christian Civic League Board of Directors rated candidates according to their comments and answers to the questionnaire. Our policy statement was used as a standard to grade the stance of each candidate. Each candidate running in the November election was sent a questionnaire and every effort was made to assure that candidates received questionnaires and had ample opportunity to respond. Follow up telephone calls were made when possible.

A rating of **A to F** was used as follows:

- A. **Strongly supports** the League's values
- B. **Generally supports** the League's values
- C. **Neither supports nor opposes** the League's values
- D. **Generally opposes** the League's values
- E. **Strongly opposes** the League's values

Candidates that "failed" to respond were graded with an "F".

The Candidates

United States Senate Race:

<u>Party</u>	<u>Name</u>	<u>Town</u>	<u>CCL Rating</u>
(D)	Ms. Chellie Pingree	Portland	F
(R)	Senator Susan Collins	Bangor	F

Governor's Race:

<u>Party</u>	<u>Name</u>	<u>Town</u>	<u>CCL Rating</u>
(D)	Rep. John Baldacci	Bangor	Sent letter
(G)	Mr. Jonathan Carter	Lexington Twp	F
(R)	Mr. Peter Cianchette	Portland	F
(U)	David T. Flannagan	Augusta	F
(U)	John M. Michael	Auburn	B+

United States Representative Races:

<u>Party</u>	<u>Name</u>	<u>Town</u>	<u>District</u>	<u>CCL Rating</u>
(D)	Rep. Thomas Allen	Portland	District 1	F
(R)	Mr. Steven Joyce	Saco	District 1	B+
(D)	Senator Michael Michaud	E. Millinocket	District 2	F
(R)	Mr. Kevin Raye	Perry	District 2	F

Maine Senate Races:

<u>Party</u>	<u>Name</u>	<u>Town</u>	<u>District</u>	<u>CCL Rating</u>
R	Shirlee Carlson	Ft. Kent Mills	#1	F
D	John L. Martin	Eagle Lake	#1	F
D	James P. Dunleavy	Presque Isle	#2	F
R	Richard Kneeland	Easton	#2	A
R	Dean F. Clukey	Houlton	#3	A
D	Stephen Stanley	Medway	#3	F
D	Ralph E Barnett	Brookton Twp	#4	F
R	Kevin L. Shorey	Calais	#4	F
D	Dennis S. Damon	Trenton	#5	F
U	Richard Davis Hart	Surry	#5	D
R	William D. Pinkham	Lamoine	#5	A-

Maine Senate Races Con't:

Party	Name	Town	District	CCL Rating
D	Charles D. Fisher	Brewer	#6	F
R	Edward M Youngblood	Brewer	#6	B+
D	MaryR. Cathcart	Orono	#7	F
R	Steven Veit	Old Town	#7	F
R	Paul T. Davis	Sangerville	#8	F
D	Thomas E. Mooney	Veazie	#9	F
R	W. Tom Sawyer	Bangor	#9	B+
R	Betty Lou Mitchell	Etna	#10	F
D	Joseph E. Brooks	Winterport	#11	F
G	Oliver Outerbridge	Belfast	#11	F
R	Carol Weston	Montville	#11	F
D	Stefan Mathew Pakulski	Rockland	#12	F
R	Christine R. Savage	Union	#12	F
D	Pamela H. Hatch	Skowhegan	#13	F
R	Lynda N. Quinn	Skowhegan	#13	F
D	Kenneth T. Gagnon	Waterville	#14	F
R	Robert E. Wing	Albion	#14	F
D	Beverly C. Dagget	Augusta	#15	F
R	David R. Madore	Augusta	#15	F
R	Leslie T. Fossel	Alna	#16	C+
D	Christopher G. L. Hall	Briston	#16	F
D	Gary T. McGrane	Jay	#17	F
R	Chandler E. Woodcock	Farmington	#17	F
R	R. Douglas Newman	Hallowell	#18	F
D	Sharon Treat	Gardiner	#18	F
D	Roger A. Baffer	Woolwich	#19	F
R	Arthur F. Mayo III	Bath	#19	F
R	Kenneth Blais	Litchfield	#20	F
D	Paul Chizmar	Lisbon	#20	F
D	Margaret R. Rotundo	Lewiston	#21	F
R	Robert D. Stone	Lewiston	#21	F
D	Neria R. Douglas	Auburn	#22	F
R	Ronald W. Potvin	Auburn	#22	A-
D	Betheda Edmonds	Freeport	#23	F
R	Reginald G. Pinkham	Brunswick	#23	F
D	Bruce Bryant	Dixfield	#24	C+
R	Robert A. Cameron	Rumford	#24	F
R	Richard A. Bennett	Norway	#25	B+
R	Karl W. Turner	Cumberland	#26	B
D	Kathryn N. Turner	Raymond	#26	F

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Maine Senate Races Con't:

Party	Name	Town	District	CCL Rating
D	Michael Brennan	Portland	#27	F
G	Kelly Thompson Fernald	Falmouth	#27	F
R	Sally G. Vamvakias	Falmouth	#27	F
R	Robin D. Lambert	Portland	#28	C-
D	Ethan Strimling	Portland	#28	F
R	Carolyn M. Gilman	Westbrook	#29	A
D	William B. O'Gara	Westbrook	#29	F
R	Linda R. Boudreau	South Portland	#30	F
D	Lynn Bromley	South Portland	#30	F
R	Michael J. Dell'olio	Scarborough	#31	F
G	Frederick Dolgon	Old Orchard Beach	#31	F
D	Peggy A. Pendleton	Scarborough	#31	F
R	Robert D. Haggett	Biddeford	#32	B+
G	Dorothy Lafortune	Biddeford	#32	F
D	Lloyd P. LaFountain III	Biddeford	#32	F
R	David L. Carpenter	Sanford	#33	F
D	Elizabeth C. Dupre	Sanford	#33	F
D	George A. Carroll	Limerick	#34	F
R	Richard A. Nass	Acton	#34	A
R	Kenneth F. Lemont	Kittery	#35	F
D	Page A. Mead	Kittery	#35	F

Maine State Representative Races:

Party	Name	Town	District	CCL Rating
R	Christopher R. Dewolf	Kittery	#1	F
D	Stephen C. Estes	Kittery	#1	F
R	Mary A. Andrews	York	#2	F
D	Sarah Redfield	York	#2	F
G	Peter Fernald	Eliot	#3	C
R	Sarah O. Lewin	Eliot	#3	F
D	Gary J. Wheeler	Eliot	#3	F
D	Barry Abbott	North Berwick	#4	F
R	Richard B. Brown	South Berwick	#4	F
R	Oscar C. Stone	Berwick	#5	F
D	Thomas J. Wright	Berwick	#5	F
R	Jonathan T. E. Courtney	Springvale	#6	B+
D	Linda Boucher Strohecker	Lebanon	#6	F
R	Ronald F. Collins	Wells	#7	F
D	Harry Tomah	Wells	#7	F
R	Thomas W. Murphy, Jr.	Kennebunk	#8	F
D	Lynda J. Wilson-Dinino	W. Kennebunk	#8	F
R	David E. Bowles	Sanford	#9	B+
D	Matthew S. Whittier	Sanford	#9	F

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Maine State Representative Races con't:

Party	Name	Town	District	CCL Rating
D	Roger A. Landry	Sanford	#10	
R	Michael A. Lewis	Sanford	#10	A-
R	James J. Campbel, Sr.	Newfield	#11	A-
D	David McKechnie	Shapleigh	#11	F
R	Lawrence E. Jaconsen	Waterboro	#12	sent letter
D	Frank J. Tarazewich	Waterboro	#12	F
R	Robert A. Diagle	Arundel	#13	F
D	Randa L. Thomas	Hollis	#13	F
R	Robert W. Brandenstein	Buxton	#14	B
D	Bonita J. Breault	Buxton	#14	F
R	Matthew Campbell	Saco	#15	F
D	Christopher P. O'Neil	Saco	#15	B
D	Thomas J. Kane	Saco	#16	F
D	Nancy B. Sullivan	Biddeford	#17	F
D	Marie Laverriere-Boucher	Biddeford	#18	F
R	Raymond B. Tillson	Biddeford	#19	A-
D	JoAnne T. Twomey	Biddeford	#19	F
D	David LeMoine	Old Orchard	#20	F
R	Darlene J. Curley	Scarborough	#21	F
D	John E. Leighton, Jr.	Scarborough	#21	F
R	Harold A. Clough	Scarborough	#22	B+
D	Arlene B. Vaillancourt	Scarborough	#22	F
D	Christopher R. Barstow	Gorham	#23	F
R	Calvin H. Hamblen	Gorham	#23	F
D	Lawrence Bliss	South Portland	#24	F
R	Wayne H. Ross	South Portland	#24	F
R	John W. McGinty	Cape Elizabeth	#25	F
D	Janet L. McLaughlin	Cape Elizabeth	#25	F
R	Arlene A. Baker	South Portland	#26	F
D	Christopher T. Muse	South Portland	#26	F
D	William C. Collins	South Portland	#27	F
R	Kevin J. Glynn	South Portland	#27	F
R	Edward W. Symbol	Westbrook	#28	F
D	Ronald E. Usher	Westbrook	#28	F
R	Anthony J. Bessey	Westbrook	#29	F
D	Robert W. Duplessie	Westbrook	#29	F
D	Benjamin F. Dudley	Portland	#30	F
R	James K. Spinney	Portland	#30	F
G	John Edere	Portland	#31	F
R	Robert Fisk, Jr.	Portland	#31	F
D	David J. Garrity	Portland	#31	F
G	Johsua Dolby	Portland	#32	D
R	Jason A. Fortin	Portland	#32	F
D	Edward J. Suslovic	Portland	#32	C-
D	Herbert C. Andrews	Portland	#33	C+
R	Ann B. Yates	Portland	#33	F

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Maine State Representative Races con't:

Party	Name	Town	District	CCL Rating
R	David M. Delcamp	Portland	#34	F
D	William S. Norbert	Portland	#34	F
D	Joseph C. Brannigan	Portland	#35	F
R	Steven L. Caminiti	Portland	#35	F
D	Boyd P. Marley	Portland	#36	F
R	Alan Parks	Portland	#36	F
D	Glenn A. Cummings	Portland	#37	F
R	Thomas B. Wheatley	Portland	#37	A-
R	Joseph Bruno	Raymond	#38	F
D	Francis McDermott	Raymond	#38	F
R	David L. Tobin	Windham	#39	F
D	Sandra B. Tolman	Windham	#39	F
R	Gerald M. Davis	Falmouth	#40	B
D	Jeanne A. Hulit	Falmouth	#40	F
R	Susan M. Austin	Gray	#41	F
D	Richard F. Barter	Gray	#41	C
D	Benjamin P. Campo, Jr.	Cumberland	#42	F
R	Terrence P. McKenney	Cumberland	#42	F
D	Susan M. Hawes	Standish	#43	F
R	Gary W. Moore	Standish	#43	F
R	Paul Roberts	Yarmouth	#44	F
U	Richard G. Woodbury	Yarmouth	#44	F
R	Kevin Muse	Fryeburg	#45	F
D	Marlee Turner	Brownfield	#45	F
U	Johnathan B. Chappell	Bridgton	#46	F
G	Robert K. Dunning	Bridgton	#46	F
D	Margaret R. Reimer	Bridgton	#46	F
R	Richard M. Sykes	Harrison	#46	C+
R	Philip A. Cressey, Jr.	Baldwin	#47	A-
D	Tony Montanaro	Casco	#47	F
D	Thomas D. Bull	Freeport	#48	F
R	Millard W. Pray	Freeport	#48	F
R	Carroll E. Pennell II	Brunswick	#49	F
D	John G. Richardson	Brunswick	#49	F
R	Gerald E. Favreau	Brunswick	#50	F
D	Stanley J. Gerzofsky	Brunswick	#50	F
D	Leila Jane Percy	Phippsburg	#51	F
R	C. Matthew Rich	Harpwell	#51	F
R	Dwayne F. Bickford	Topsham	#52	F
D	Paul J. Lessard	Topsham	#52	F
R	William T. Berry	Bowdoinham	#53	F
D	Deborah J. Hutton	Bowdoinham	#53	F
D	Jennifer Dechant	Bath	#54	F
R	Michael E. Kiernam	Bath	#54	F
U	John F. Albis, Sr.	Woolwich	#55	B+
D	Carol A. Grose	Woolwich	#55	F
R	Frederick J. Kahl	Woolwich	#55	F

Maine State Representative Races con't:

Party	Name	Town	District	CCL Rating
R	Gene W. Boothby	Bremen	#56	F
D	William M. Earle	Damariscotta	#56	F
U	David M. Brown	Wiscasset	#57	F
D	Peter L. Rines	Wiscasset	#57	F
R	Karl F. Tarbox	Wiscasset	#57	B+
D	Morrison Bonpasse	Newcastle	#58	D-
R	Kenneth A. Honey	Boothbay	#58	A
R	A. David Trahan	Waldoboro	#59	F
R	William I. Jones	Hope	#60	F
D	James H. O'Haverty	Hope	#60	F
U	Gary E. Sukeforth	Union	#60	F
R	Christopher Rector	Thomaston	#61	F
D	James G. Skoglund	St. George	#61	F
D	Kim H. Fletcher	Rockland	#62	F
R	Deborah K. McNeil	Rockland	#62	F
R	Stephen Bowen	Rockport	#63	C-
D	Susan Dorr	Camden	#63	F
R	Theodore H. Heidrick	Oxford	#64	B+
D	David C. Miner	Mechanic Falls	#64	F
R	Arlan R. Jodrey	Bethel	#65	F
D	Shirley M. Powell	Hanover	#65	F
R	John Bertl	New Portland	#66	F
D	Monica McGlocklin	Embden	#66	F
D	Ronald D. Hemmingway	Dixfield	#67	F
R	Randy E. Hotham	Dixfield	#67	F
D	Marilyn Baker	Waterford	#68	F
R	H. Sawin Millett, Jr.	Waterford	#68	F
D	Rosita Gagne	Buckfield	#69	B-
R	Dana S. Knightly	Paris	#69	F
R	Diane R. Mitchell	Rumford	#70	F
D	John L. Patrick	Rumford	#70	F
D	Laurie Lee W. Levine	Poland	#71	F
R	Lois A. Snowe-Mello	Poland	#71	A
D	Idella M. Harter	Auburn	#72	F
R	Thomas F. Shields	Auburn	#72	A-
U	Belinda A. Gerry	Auburn	#73	F
D	Deborah L. Simpson	Auburn	#73	F
U	Chandler W. White	Auburn	#73	B+
U	Jessica J. Larlee	Auburn	#74	F
D	Sonya G. Sampson	Auburn	#74	F
R	Joan Bryant-Deschenes	Turner	#75	F
D	Vivian S. Onge	Greene	#75	F
R	Jesse J. Crandall	Mercer	#76	F
D	Raymond Pineau	Jay	#76	F
U	William L. Reid III	New Sharon	#76	F
D	Charles C. Laverdiere	Wilton	#77	F

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Maine State Representative Races con't:

Party	Name	Town	District	CCL Rating
R	Lance E. Harvell	Farmington	#78	B
D	Janet T. Mills	Farmington	#78	F
R	Anna C. H. Lyon	Wayne	#79	F
D	Linda R. McKee	Wayne	#79	F
D	Elaine Fuller	Manchester	#80	F
R	Stanley A. Moody	Manchester	#80	F
R	Maitland E. Richardson	Skowhegan	#81	B+
D	Richard H. C. Tracy	Rome	#81	F
U	James Bilodeau	Farmington	#82	F
G	Ruth Z. Gabey	W. Gardiner	#82	F
R	Earle L. McCormick	W. Gardiner	#82	F
D	Frederick E. Merrill	W. Gardiner	#82	F
U	Christopher D. Ranslow	Farmingdale	#82	F
R	Ralph W. Bickford Jr.	Monmouth	#83	F
D	Nancy E. Smith	Monmoutn	#83	F
R	Robert A. Berube	Lisbon	#84	B+
D	Deborah L. Danuski	Lisbon	#84	F
D	Terrence W. Kirk	Durham	#85	F
R	William J. Schneider	Durham	#85	F
D	Richard H. Mailhot	Lewiston	#86	F
R	Larry P. Caron	Lewiston	#87	F
D	Paul A. Samson	Lewiston	#87	F
R	Claudette Caron	Lewiston	#88	F
D	Margaret M. Craven	Lewiston	#88	F
R	Michael J. Mosher-Collins	Lewiston	#89	F
D	Lillian LaFontaine O'Brien	Lewiston	#89	F
R	Robert E. MacDonald	Lewiston	#90	F
D	Elaine Makas	Lewiston	#90	F
D	Patrick Colwell	Gardiner	#91	F
R	Kevin Pyle	Gardiner	#91	F
D	Scott W. Cowger	Hallowell	#92	F
R	Eric J. Perry	Hallowell	#92	F
R	Clinton A. Conant	Canton	#93	F
D	Rodney C. Jennings	Leeds	#94	F
D	Charles E. Mitchell	Vassalboro	#94	F
R	Linda A. Hadley Rood	Augusta	#95	F
D	Arthur L. Lerman	Augusta	#95	F
D	Mary D. Mayo-Wescott	Augusta	#96	F
R	Julie Ann O'Brien	Augusta	#96	F
D	Susanne P. Ketterer	Madison	#97	F
R	Luciann T. Merrill	Solon	#97	F
D	Paul R. Hatch	Skowhegan	#98	F
R	Elton D. Powers	Skowhegan	#98	B+
U	Joanne M. Woodard	Skowhegan	#98	F
D	Marilyn E. Canavan	Waterville	#99	F
R	Duane E. Wheeler	Waterville	#99	F
D	Lisa T. Marrache	Waterville	#100	F
R	Virginia Sturies	Waterville	#100	C-

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Maine State Representative Races con't:

Party	Name	Town	District	CCL Rating
D	Edward D. Fitch	Fairfield	#101	F
R	William J. Hagerty	Fairfield	#101	F
R	Kenneth C. Fletcher	Winslow	#102	F
D	Zachery E. Matthews	Winslow	#102	F
D	Dennis J. McLellan	Oakland	#103	F
R	Robert Nutting	Oakland	#103	F
R	Stacey Allen Fitts	Pittsfield	#104	F
D	Bernard E. McGowan	Pittsfield	#104	F
D	Walter E. Ash, Jr.	Belfast	#105	F
R	Thomas D. Crandall	Belfast	#105	F
R	Neil R. Farrington	China	#106	F
D	Judd D. Thompson	China	#106	F
R	Jeffrey H. Kaelin	Winterport	#107	F
D	Julie A. Logan	Winterport	#107	F
D	Michael P. Cray	Palmyra	#108	F
R	S. Peter Mills	Cornville	#108	F
R	Donald P. Berry, Sr.	Belmont	#109	A-
D	John S. Merrithew	Searsport	#109	F
G	Heather E. Garrold	Knox	#110	F
R	Galen D. Larrabee	Knox	#110	A-
D	John F. Piotti	Unity	#110	F
D	Sharon Libby Jones	Greenville	#111	B+
R	Earl E. Richardson	Greenville	#111	Incomplete
R	James D. Annis	Dover-Foxcroft	#112	B+
D	John Henderson	Dover-Foxcroft	#112	F
D	Kendal S. Dunbar	Bucksport	#113	F
R	Richard W. Rosen	Bucksport	#113	F
R	Brian M. Duprey	Hampden	#114	A-
D	Mary D. Poulin	Hampden	#114	F
R	William T. Rogers, Jr.	Brewer	#115	F
D	Earl G. Sherwood	Brewer	#115	F
R	Mary Ellen Ledwin	Holden	#116	F
D	Stanley N. Marshall, Jr.	Veazie	#116	F
D	Christina L. Baker	Bangor	#117	F
R	Jerry M. Evans	Bangor	#117	F
R	Duane E. Carter	Bangor	#118	F
D	Joseph C. Perry	Bangor	#118	F
R	James T. Bair	Bangor	#119	F
D	Patricia A. Blanchette	Bangor	#119	F
R	Ronald F. Jack	Bangor	#120	B
D	Jacqueline R. Norton	Bangor	#120	F
D	Matthew Dunlap	Old Town	#121	D+
R	Albert J. Duplessis	Old Town	#121	F
U	Donald Isaac Curtis	Levant	#122	F
R	Christian David Greeley	Levant	#122	F
D	James F. Thiel	Kenduskeag	#122	C
D	Jonathan Thomas	Orono	#123	F
D	Richard Thomas	Hermon	#124	F

13

Maine State Representative Races con't:

Party	Name	Town	District	CCL Rating
R	Russell P. Treadwell	Carmel	#124	A
D	Joyce M. Packard	Newport	#125	F
R	Joshua A. Tardy	Newport	#125	F
D	Michele Nickerson	Corinna	#126	F
R	James H. Tobin	Dexter	#126	F
R	Robert H. Crosthwaite	Ellsworth	#127	A
D	John Fink	Ellsworth	#127	F
R	Eugene L. Churchill	Orland	#128	B+
D	James M. Schatz	Blue Hill	#128	F
G	Christine A. West	Penobscot	#128	F
R	Leslie R. Johnson	Stonington	#129	F
D	Hannah Pingree	North Haven	#129	F
D	Theodore Koffman	Bar Harbor	#130	F
R	Robert E. Stanwood	Southwest Hbr	#130	F
D	Edward R. Dugay	Cherryfield	#131	F
R	Ruith Moore	Milbridge	#131	F
R	Leonard E. Brierman	Sorrento	#132	F
D	William F. Stone	Gouldsboro	#132	F
D	Martha A. Bagley	Machias	#133	C-
R	Christopher Paul Cambron	Jonesport	#133	A
D	Albion D. Goodwin	Pembroke	#134	F
R	John Morrison	Baileyville	#135	F
D	Anne C. Perry	Calais	#135	F
D	George H. Bunker, Jr.	Kossuth Twp	#136	F
R	Shawn MacDonald	Lee	#136	F
R	Anita Peavey Haskell	Milford	#137	F
D	Laura Sanborn	Alton	#137	F
R	Roderick W. Carr	Lincoln	#138	A
D	David F. Kirkpatrick	Lincoln	#138	C+
D	Guy J. Duprey, Jr.	Medway	#139	B+
R	Murrel Harris	Milo	#139	F
D	Joseph E. Clark	Millinocket	#140	B-
R	Stuart F. Kallgren	Indian Purchase	#140	F
R	Henry L. Joy	Crystal	#141	F
D	Sally Landry	Patten	#141	F
D	Maren McGillicuddy	Houlton	#142	F
R	Roger L. Sherman	Hodgdon	#142	B+
R	Gordon L. Hagerman	Littleton	#143	F
D	Patricia B. Sutherland	Chapman	#143	F
R	Christopher J. Cronkhite	Blaine	#144	F
D	Jacqueline A. Lundeen	Mars Hill	#144	F
U	David R. Deschesne	Presque Isle	#145	A
R	Richard H. Duncan	Presque Isle	#145	A-
D	Jeremy Fischer	Presque Isle	#145	F
R	John W. Churchill	Washburn	#146	F
D	Theodore L. St. Pierre	Woodland	#146	A-
R	Arthur W. Benner	Caribou	#147	F
D	Philip R. Bennett, Jr.	Caribou	#147	B+

14

Maine State Representative Races con't:

<u>Party</u>	<u>Name</u>	<u>Town</u>	<u>District</u>	<u>CCL Rating</u>
D	Jimmy Pelletier	Limestone	#148	F
R	Florence T. Young	Limestone	#148	F
U	Peter Edgecomb	Caribou	#149	B+
D	William J. Smith	Van Buren	#149	F
D	Rosaire Paradis, Jr.	Frenchville	#150	F
U	Rudolph T. St. Peter	Guerette	#150	F
U	Troy Jackson	Fort Kent	#151	F
D	Marc E. Michaud	Fort Kent	#151	F

The returned questionnaires are kept on file in our office. Should you wish to view the questionnaire, or comments made by candidates, please call our office at 207.622.7634 to schedule a time.

To find your voting district, you can access the Secretary of State Web Site at: www.state.me.us/sos/cec/elec/elec.html If you do not have web access, you can go to your local library and use a computer there, or call your local town offices.

The 2002 voters guide is also available on line for reference at www.cclmaine.org

The staff of the Christian Civic League of Maine has been diligent to insure the accuracy of the information in this voter's guide. We apologize if there is any inadvertent error, misprint or omission.

This publication is made available free of charge to friends of the League, churches and the public. If you would like to make a donation to the Christian Civic League of Maine to help defray the cost of production, you may send your contribution to:

The Christian Civic League of Maine
PO Box 5459
Augusta, ME 04332

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-4
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-4 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

Coalition for Marriage

Policy on use of information on League website

Newspaper column for the Portland Press Herald March 1, 2004 by Michael S. Heath, Executive Director of the Christian Civic League of Maine.

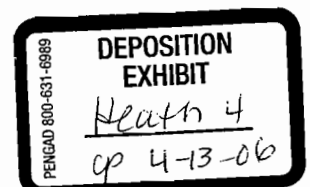
Some politicians, and the leadership of the Catholic Church here in Maine, are saying that we must wait to fight the homosexual marriage battle. They argue that we must wait so that the battle can be waged more professionally -- allowing more time for lobbying, fund raising etc. I understand and respect this perspective. It is however small thinking, in a war that requires big thinking.

The war transcends politics. It is spilling out all over the place. And the result of this conflict will affect basic freedoms and it is certainly threatening our national identity -- our very civilization.

Some will view this as overheated rhetoric. It isn't. What I am saying is as plain as the nose on your face. And if we all would lift our heads above the low hanging mind-numbing moral haze that Satan's smoke machine is pumping out we could take in a breath of fresh air. And when we did, we'd think "Hey, marriage IS between a man and woman." The war would be over, and we wouldn't have to amend our constitution to etch obvious truth in stone.

Even John Kerry is saying that homosexual "marriage" is a bad idea. While he doesn't support the Federal Marriage Amendment, he does say that the states need to take care of this problem. So both the sitting President of the United States, and the man who will likely face him in November, agree that homosexual marriage is a horrible idea. Just the fact that we are having this discussion at that level should horrify us. We are seriously debating the approval of homosexuality. Does that make sense to you? It does not make sense to me.

Alas, we are all liberals when anyone mouths the words of our modern orthodoxy. All a person needs to say these days is "civil" anything and we all raise our hands and shout "Hallelujah." You know what I mean...civil rights, civil unions, civility. These are buzzwords of our ever changing (I should say evolving, sorry), essentially pagan public dogmas. And we respond to them, especially when delivered by a sincere and intelligent lesbian, with thoughtless



fawning adoration.

Maine cannot wait to define marriage. And it is probably going to take a constitutional amendment to resolve it. Elite and media culture in Maine is all for homosexual marriage, or some look alike program like domestic partnerships or civil unions. The politicians in Augusta (not all of them, thank God) think this stuff is part of the "evolution of marriage." If we don't act in March we will be entrusting the fate of our families to activist judges who are simply robed lawyers trained in modern temples of secularism (law schools). They have become pretend theologians. It isn't good to appoint pretenders for life and not have the spine to hold them accountable.

The future of our country is in the hands of our pastors and priests. Unfortunately the tendrils of sexual corruption have slithered -- noticed -- into their ranks. The battle for the soul of our civilization is going to be fought by forgiven sinners. That is always the way of it. It isn't the soldier who lays wounded to die who wins the day. The soldier who transforms his wounds into the mettle of leadership (and uses his heel to crush the head of the serpent) causes change.

Are there any soldiers out there willing to stand with me at 9:30 a.m. March 2nd -- tomorrow -- on the third floor of the State House? Now is the time. As my friend Paul Madore reminded me the other day, "You fight where you stand." Now is the time. Join me.

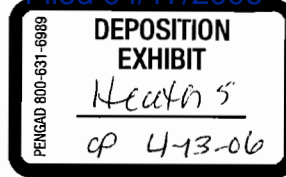
The Christian Civic League of Maine, 70 Sewall Street, Augusta,
ME 04330 * 207-622-7634

HOME

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-5
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-5 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**



NewsRoom

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7/13/04 Portland Press Herald A1
2004 WLNR 17016953

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July 13, 2004

Section: FRONT

Senators balk on gay-marriage amendment

Snowe and Collins signal they will join the majority in defeating the proposal.

By JOSHUA L. WEINSTEIN Staff Writer

Maine's two U.S. senators are likely to join most of their colleagues Wednesday and vote against the proposed Federal Marriage Amendment, which would change the Constitution to prohibit same-sex couples from marrying.

Despite strong support from the White House - President Bush used his weekly radio address Saturday to encourage Congress to pass the amendment - the measure is unlikely to get even simple-majority support in the Senate, much less the 67 votes it needs to be sent to the 50 states for ratification.

Only one New England senator, Republican John Sununu of New Hampshire, has not expressed opposition to the proposed amendment, unlike Republicans Olympia Snowe and Susan Collins of Maine, Judd Gregg of New Hampshire and Lincoln Chafee of Rhode Island.

Democratic opponents include Joe Lieberman and Christopher Dodd of Connecticut, John Kerry and Edward Kennedy of Massachusetts, Jack Reed of Rhode Island and Patrick Leahy of Vermont. Independent Jim Jeffords of Vermont is also opposed.

Over the weekend, Snowe told CNN that "I believe that marriage should be defined as a marriage between man and woman, but I don't think that a constitutional amendment is necessary."

In a written statement, Collins said she supports an existing federal law that "protects the traditional right of states to determine for themselves what constitutes marriage, and defines for federal purposes that marriage will consist of a union between a man and a woman." She said that "as long as this law is on the books, I see no need for a constitutional amendment."

Bucking their president, even during an election year, is unlikely to hurt Maine's two centrist Republicans, experts said. Snowe and Collins are in their second terms in the Senate, both won re-election by substantial majorities and

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neither is up for re-election this year.

Richard Maiman, who chairs the Political Science Department at the University of Southern Maine, noted that both have defied their party on much tougher issues.

"Going against their party is part of what's keeping them in Washington," he said. "We don't send our senators to Washington, particularly our Republican senators, to toe the party line."

He noted that both voted to acquit former President Bill Clinton of high crimes and misdemeanors, yet they remain popular in Maine.

Douglas Hodgkin, a Bates College political science professor emeritus, said that because this issue isn't close, even among Republican senators, Snowe and Collins are not swing votes and likely aren't getting much pressure from the White House.

Most Mainers are with Snowe and Collins on the issue, said Patrick Murphy, a pollster who runs Strategic Marketing Services in Portland.

A March poll showed that 30.3 percent of Mainers back full marriage rights for gay and lesbian couples, and 35.5 percent support civil unions but not marriage. About 31.8 percent of Mainers oppose any legal recognition of same-sex relationships, and 2.5 percent did not know.

Murphy said Mainers are more concerned about the economy, taxes, health care and homeland security than they are about marriage rights for same-sex couples. "This whole debate about whether to allow gay people to marry, I don't think that's going to be a decisive factor for most folks in this country," he said.

Opponents and supporters of the proposed amendment agree.

Executive Director Michael Heath of the Christian Civic League of Maine, whose organization supports the proposed amendment and assigned a full-time staffer to the issue three weeks ago, acknowledged the amendment will fail.

He said members have been calling and e-mailing senators, and he wrote a column that appeared in the Portland Press Herald/Maine Sunday Telegram last week. But he said he gets the feeling ordinary Mainers haven't thought much about the issue.

"I'm concerned that it's not getting the attention that it should get from folks who lead busy lives," he said.

On the other side of the issue, the executive director of Equality Maine, a gay and lesbian rights organization, offered similar thoughts. "For the vast number of Mainers, it is not on their screen," Betsy Smith said.

Maine Gov. John Baldacci, a Democrat, opposes the amendment, as do both of Maine's U.S. representatives, Democrats Tom Allen and Michael Michaud of the 1st

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and 2nd congressional districts, respectively.

For the amendment to pass, two-thirds of the Senate and two-thirds of the House of Representatives must approve it. It then must be ratified by three-fourths of the states.

MARRIAGE AMENDMENT "Marriage In the United States shall consist only of the union of a man and a woman. Neither this Constitution, nor the constitution of any State, shall be construed to require that marriage or the legal incidents thereof be conferred upon any union other than the union of a man and a woman."

----- INDEX REFERENCES -----

NEWS SUBJECT: (Social Issues (1SO05); Legislation (1LE97); Gay & Lesbian Issues (1GA65); Health & Family (1HE30); Government (1GO80); Human Sexuality (1HU27))

REGION: (District Of Columbia (1DI60); USA (1US73); Americas (1AM92); New Hampshire (1NE86); Maine (1MA44); New England (1NE37); North America (1NO39); Rhode Island (1RH18); Vermont (1VE77))

Language: EN

OTHER INDEXING: (BATES COLLEGE; CHRISTIAN CIVIC LEAGUE; CNN; EQUALITY MAINE; FEDERAL MARRIAGE AMENDMENT; HOUSE OF REPRESENTATIVES; MAINERS; MARRIAGE; POLITICAL SCIENCE DEPARTMENT; REPUBLICANS; REPUBLICANS OLYMPIA SNOWE; SENATE; SNOWE; STRATEGIC MARKETING SERVICES; UNIVERSITY OF SOUTHERN; WHITE HOUSE) (Betsy Smith; Bill Clinton; Bucking; Bush; Christopher Dodd; Collins; Democratic; Democrats Tom Allen; Douglas Hodgkin; Edward Kennedy; Independent Jim Jeffords; Jack Reed; Joe Lieberman; John Baldacci; John Kerry; John Sununu; Judd Gregg; Lincoln Chafee; Michael Heath; Michael Michaud; Murphy; Patrick Leahy; Patrick Murphy; Richard Maiman; Susan Collins)

EDITION: Final

Word Count: 967

7/13/04 PTLD-PH A1

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-6
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-6 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

*In the exercise of governance, President John Adams keenly observed the profound difference
between a politician and one who understands and serves the Common Good:*

A POLITICIAN FEARS MAN. A STATESMAN FEARS GOD.



To every public servant, elected or appointed, who will debate and decide before God and country
the critical issue of marriage in the United States, we ask *this* critical question:

WHOM DO YOU FEAR?

When the roll is called for a vote on whether to codify marriage in the
United States Constitution as between one man and one woman,
what will your position say about you?

Will it say your concern is for poll results, and fundraising, and
re-election campaigns? Or will it say you recognize that holding public
office is more about the common *good* than it is about common politics?

Will it say you're too attuned to interest groups and talking heads?
Or will it say that you decide issues of national importance with an

internal compass pointing to what's right rather than a finger in the
wind that finds political cover? *It all depends on whom you fear.*

Ultimately, your vote will say whether you fear the wrath of voters.
Or not. Whether you fear negative letters to hometown editors. Or not.

Or whether you fear the unvarnished truth of a righteous God. Or not.

The truth is that God is more concerned with your vote than any
constituent will ever be. Choose wisely, then. Politician or Statesman?

The good citizens of Maine pray you know the difference.

MARRIAGE IS GOD'S DESIGN. DO YOU HAVE THE COURAGE TO DEFEND IT?

Christian Civic League
Augusta

Pastor Sandy Williams
First Baptist Church
Freeport

Family Bible Church
Ellsworth

Church Hill Baptist Church
Augusta

David & Elaine Bridge
Manchester

Dale & Suzie Tellefsen
Eliot

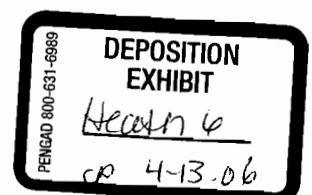
Mr. Paul Niehaus
Sebago Lake

Gail Card
Bowdoin

Campaign to Elect
Michael Hein
Augusta

BEFORE YOU VOTE NOVEMBER 2 REVIEW OUR ON-LINE VOTER'S GUIDE

WWW.CCLMAINE.ORG



UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-7
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-7 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

RECEIVED
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OFFICE OF GENERAL
COUNSEL
2006 APR -3 P 4:45

United States District Court
District of Columbia

**The Christian Civic League of Maine,
Inc.**

70 Sewall Street
Augusta, ME 04330,

Plaintiff,

v.

Federal Election Commission,

999 E Street, NW
Washington, DC 20463,

Defendant.

Cause No. _____

Verified Complaint for Declaratory and Injunctive Relief

The Christian Civic League of Maine, Inc. (CCL) complains as follows:

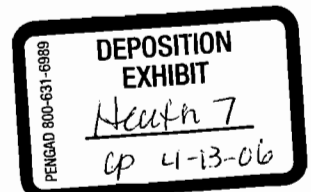
Introduction

1. This is a First Amendment as-applied constitutional challenge to the prohibition on the use of corporate funds for "electioneering communications" (hereinafter "the prohibition") contained in § 203 of the Bipartisan Campaign Reform Act of 2002 (BCRA), Pub. L. No. 107-155, 116 Stat. 81, 91-92, and codified at 2 U.S.C. § 441b(b)(2).

2. As presently applicable, "electioneering communication" means any broadcast, cable, or satellite communication which . . . refers to a clearly identified candidate for Federal office [and] is made within . . . 60 days before a general . . . election for the office sought by the candidate; or . . . 30 days before a primary . . . election . . . for the office sought by the

Complaint

1



candidate; and . . . is targeted to the relevant electorate.” 2 U.S.C. § 434(f)(3)(A)(i). *See also* 11 C.F.R. § 100.29 (definition of “electioneering communication”).

3. The prohibition provides that “[i]t is unlawful . . . for any corporation whatever . . . to make a contribution or expenditure in connection with any [Federal] election. . . . For purposes of this section . . . , the term ‘contribution or expenditure’ includes . . . any applicable electioneering communication” 2 U.S.C. § 441b(a)-(b); *see also* 11 C.F.R. §§ 114.2 and 114.14 (regulatory ban on corporate funding of electioneering communications).

4. The United States Supreme Court has held that corporations may use corporate funds to engage in lobbying. *First National Bank of Boston v. Bellotti*, 435 U.S.765 (1978).

5. In *McConnell v. FEC*, the United States Supreme Court upheld the prohibition against a *facial* constitutional challenge. 540 U.S. 93, 202-207 (2003). In *Wisconsin Right to Life, Inc. v. FEC*, 126 S.Ct. 1016 (2006), the Court explained that as-applied challenges to the electioneering communication prohibition were not resolved or precluded by its holding in *McConnell*. 126 S.Ct. at 1018.

6. This case challenges the prohibition as applied to grass-roots lobbying on the facts of this case, which involves a broadcast advertisement (a true and accurate transcript of the current version of which is attached as Exhibit A that are paid for by CCL and that encourage Maine listeners to contact their U.S. Senators (Sen. Susan Collins and Sen. Olympia Snowe) and to ask them to vote for the Marriage Protection Amendment (S.J. Res. 1). The broadcast of this advertisement will occur during electioneering communication prohibition periods this summer. More specific as-applied facts are provided *infra*.

7. The Federal Election Commission considered creating an exception to this

prohibition in its regulations implementing BCRA for grass-roots lobbying broadcasts but decided it was beyond the exception-making authority granted it by Congress to do so. 67 Fed. Reg. 65190, 65200-02.

8. In January, 2005, Senator Wayne Allard introduced the Marriage Protection Amendment (S.J. Res. 1). On November 9, 2005, the Subcommittee on Constitution, Civil Rights and Property Rights of the Committee on the Judiciary approved the Marriage Protection Amendment for full committee consideration without amendment favorably. 150 Cong. Rec. S8459-60.

9. On information and belief, a vote for cloture in the Senate on S.J. Res. 1 is likely to occur in early June, 2006.

10. Previous versions of a federal constitutional amendment to protect traditional marriage have failed to garner sufficient support in Congress. Therefore, the progress of S.J. Res. 1 in the Senate this summer is critical. CCL would support any future House or Senate bills that would offer protection to traditional marriage materially similar to that of S.J. Res. 1 or previous permutations of a federal bill to protect traditional marriage.

11. CCL intends to air the advertisement (Exhibit A) beginning on May 10 for the purpose of influencing the votes of Senators Snow and Collins regarding S.J. Res. 1, the Marriage Protection Amendment.

12. On May 10, the advertisements are not electioneering communications because they were not being run 30 days before the primary or 60 days before the general election. They will become electioneering communications as to U.S. Senator Olympia Snowe on May 14, 30 days before the June 13 Maine primary. *See*

http://www.fec.gov/Fec_calendar/viewevent.cfm?EventID=788. Senator Snowe is an unopposed candidate and Senator Susan Collins is not a candidate this year. CCL intends to run the ad after May 14.

13. Because of the timing of anticipated Senate vote on S.J. Res. 1, CCL intends to run the ad and/or materially similar ads between May 10 and early June, including within the blackout periods, if CCL obtains the relief sought herein. The timing of these events is beyond the control of CCL.

14. From May 14 to June 13 (30 days before the primary) and from September 8 to November 7 (60 days before the general election), the current ad (Exhibit A) and materially similar ads will become electioneering communications as to Maine Senatorial candidate Olympia Snowe, and CCL will be prohibited from running these ads.

15. This case seeks declaratory and injunctive relief permitting CCL to run both the current grass-roots lobbying advertisement (Exhibit A) and materially similar ads in the future.

16. Regardless of the outcome of the expected Senate cloture vote on S.J. Res. 1 in early June, CCL intends to run materially similar grass-roots lobbying ads falling within the electioneering communication prohibition period before the general election and within the electioneering communication prohibition periods before future primary and general elections in Maine when there are pending matters in the legislative or executive branch that similarly require referencing a clearly identified candidate for federal office in broadcast communications to the citizens of Maine. CCL is concerned about a range of issues in addition to laws protecting traditional marriage – such as partial birth abortion, permissive abortion, abortion

clinic regulations, parental control of their children's education, regulation of sexual predators, legislation normalizing same sex relations, gambling, limiting the government's power to raise taxes and the freedom to advance its issues in the public forum – that regularly have and will become issues in the legislative and executive branch. Because the legislative and executive branches often deal with important legislative and executive branch issues in the periods before elections, there is a strong likelihood that CCL's need to broadcast grass-roots lobbying ads will again coincide with the electioneering communications blackout periods. CCL does not have a federal political committee (PAC), and would instead pay for such ads with funds that do not comply with the source and amount limitations that govern PACs.

17. Recognizing the serious constitutional questions the BCRA raises, the law provides for immediate expedited judicial review by a three-judge panel of this Court of any constitutional action for declaratory or injunctive relief, with expedited appellate review by the Supreme Court of the United States of final decisions. BCRA § 403, 116 Stat. at 113-14.

JURISDICTION AND VENUE

18. This Court has jurisdiction over this case pursuant to 28 U.S.C. §§ 1331 and 2201.

19. Venue is proper in this Court pursuant to 28 U.S.C. § 1391(e) and BCRA § 403, 116 Stat. at 113-14.

PARTIES

20. Plaintiff the Christian Civic League of Maine, Inc., is a nonprofit, nonstock, Maine, ideological corporation recognized by the Internal Revenue Service as tax exempt under § 501(c)(4) of the Internal Revenue Code.

21. Defendant Federal Election Commission (FEC) is the government agency charged with enforcing the relevant provision of the Federal Election Campaign Act, as amended by the BCRA.

ADDITIONAL AS-APPLIED FACTS

22. CCL does not qualify for any exception permitting it to pay for electioneering communications from corporate funds because (a) it is not a “qualified nonprofit corporation” (QNC) within the definition of 11 C.F.R. § 114.10 so as to qualify for the exception found at 11 C.F.R. § 114.2(b)(2) to the electioneering communication prohibition and (b) its advertisement is “targeted” so that it does not fit the exception for § 501(c)(4) organizations as described in 2 U.S.C. § 441b(c)(2). 2 U.S.C. § 441b(c)(6)(A).

23. CCL’s advertisement will become an electioneering communication from May 14 to June 13 and from September 8 until November 7, because it meets the statutory and regulatory definitions found at 2 U.S.C. § 434(f)(3) and 11 C.F.R. § 110.29.

24. Specifically, the advertisement at Exhibit A and planned future advertisements would be broadcast for a fee on radio. 2 U.S.C. § 434(f)(3)(A)(i); 2 C.F.R. § 100.29(b).

25. The advertisement at Exhibit A and planned future advertisements would be broadcast within 30 days before the Maine primary and/or within 60 days before the general election. 2 U.S.C. § 434(f)(3)(A)(i)(II); 2 C.F.R. § 100.29(a)(2).

26. The advertisement at Exhibit A and planned future advertisements “refer to,” and will continue to refer to, “a clearly identified candidate for Federal office.” 2 U.S.C. § 434(f)(3)(A)(i)(I); 2 C.F.R. § 100.29(a)(1).

27. The advertisement entitled “Crossroads” (Exhibit A) is a radio broadcast ad to be

broadcast for a fee paid by CCL that clearly references federal candidate Sen. Snowe by mentioning her name and asking listeners to contact her (and Sen. Collins) to support the federal Marriage Protection Amendment.

28. The advertisement at Exhibit A and planned future advertisements would be “targeted to the relevant electorate,” 2 U.S.C. § 434(f)(3)(A)(i)(II); 2 C.F.R. § 100.29(a)(3), meaning that the broadcast ads “can be received by 50,000 or more persons . . . in the State [Sen. Snowe] seeks to represent.” 2 C.F.R. § 100.29(a)(3).

29. The advertisement at Exhibit A and planned future advertisements would be “publicly distributed,” i.e., “aired, broadcast, cablecast or otherwise disseminated for a fee through the facilities of a television station, radio station, cable television system or satellite system.” 2 C.F.R. § 100.29(a)(3).

30. On May 14, when the electioneering communication prohibition period begins, CCL will be broadcasting a radio ad, Exhibit A, so that it will be “publicly distributed” on that date. 11 C.F.R. § 100.29(b)(3)(i).

31. If and when CCL has spent or contracted to spend more than \$10,000 “for the direct costs of producing or airing one or more electioneering communications,” 11 C.F.R. § 104.20(a)(1)(i), the public distribution and disbursement will trigger a “disclosure date” requiring it to file a report of its electioneering communication activity on FEC Form 9.

32. CCL intends to comply with all record keeping and reporting requirements for its electioneering communications as set out in the Federal Election Campaign Act (“FECA”) and FEC regulations, 2 U.S.C. § 434(f); 11 C.F.R. § 104.20, providing accurate disclosure information as to the source and disbursement of funds at the levels at which Congress

asserted a disclosure interest.

33. CCL is also complying with, and will continue to comply with, the applicable disclaimer requirements for electioneering communications. 2 U.S.C. § 441d; 11 C.F.R. § 110.11. This may be seen on the advertisement's scripts at Exhibit A, providing disclosure of the fact that CCL is paying for the ads, that they are not authorized by any candidate or candidate's committee, and providing a phone number where a person hearing the ads may find contact information for the Senators.

34. CCL does not challenge the reporting and disclaimer requirements for electioneering communications, only the prohibition on using its corporate funds for its grass-roots lobbying advertisements.

35. The ad at Exhibit A expresses an opinion on pending Senate legislative activity, which is imminently up for a vote, and urges listeners to contact their Senators and to urge them to vote a certain way in this upcoming vote, so that this ad constitutes bona fide grass-roots lobbying.

36. The ad deals with concrete, imminent, legislative issues, beyond the timing and control of CCL, with which the two incumbent Senators are dealing and must shortly deal with further.

37. The ad refers to both a candidate and a non-candidate and deal with them equally.

38. The ad deals exclusively with the legislative issue.

39. The ad focuses on the legislative issue in question, not on any candidate.

40. The ad does not refer to any political party.

41. The ad deals with an issue with which CCL has a clear and long-held interest.

42. The ad does not expressly advocate the election or defeat of a clearly identified candidate for federal office.

43. The ad does not comment on a candidate's character, qualifications, or fitness for office.

44. The ad does not mention any upcoming election.

45. The ad is broadcast independent of any candidate or political party in that it is not "made in cooperation, consultation or concert with, or at the request or suggestion of, a candidate, a candidate's authorized committee, or their agents, or a political party committee or its agents." 11 C.F.R. § 109.20(a).

46. Broadcast advertisements are the most effective form of communication for the present grass-roots lobbying campaign, and non-broadcast communications would not provide CCL with sufficient ability to reach the people of Maine with CCL's message.

47. If CCL does not obtain the requested injunctive relief, CCL will not broadcast the ad at Exhibit A after May 14, because it is prohibited from doing so and because of its fear of enforcement by the FEC. As a result, CCL will be deprived of its constitutional rights under the First Amendment to the United State Constitution and will suffer irreparable harm. There is no adequate remedy at law.

COUNT 1

48. Plaintiff realleges and incorporates by reference all of the allegations contained in all of the preceding paragraphs.

49. Section 203(a) of BCRA amended section 316(b)(2) of FECA to prohibit corporations and labor unions from engaging in "electioneering communications." This

prohibition is codified at 2 U.S.C. § 441b.

50. The United States Supreme Court has decided that corporations may use corporate funds to engage in lobbying. *First National Bank of Boston v. Bellotti*, 435 U.S. 765 (1978).

51. The United States Supreme Court has held that contribution limits on organizations engaged in lobbying to support or oppose ballot measures violate the First Amendment rights of association and expression. *Citizens Against Rent Control v. Berkeley*, 454 U.S. 290 (1981).

52. As applied to CCL's disbursements for the advertisement at Exhibit A and for materially similar future advertisements, the broadcast ads are bona fide grass-roots lobbying and are not the "functional equivalent of express advocacy." *McConnell*, 540 U.S. at 206.

53. Because CCL's grass-roots lobbying advertisement is not the functional equivalent of express advocacy, there is no constitutional justification for the corporate prohibition at 2 U.S.C. § 441b on this particular electioneering communication, requiring that such activities be done through a political action committee (PAC).

54. PAC compliance burdens have been held as only justified in the election campaign context, which has nothing to do with the sort of bona fide grass-roots legislative lobbying at issue here, so that the prohibition on electioneering communications should be held unconstitutional as applied to grass-roots lobbying broadcasts.

55. Because corporations are permitted to lobby with corporate funds, there is no justification for imposing the PAC requirement on corporations making grass-roots lobbying broadcasts.

56. Because contribution limits on organizations engaged in lobbying are unconstitu-

tional, there is no justification for imposing the PAC requirement of a \$5,000 annual contribution limit on contributors to a corporation making grass-roots lobbying broadcasts. 2 U.S.C. § 441a(a)(1)(C).

57. As applied to grass-roots lobbying broadcasts and to the broadcast advertisement contained in Exhibit A, BCRA § 203 is not narrowly tailored to a compelling governmental interest.

58. As applied to grass-roots lobbying broadcasts and to the broadcast advertisement contained in Exhibit A, BCRA § 203 unconstitutionally burdens the rights of free speech, free association, and petitioning the government, all in violation of the First Amendment.

COUNT 2

59. Plaintiff realleges and incorporates by reference all of the allegations contained in all of the preceding paragraphs.

60. In the alternative to Count 1, which focuses on the use of general corporate funds for electioneering communications that constitute bona fide grass-roots lobbying communications, CCL also asserts that BCRA § 203 is not narrowly tailored to a compelling state interest where the electioneering communications are made “out of a segregated bank account which consists of funds contributed solely by individuals who are United States citizens or nationals or law-fully admitted for permanent residence (as defined in section 101(a)(20) of the Immigration and Nationality Act (8 U.S.C. 1101(a)(20))) directly to this account for electioneering communications.” 2 U.S.C. § 434(f); 11 C.F.R. § 104.20(c)(7).

61. If disbursements for grass-roots lobbying communications that constitute electioneering communications are made from such a segregated bank account, there will still

be full disclosure at the level at which Congress asserted a disclosure interest, but all concerns about the use of corporate funds for electioneering communications will be absent.

62. The only remaining restrictions on PACs that would not apply to disbursements for grass-roots lobbying electioneering communications made from a segregated bank account are (a) the annual PAC contribution limit and (b) the requirement that a corporation first acquire "members" and then solicit funds only from these members. 2 U.S.C. § 441b(b)(4)(C). But as noted above, contribution limits are unconstitutional in the context of grass-roots lobbying because there is no potential for corruption, *Citizens Against Rent Control v. Berkeley*, 454 U.S. 290 (1981), and any donors contributing in excess of \$1,000 to the account would be disclosed to the public.

63. CCL believes it is constitutionally entitled to make the grass-roots lobbying disbursements at issue from general corporate funds, but if necessary to gain the requested relief to make the disbursements, CCL will make such disbursements from a segregated bank account.

64. As applied to disbursements from a segregated bank account under 2 U.S.C. § 434(f) for grass-roots lobbying broadcasts and for the broadcast advertisement contained in Exhibit A, BCRA § 203 is not narrowly tailored to a compelling state interest and so it unconstitutionally burdens the rights of free speech, free association, and petitioning the government, all in violation of the First Amendment.

PRAYER FOR RELIEF

Wherefore, CCL prays for the following relief:

1. a declaratory judgment declaring 2 U.S.C. § 441b and 11 C.F.R. §§ 114.2 and 114.14 unconstitutional as applied to electioneering communications by CCL that constitute grass-roots lobbying;
2. a declaratory judgment declaring 2 U.S.C. § 441b and 11 C.F.R. §§ 114.2 and 114.14 unconstitutional as applied to the electioneering communications by CCL contained in Exhibit A;
3. a preliminary and permanent injunction enjoining defendant FEC from enforcing 2 U.S.C. § 441b and 11 C.F.R. §§ 114.2 and 114.14 against CCL for any electioneering communications by CCL that constitute grass-roots lobbying;
4. a preliminary and permanent injunction enjoining defendant FEC from enforcing 2 U.S.C. § 441b and 11 C.F.R. §§ 114.2 and 114.14 against CCL for broadcasting the electioneering communications contained in Exhibit A;
5. costs and attorneys' fees pursuant to any applicable statute or authority; and
6. any other relief this Court in its discretion deems just and appropriate.

[Insert VERIFICATION here]

I, Michael Heath, declare as follows:

1. I am the long-time Executive Director of the Christian Civic League

2. I have personal knowledge of the facts about the Christian Civic League and its activities that are set forth in the Statement of Facts in the foregoing *Complaint* and affirm their truth.

3. I verify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 28, 2006.

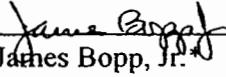
/s/ Michael S. Heath

Michael S. Heath, Executive Director
The Christian Civic League of Maine

Respectfully submitted,



M. Miller Baker, D.C. Bar # 444736
Michael S. Nadel, D.C. Bar # 470144
McDERMOTT WILL & EMERY LLP
600 Thirteenth Street, NW
Washington, D.C. 20005-3096
202/756-8000 telephone
202/756-8087 facsimile
Local Counsel for Plaintiff



James Bopp, Jr.
BOPP, COLESON & BOSTROM
1 South Sixth Street
Terre Haute, IN 47807
812/232-2434 telephone
812/234-3685 facsimile
Lead Counsel for Plaintiff
**Pro Hac Vice Motion filed April 3, 2006*

VERIFICATION

I, Michael Heath, declare as follows:

1. I am the long-time Executive Director of the Christian Civic League

2. I have personal knowledge of the facts about the Christian Civic League and its

activities that are set forth in the Statement of Facts in the foregoing *Complaint* and affirm their truth.

3. I verify under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on March 28, 2006.

A handwritten signature in black ink, appearing to read "Michael S. Heath", is written over a horizontal line.

Michael S. Heath, Executive Director
The Christian Civic League of Maine

A

Radio Script

"Crossroads"

The Christian Civic League of Maine

:60

Our country stands at the crossroads - at the
intersection of how marriage will be defined for future generations.

Marriage between a man and a woman
has been challenged across this country and could be declared unconstitutional
at any time by rogue judges. We must safeguard the
traditional definition of marriage by putting it beyond the reach of all judges -
by writing it into the U.S. Constitution. Unfortunately, your senators voted against
the Marriage Protection Amendment two years ago. Please call Sens. Snowe and Collins
immediately and urge them to
support the Marriage Protection Amendment when it comes to a vote in
early June. Call the Capitol switchboard at
202-224-3121 and ask for your senators. Again, that's 202-224-3121.
Thank you for making your voice heard.

Paid for by the Christian Civic League of Maine, which is responsible for the content of this advertising and
not authorized by any candidate or candidate's committee.

B

Certificate of Organization under Chapter 57 of the Revised Statutes of Maine.

The undersigned, officers of a moral and educational corporation organized at a meeting duly called and held therefor at 28 Winter Street, in the City of Waterville, on the ninth day of May, 1905, hereby certify as follows:

The name of said corporation is CHRISTIAN CIVIC LEAGUE of MAINE, and it is located at said Waterville.

The purposes of said corporation are inculcating the principles of good citizenship in this State.

Its officers are, President, *Geo. C. Purington* of *Frammington*
Treasurer, *Norace Purington* of *Waterville*,
Clerk, *H. W. Pingle* of *Waterville*, and

Geo. C. Purington *W. F. Berry*
Norace Purington
Samuel Vose
Alfred W. Anthony
E. F. Burrows
C. A. Milliken
M. S. Holway

Directors.

Witness our hands at said Waterville this ninth day of May, 1905.

Geo. C. Purington President.
Norace Purington Treasurer.
Samuel Vose
Wm. F. Berry
Edward T. Burrows

County of Kennebec, ss.

May 9, 1905.

Then personally appeared the above named

and severally made oath to the foregoing certificate, that
the same is true.

Before Me,

Amos Knowlton

Justice of the Peace.

chain in Maine, with over forty employees. I'm a member of Bangor Baptist Church. I am a Junior Church Director, and a professionally trained counselor who teaches an eight-week marriage enrichment course called "Dynamic Marriage," a twelve-week Bible study course for couples called "Dynamic Love" and a twelve-week Bible study course for the entire family called "Dynamic Families." I am also President of the Board of Directors of the First Step Pregnancy Resource Center, a crisis pregnancy center in Bangor. I have been on the board for over four years.

Q. How did your Christian faith influence your decision to become a member of Maine's House of Representatives?

A. I ran for the Legislature because I was concerned about the direction in which the state of Maine was headed. I want to make Maine a better place for my children and grandchildren. My Christian faith gives me the strength to carry on day after day.

Q. How do you integrate prayer into your political service?

A. I ask God for guidance daily. He helps me get through trying times, and there are plenty of them.

Q. What does the phrase "One Nation under God" mean to you?

A. It means that a citizen is free to worship or not to worship. While we are truly a Christian nation, we are very tolerant to people of other faiths.

Q. Is one political party more Christian than the other?

A. There are many good Christian Democrats. What confuses me are the Catholic Democrats or anyone of the Christian faith who is "pro-choice" The Bible is clear on the sanctity of human life. Yet this seems to have no meaning to many legislators.

Q. Should we amend the Constitution to protect marriage? If so, why?

A. Marriage is under attack by extremist judges who want to legalize homosexual marriage on the basis of equal rights. Marriage has been the bedrock of our society for thousands of years. And the Bible is clear on the issue of homosexuality.

Q. Are you going to seek higher office in the next few years?

A. I am considering running for the Senate against Olympia Snowe. If I can raise enough seed money to kick off a credible campaign, I will take the initiative and run. I will be watching her voting record very carefully. If she votes against President Bush's judicial nominees, or tries to block the President's agenda, it will speed up my decision to run.

Q. How can Maine restore sanity to how it treats babies in the womb? Right now about 2500 are killed each year in Maine.

A. The "pro-choice" forces in Augusta are a powerful lobby. At any given time, there are three or four full-time lobbyists walking the hallways to convince legislators not to restrict a "woman's right to choose." At most, you will see one or two part-time lobbyists fighting for life issues.

Q. Can you persuade the Governor to drop his homosexual rights bill? What do you think of that bill? Is it right for the Legislature to put the League in the position of having to do another people's veto?

A. I am not exactly on speaking terms with the Governor, so I am sure I cannot persuade him to drop this issue. He is pretty set on pushing this idea this session. What I have a problem with is passing this bill without sending it out to the people for ratification. I think the Governor will do whatever he wants. He has had a history of ignoring the will of the people to pass his agenda through. The

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-8
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-8 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

the RECORD

online newspaper published since 1900

in various formats -- now online

Wednesday, February 23, 2005



Representative Brian Duprey

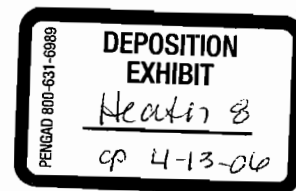
Man on a Mission

by League writers

The RECORD recently emailed Republican Representative Brian Duprey a few questions on politics and religion, and on the matter of same-sex marriage in particular. You can read Representative Duprey's responses below. Representative Duprey is the courageous third-term legislator who is the State House's most faithful defender of traditional marriage. Here, Representative Duprey announces for the first time that he is willing to run against Senator Olympia Snowe in next year's Republican primary. The RECORD is proud to be the first publication in Maine to provide you with this information.

Q. Representative Duprey, could you give us a brief biography?

A. I'm the State Representative for District 39, Hampden, Newburgh, and Dixmont. This is my third term, and I'm the Lead Republican on the Labor Committee. I'm married to Carol, and we have five children - four girls and a son, ages twenty, seventeen, nine, four, and three. I'm the owner of Little Angels Daycare and Preschool, the largest child care center



Legislature has the right to do what it wants,
but the Governor and all Legislators are
accountable to the people for their actions.

[Click here to go to the RECORD forum](#)

The Christian Civic League of Maine

70 Sewall Street
Augusta, Maine 04330
v- 207-622-7634
f- 207-621-0035
email@cclmaine.org

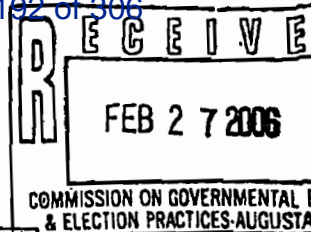
UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-9
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-9 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

☐ This is an update.

STATE OF MAINE
 Commission on Governmental Ethics and Election Practices
 135 State House Station
 Augusta, Maine 04333
 Tel: (207) 287-6221 Fax: (207) 287-6775
 Website: www.maine.gov/ethics



REGISTRATION FOR POLITICAL ACTION COMMITTEES

A political action committee must register with the Commission within 7 days of accepting contributions, incurring obligations or making expenditures in the aggregate in excess of \$1,500 in any single calendar year to initiate, support, defeat or influence in any way a campaign, referendum, initiated petition, candidate, political committee or another political action committee (21-A M.R.S.A. §1053).

Within 10 days of a change in PAC information an amended registration form must be submitted to the Commission.
The committee must file an updated registration every election year between January 1st and March 1st.

I. COMMITTEE INFORMATION

Name of committee CHRISTIAN ACTION LEAGUE Acronym N/A
 Mailing address 70 SEWALL STREET Telephone # 622-7634
 City, State, Zip Code AUGUSTA, ME 04330 Fax # 621-0035
 Website WWW.CCLMAINE.ORG

II. IDENTIFICATION OF TREASURER AND PRINCIPAL OFFICERS OF COMMITTEE

A. Committee Treasurer: MICHAEL HEIN
 Mailing address 28 FRANKLIN STREET Telephone # 622-2599
 City, State, Zip Code AUGUSTA, ME 04330 E-Mail mhein1@qwi.net

B. Principal Officers:

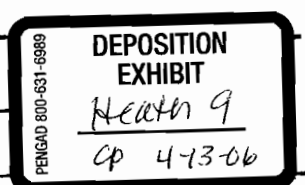
Name MICHAEL S. HEATH Title EXECUTIVE DIRECTOR
 Mailing address 70 SEWALL STREET
 City, State, Zip code AUGUSTA, ME 04330 Telephone # 622-7634
 Name MICHAEL HEIN Title CHAIRMAN
 Mailing address 28 FRANKLIN STREET
 City, State, Zip Code AUGUSTA, ME 04330 Telephone # 622-2599

C. Identify any candidates, Legislators or other individuals who are the primary fundraisers and decision makers for the committee.

MICHAEL S. HEATH - DECISION MAKER
MICHAEL HEIN - CANDIDATE AND DECISION MAKER

III. MAILING ADDRESS (Filing notices and correspondence will be mailed to this address.)

70 SEWALL STREET, AUGUSTA, ME 04330



IV. STATUS OF COMMITTEE

Is this a continuing committee? Yes _____ No X

V. FORM OF ORGANIZATION

A. Name the form or structure of organization; i.e., cooperative, corporation, voluntary association, partnership, etc.

ADVOCACY MINISTRY, FOR-PROFIT CORPORATIONB. Date of origin/incorporation UNKNOWN 4/14/1999

VI. STATEMENT OF SUPPORT OR OPPOSITION

Indicate whether the committee supports or opposes a candidate, political committee, referendum, initiated petition or campaign. If unknown at the time of registration, the committee must inform the Commission as soon as the committee knows this information.

X Support CANDIDATES WHO SUPPORT PRINCIPLES OF CHRISTIAN CIVIC LEAGUE OF MAINE.
____ Oppose _____

VII. ASSETS OF COMMITTEE

List total assets at time of registration. Include deposits, real and personal property, investments, cash, and all other available assets.

NONE

1. _____ 2. _____

VIII. DEPOSITORY OF FUNDS N/A

Name of depository _____ Account # _____

Address _____

Name of depository _____ Account # _____

Address _____

IX. CONTRIBUTIONS TO THE COMMITTEE

List the names and mailing addresses of contributors who donate in excess of \$50 each year to the committee and the amount or value of each contribution at the time of registration. Any person who makes contributions on an installment basis, the total of which exceeds \$50 in the calendar year, is considered a contributor to be identified here. N/A

1. _____ 2. _____

3. _____ 4. _____

Signature of Principal PAC Officer Michael J. DeaneTitle CHAIR, CHRISTIAN ACTION LEAGUE Date 2/27/2006

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-10
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-10 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

**United States District Court
District of Columbia**

The Christian Civic League of Maine, Inc.

70 Sewall Street
Augusta, ME 04330,

Plaintiff,

v.

Federal Election Commission,

999 E Street, NW
Washington, DC 20463,

Defendant.

Cause No. 1:06CV00614 (LFO)

THREE-JUDGE COURT

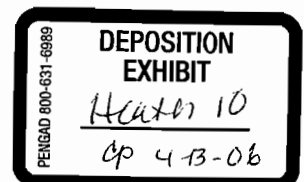
RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
2006 APR 12 AM 11:43

**Responses of the Christian Civic League of Maine, Inc. to Defendants' First
Set of Interrogatories**

General Objections

The Christian Civic League ("CCL") objects to each Interrogatory to the extent that it seeks information that is neither relevant to the parties' claims or defenses in the pending action nor reasonably calculated to lead to the discovery of admissible evidence. By responding, the CCL does not concede that any of the information requested is relevant to this action or admissible at the trial thereof or that any person identified in the responses has information relevant to this action. The CCL reserves any and all objections as to competency, relevance, materiality, privilege, admissibility, or any other grounds on which an objection may be made. The CCL expressly reserves the right to object to further discovery into the subject matter of

Interrogatory Responses



these Interrogatories or relating to any person identified in the responses. Any response that inadvertently discloses privileged information is not intended to and shall not be deemed or construed to constitute a waiver of any privilege or right of the CCL. Insofar as a response to an Interrogatory may be deemed to be a waiver of any privilege or right, such waiver shall be deemed to be a waiver limited to that particular response only.

Subject to and without waiving any of the foregoing General Objections, which are hereby incorporated into each response given below, the CCL responds to the individual interrogatories as follows:

Interrogatory 1. List each grassroots lobbying campaign by CCL since January 1, 2004 and the communication methods employed for each campaign, such as radio advertising, television advertising, print advertisements, phone banks, direct mail, mass email, public demonstrations, or any other method of grassroots lobbying.

Specific Objection: CCL objects as to relevance. Whether CCL's advertisement fits the type of activity Congress has a compelling interest in regulating depends entirely on the content of the advertisement and not with any previous grassroots lobbying campaign. Without waiving any specific or general objection, CCL responds as follows:

Answer: CCL has a state registered political action committee, the Christian Action League (CCL-PAC). Since January, 2004, CCL-PAC worked to defeat passage of state discrimination law that would expand the definition of discrimination. It circulated a petition, asking voters to sign to send the message to the Governor to veto the bill. The issue was mentioned on CCL's radio program. CCL distributed flyers and handouts. The executive director spoke at colleges.

Interrogatory 2. Identify and explain each reason why CCL considers other means of communication less effective than radio advertising in advocating for the passage of the federal Marriage Protection Amendment Act.

Specific Objections: CCL objects as to relevance. It is not the role of government to tell citizens how best to communicate. “The First Amendment protects [CCL’s] right not only to advocate [its] cause but also to select what [it] believes to be the most effective means for doing so.” *Meyer v. Grant*, 486 U.S. 414, 424 (1988).

CCL also objects as to relevance because the burden a regulation of speech places on the exercise of First Amendment rights is a matter of law and is not dependent on facts. *Elrod v. Burns*, 427 U.S. 347, 373 (1976).

CCL also objects as to relevance because the mode of communication at issue here is not relevant to the issue this case presents. By remanding *Wisconsin Right to Life v. FEC*, 126 S.Ct.1016 (2006) (“*WRTL*”), to the district court, the Supreme Court necessarily implied that there may be “genuine issue ads,” *McConnell v. FEC*, 540 U.S. 93, 206 n.88 (2003), that are broadcast by radio within prohibition periods. Accordingly, why CCL chose this mode of broadcast is irrelevant. Without waiving any specific or general objection, CCL responds as follows:

Answer: CCL considers radio advertising to be the most effective means of communication because it consistently reaches more persons per dollar spent.

Interrogatory 3. Identify and explain each reason why other means of communication that CCL has previously employed for grassroots lobbying are expected to be less effective than radio

advertising if utilized in CCL's campaign for the federal Marriage Protection Amendment Act.

Specific Objections: CCL objects as to relevance. It is not the role of government to tell citizens how best to communicate. "The First Amendment protects [CCL's] right not only to advocate [its] cause but also to select what [it] believes to be the most effective means for doing so." *Meyer v. Grant*, 486 U.S. 414, 424 (1988).

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Answer: Radio broadcasts reach the most hearers for each dollar spent. CCL has, in fact, employed radio broadcasts as part of its state grassroots lobbying efforts.

Interrogatory 4. Identify each reason why CCL is not a "qualified nonprofit corporation" within the meaning of 11 C.F.R. § 114.10.

Answer: CCL is not a "qualified nonprofit corporation" within the meaning of 11 C.F.R. § 114.10 because it does not have characteristic 11 C.F.R. § 114.10(c)(2). CCL *can* engage in

business activities, and it does. No written or unwritten bylaw, rule, or policy to which CCL is subject provides that it cannot engage in business activity.

Accordingly, it has “provided goods and services that results in income to the corporation,” 11 C.F.R. § 114.10(b)(3)(i)(A) when it has offered books and materials in exchange for a suggested donation. It holds events such as banquets which are likewise providing goods and services or are “[a]dvertising or promotional activity which results in income to the corporation, other than in the form of membership dues or donations.” 11 C.F.R. § 114.10(b)(3)(i)(B). CCL also receives advertising revenue from its newspaper, the Record.

CCL does not record income in a such a way that easily discloses whether it has, in fact, “directly or indirectly accept[ed] donations of anything of value from business corporations, or labor organizations,” 11 CFR 114.10 (c)(4)(ii). Accordingly, to the best of CCL’s knowledge and belief, it has not directly accepted any donations of anything of value from business corporations or if it has, such donations have been small. However, 11 CFR 114.10 (c)(4)(ii) also excludes from qualified nonprofit corporation status a corporation that *indirectly* accepts donations of anything of value from business corporations, and CCL may have received contributions from non-profit corporations who may have received contributions from business corporations. CCL also shares and allocates expenses with an associated entity, the Christian Education League, that does receive donations from business corporations. Because such sharing and allocation may be construed to result in the conclusion that CCL “indirectly accept[s] donations . . . from business corporations,” CCL is also not able to certify, in accordance with 11 C.F.R. § 114.10(e)(1)(ii)(B), that it has the characteristic 11 C.F.R. § 114.10(c)(4)(ii).

Interrogatory 5. Explain what steps, if any, CCL has taken to determine whether it would be harmed if it could not name Senator Snowe in its planned advertisements.

Specific Objections: CCL objects to this interrogatory as vague. The term “steps” could mean studies, focus groups, or internal workings and thought processes of the CCL. Insofar as it seeks information from CCL’s inner workings and use of proprietary information, the request is overbroad because it seeks information specifically protected by the First Amendment.

CCL objects as to relevance. It is not the role of government to tell citizens how best to communicate. “The First Amendment protects [CCL’s] right not only to advocate [its] cause but also to select what [it] believes to be the most effective means for doing so.” *Meyer v. Grant*, 486 U.S. 414, 424 (1988).

CCL objects as to relevance because the mode of communication at issue here is not relevant to the issue this case presents. By remanding *Wisconsin Right to Life v. FEC*, 126 S.Ct.1016 (2006) (“*WRTL*”), to the district court, the Supreme Court necessarily implied that there may be “genuine issue ads,” *McConnell v. FEC*, 540 U.S. 93, 206 n.88 (2003), that name a federal candidate. Accordingly, why CCL chose to name Senator Snowe is irrelevant.

Limiting the meaning of “steps” to processes not subject to the above objections, and without waiving any specific or general objection, CCL responds as follows:

Answer: CCL took no surveys or conducted no focus groups and took no other steps to determine whether it would be harmed if it could not name Senator Snowe in its planned advertisements.

Interrogatory 6. For each donation of anything of value that CCL has received from a business

corporation or labor organization since January 1, 2004, list the date, amount, and name and address of the source of the donation.

Specific Objection: CCL objects to this request as requiring disclosure of information that the government has no compelling interest in knowing. It specifically requests that such information be subject to a protective order. Without waiving any specific or general objection,, CCL responds as follows:

Answer: CCL does not record income in a such a way that easily discloses whether it has, in fact, directly or indirectly accepted donations from business corporations or labor organizations. CCL believes any such direct donations to have been small but cannot specify them. CCL may have received contributions from non-profit corporations who may have received contributions from business corporations. CCL also shares and allocates expenses with an associated entity, the Christian Education League, that does receive donations from business corporations. CCL cannot specify any indirect donations from business corporations or labor organizations.

Interrogatory 7 For each time an individual has donated in excess of \$1000 to CCL over the course of a calendar year in 2004, 2005, or to date in 2006, list the amount the individual donated in that calendar year.

Specific Objection: Disclosing such records is an infringement on the rights of speech and association without being adequately tailored to a commensurately compelling government interest. Without waiving any specific or general objection, CCL responds as follows:

Answer: *See attached Exhibit A* (nominated as “#7”)

Interrogatory 8. List the amount and the name and address of the source of each contribution from a corporation that has been pledged to pay for CCL's campaign for the passage of the federal Marriage Protection Amendment Act.

Specific Objection:

Answer: No corporation has pledged to pay for CCL's efforts for the passage of the federal Marriage Protection Amendment.

Interrogatory 9. For each individual who has pledged to contribute in excess of \$1000 to CCL to pay for CCL's campaign for the passage of the federal Marriage Protection Amendment Act, list the amount that each individual has pledged.

Specific Objection:

Answer: *See attached Exhibit B* (nominated as "# 9")

Interrogatory 10. List the amount and percentage of CCL's receipts that came from business corporations or labor organizations in 2004, 2005, and to date in 2006.

Specific Objection:

Answer: CCL does not record income in a such a way that easily discloses whether it has, in fact, "directly or indirectly accept[ed] donations of anything of value from business corporations, or labor organizations," 11 CFR 114.10 (c)(4)(ii). Accordingly, to the best of CCL's knowledge and belief, it has not directly accepted any donations of anything of value from business corporations or if it has, such donations have been small.

Interrogatory 13. Separately list the amount that CCL disbursed in 2004 and 2005 in order to advocate for against a) candidates for state or local office; and b) candidates for federal office.

Specific Objections: CCL objects as to relevance. Only the content of CCL's advertisement as provided in its Verified Complaint is relevant to this action.

CCL objects as to relevance as to candidates for state or local office. The FECA provisions at issue in this matter operate completely separately from state regulations which would apply to such elections.

CCL objects to as vague the phrase "advocate for or against." If not limited to communications that expressly advocate the election or defeat of a clearly identified candidate, such terms ask for information that the government has no compelling interest in gathering. If limited in meaning to expressly advocate the election or defeat of a clearly identified candidate, and without waiving these specific or general objections, CCL responds as follows:

Answer: a) CCL has spent no amount in order to expressly advocate the election or defeat of a clearly identified candidate for state or local office.

b) CCL has spent no amount in order to expressly advocate the election or defeat of a clearly identified candidate for federal office.

Plaintiff's

Exhibit

A

7

Contribution Date	Amount	Fund Code	Organization
1/2/2004	\$ 2,723.4	Wills	1
1/27/2004	\$ 1,565.56	MISC	1
2/4/2004	\$ 1,080.	CHBD	1
2/24/2004	\$ 3,000.	AP204	1
3/1/2004	\$ 6,500.	Wills	1
3/2/2004	\$ 4,000.	SPLG	1
6/17/2004	\$ 5,000.	SPLG	1
8/16/2004	\$ 2,000.	SPLG	1
9/20/2004	\$ 3,246.89	MISC	1
12/30/2004	\$ 10,000.	EOYG	1
1/19/2005	\$ 1,080.	CHBD	1
4/1/2005	\$ 5,000.	SPLG	1
4/19/2005	\$ 25,000.	SPLG	1
4/20/2005	\$ 1,200.	CHBD	1
4/26/2005	\$ 10,000.	SPDS	1
6/9/2005	\$ 1,300.	SPLG	1
8/4/2005	\$ 2,000.	SPLG	1
8/22/2005	\$ 20,000.	SPLG	1
8/22/2005	\$ 20,000.	SPLG	1
8/23/2005	\$ 5,000.	SPLG	1
10/12/2005	\$ 25,000.	SPLG	1
10/12/2005	\$ 25,000.	SPLG	1
10/31/2005	\$ 1,200.	CHBD	1
11/23/2005	\$ 2,000.	RCPT	1
11/28/2005	\$ 1,404.	SPLG	1
11/29/2005	\$ 10,000.	EOYG	1
1/12/2006	\$ 8,977.	DAY	1
1/12/2006	\$ 8,977.	DAY	1
2/15/2006	\$ 1,200.	CHBD	1
3/14/2006	\$ 2,000.	SPLG	1
3/16/2006	\$ 10,000.	SPDS	1

Plaintiff's
Exhibit
B

Contribution Date	Amount	Fund Code	Contribution Organization	Contact Type	Organization Name	
3/1/2004	\$ 6,500	Wills	1	Org	Putnam Investment Group	Income from Mutual funds
8/16/2004	\$ 2,000	SPLG	1	Org	International Reform Federation	Non Profit Donation
8/4/2005	\$ 2,000	SPLG	1	Org	International Reform Federation	Non Profit Donation
11/28/2005	\$ 1,404	SPLG	1	Org	United Mid-Coast Charities, Inc	Non Profit Donation
1/12/2006	\$ 8,977	DAY	1	Org	Cecil B. Day Foundation	Non Profit Donation as matching funds

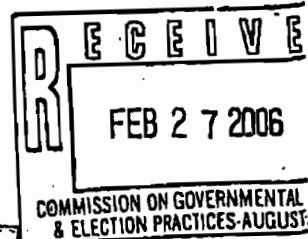
UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-11
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-11 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

☐ This is an update.

STATE OF MAINE
Commission on Governmental Ethics and Election Practices
 135 State House Station
 Augusta, Maine 04333
 Tel: (207) 287-6221 Fax: (207) 287-6775
 Website: www.maine.gov/ethics



REGISTRATION FOR POLITICAL ACTION COMMITTEES

A political action committee must register with the Commission within 7 days of accepting contributions, incurring obligations or making expenditures in the aggregate in excess of \$1,500 in any single calendar year to initiate, support, defeat or influence in any way a campaign, referendum, initiated petition, candidate, political committee or another political action committee (21-A M.R.S.A. §1053).

Within 10 days of a change in PAC information an amended registration form must be submitted to the Commission.
The committee must file an updated registration every election year between January 1st and March 1st.

I. COMMITTEE INFORMATION

Name of committee COALITION FOR MARRIAGE Acronym N/A
 Mailing address 70 SEWALL STREET Telephone # 622-7634
 City, State, Zip Code AUGUSTA, ME 04330 Fax # 621-0035
 Website WWW.CFMLMAINE.ORG

II. IDENTIFICATION OF TREASURER AND PRINCIPAL OFFICERS OF COMMITTEE

A. Committee Treasurer: GREGG TABBUTT
 Mailing address 555 GRANDVIEW AVENUE Telephone # 945-5995
 City, State, Zip Code BANGOR, ME 04401 E-Mail GLT@GWI.NET

B. Principal Officers:

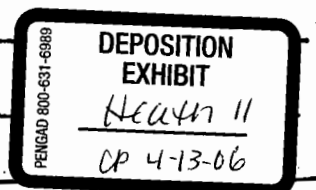
Name REV. SANDY WILLIAMS Title CHAIRMAN
 Mailing address _____
 City, State, Zip code _____ Telephone # _____
 Name MICHAEL HEIN Title ASST. TREASURER
 Mailing address 28 FRANKLIN STREET Mhein1@gwi.net
 City, State, Zip Code AUGUSTA, ME 04330 Telephone # 622-2599

C. Identify any candidates, Legislators or other individuals who are the primary fundraisers and decision makers for the committee.

REV. SANDY WILLIAMS - DECISION MAKER
MICHAEL S. HEATH - DECISION MAKER

III. MAILING ADDRESS (Filing notices and correspondence will be mailed to this address.)

70 SEWALL STREET, AUGUSTA, ME 04330



IV. STATUS OF COMMITTEEIs this a continuing committee? Yes X No _____**V. FORM OF ORGANIZATION**

A. Name the form or structure of organization; i.e., cooperative, corporation, voluntary association, partnership, etc.

ADVOCACY MINISTRY, ^{NON} FOR-PROFIT CORPORATIONB. Date of origin/incorporation 4/6/2005**VI. STATEMENT OF SUPPORT OR OPPOSITION**

Indicate whether the committee supports or opposes a candidate, political committee, referendum, initiated petition or campaign. If unknown at the time of registration, the committee must inform the Commission as soon as the committee knows this information.

SupportX Oppose SAME-SEX MARRIAGE**VII. ASSETS OF COMMITTEE**

List total assets at time of registration. Include deposits, real and personal property, investments, cash, and all other available assets.

UNKNOWN

1. _____ 2. _____

VIII. DEPOSITORY OF FUNDSName of depository KENNEBEC SAVINGS BANK Account # _____Address AUGUSTA, ME 04330

Name of depository _____ Account # _____

Address _____

IX. CONTRIBUTIONS TO THE COMMITTEE

List the names and mailing addresses of contributors who donate in excess of \$50 each year to the committee and the amount or value of each contribution at the time of registration. Any person who makes contributions on an installment basis, the total of which exceeds \$50 in the calendar year, is considered a contributor to be identified here.

NONE ON AN INSTALLMENT BASIS

1. _____ 2. _____

3. _____ 4. _____

Signature of Principal PAC Officer Michael J. HenTitle ASST. TREASURER, COALITION FOR MARRIAGE Date 2/27/2006

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-12
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-12 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**



- HOME
- MAINEJOBS
- HOMES
- WHEELS
- MARKETPLACE
- NEWS
- Local and State
- Midday/4PM Reports
- AP Wire
- InDepth
- Week in Photos
- WEATHER
- 5-day Forecast
- On the Ocean
- SPORTS
- High Schools
- Red Sox
- Pirates
- BUSINESS
- News
- Blogs
- Maine News Direct
- Classifieds
- ENTERTAINMENT
- Calendar
- Movies
- Dining
- Music
- Theater
- Art
- TRAVEL
- Maine Regions
- From Away
- Vacation Rentals
- Lodging Guide
- OUTDOORS
- Hiking
- Fishing
- Trail Head
- Campground Guide
- BLOGS
- Christina's World
- Kid Tracks
- A Dog's Life
- More blogs
- 10 BELOW
- Teen Blogs
- One-Minute Wonders
- Reindeer Rock-off
- MAINEJOBS
- Search Jobs
- Post a Job
- News and Resources
- Employer Profiles
- HOMES
- Classifieds
- Advice and Info
- Featured Agents
- Moving to Maine
- Retiring in Maine
- WHEELS
- Classifieds
- Resources and Info
- Featured Dealers
- 15LESTONES
- Celebrations
- Obituaries
- MARKETPLACE
- Classifieds
- Special Sections
- ADVERTISING
- 5 Reasons
- Advertising Products
- MEMBER CENTER
- Press Herald
- Sunday Telegram

Morning Sentinel

NEWS SPORTS OBITUARIES VIEWPOINTS WHAT'S HAPPENING CLASSIFIEDS

Wednesday, April 27, 2005 E-mail this story to a friend

Civic league head expects large turnout for anti-gay-rights rally

By BETTY ADAMS
Staff Writer

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AUGUSTA -- The executive director of the Christian Civic League of Maine said he expects at least 1,000 people for Thursday's rally in support of a petition drive to repeal a law protecting gays and lesbians from discrimination.

Michael Heath guessed he would need three to six buses to shuttle people from a remote parking site at the Kennebec Ice Arena in Hallowell to the Statehouse steps, where the first of four speakers is set to begin addressing the crowd at 10:25 a.m. Thursday.

But Heath had little solid information on the number of attendees. There could be as many as 2,000 at the "Marriage: One Man, One Woman" rally.

"We're going on sketchy information," he said. "There are no tickets. We're having to make decisions on hints."

He's got a "good contingent coming from Millinocket," he said, and a large turnout from the Portland area, where one pastor told him, "You will need more buses for shuttles." Calvary Chapel School in Brewer is sending down the entire 100-student body.

"I know there's at least one lobsterman from Beals Island, Dan Riley," Heath said. "He's in radio ads right now."

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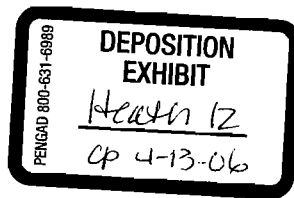
Today's Top Headlines from the Kennebec Journal

- Compromised Katahdin plan approved by House
- 152nd to return on Thursday

Thai Yoga Bodywork Workshop to be offered at CMMC on April 21
[read more >>](#)

CMMC Receives Grant
The Maine Comprehensive Cancer Consortium's Skin Cancer Task Force has awarded Central Maine Medical Center a grant to support the "No Sun for Babies" program
[read more >>](#)

CMMC Health and Wellness Services
Central Maine Medical Center Health and Wellness Services announce programs beginning on February 27.
[read more >>](#)



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REAL Cities

etwork Affiliate

The Christian Civic League is running radio ads up to 700 or 800 times, trying to drum up support for their cause, which includes urging legislators to amend the state Constitution to define marriage as a union between a man and a woman. The league and its partners also are running full-page ads in Maine newspapers about the rally.

Shuttle buses will run from the Kennebec Ice Arena beginning at 9 a.m. and continue until the rally starts. They'll run again beginning at 11:30 a.m. to take people back to their vehicles.

Heath said attendees will be asked to go to Capital Park and get petitions so they can collect signatures urging the repeal of the gay-rights law.

Some 1,000 T-shirts carrying a marriage logo will be distributed to petition circulators.

Rally sponsors, including the Coalition for Marriage, the Maine Grassroots Coalition and the Christian Civic League, obtained a permit from Capitol Security to hold the rally, and the Augusta Police Department has agreed to help when crowds want to cross State Street between the Statehouse and Capitol Park.

No road closures or other extraordinary traffic control is expected in the area of the Statehouse on Thursday.

Betty Adams-- 621-5631

badams@centralmaine.com

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from the Kennebec Journal

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from the Morning Sentinel**

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from the Morning Sentinel

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Questions/Comments?
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Medical Journal
2006

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Chatties
Motor Mail
of Augusta

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-13
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-13 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

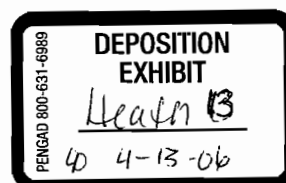
Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
1/31/2006	157

Bill To
Linnehan Family Business Ryan Linnehan PO Box 553 Ellsworth, ME 04605

Description	Amount
Newspaper ad; Full Page Ad Credit Now. Com	350.00
If paid before March 1, 2006 a 5% discount will apply, Please reduce your payment accordingly.	
Total	\$350.00



Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
1/31/2006	159

Bill To
Mr. & Mrs. Douglas Sukeforth 982 Lakeview Drive China, Maine 04358

Description	Amount
Newspaper ad 5 inch x 2 colmn February Issue Total Value: \$56.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Christian Civic League**70 Sewall St.
Augusta Me. 04330****Invoice**

Date	Invoice #
2/17/2006	165

Bill To
Heritage Of Maine Dick Traynor 1321 Washington Ave. Suite 205 Portland, Maine 04103

Description	Amount
Newspaper ads March Issue Full Page Ad Total Value \$600.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Invoice

70 Sewall St.
Augusta Me. 04330

Date	Invoice #
2/17/2006	166

Bill To
Jeremiah Project Robert Emrich P.O. Box 62 Plymouth, Me 04696

Description	Amount
Newspaper ad 3x2 March Issue Total Value \$60.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Invoice

Christian Civic League

70 Sewall St.
Augusta Me. 04330

Date	Invoice #
2/17/2006	167

Bill To
Hosanna New Testament Church Dallas Henry 109 Schoolhouse Road Oxford, ME 04270

Description	Amount
Newspaper ad 2x2 March Issue Total Value: \$28.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Invoice**Christian Civic League****70 Sewall St.
Augusta Me. 04330**

Date	Invoice #
2/17/2006	168

Bill To
Mr. & Mrs. Richard Kurtz One Windward Way Cape Elizabeth, Maine 04107

Description	Amount
Newspaper ad 5x2 March Issue Total Value \$56.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
2/17/2006	169

Bill To
Homeschoolers of Maine P.O. Box 159 Camden, Me 04843-0159

Description	Amount
Newspaper ad Full Page March Issue Total Value \$600.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Christian Civic League

70 Sewall St.

Augusta Me. 04330

Invoice

Date	Invoice #
2/17/2006	170

Bill To

Cape Neddick Baptist Church
P.O. Box 220
34 River Road
Cape Neddick, Me 03902

Description	Amount
Newspaper ad 1x4 March Issue Total Value \$40.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Christian Civic League

70 Sewall St.

Augusta Me. 04330

Invoice

Date	Invoice #
2/17/2006	171

Bill To
Mr. & Mrs. Douglas Sukeforth 982 Lakeview Drive China, Maine 04358

Description	Amount
Newspaper ads 2x5 March Issue Total Value \$56.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Invoice

Christian Civic League

70 Sewall St.
Augusta Me. 04330

Date	Invoice #
2/17/2006	172

Bill To
Free Indeed Ministries Aaron Shorey PO Box 2836 Waterville, ME 04903

Description	Amount
Newspaper ad 2x2 March Issue Total Value \$40.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330

Invoice

Date	Invoice #
2/17/2006	173

Bill To
TecnPact Attn: Nathanael Yellis P.O. Box 9 Jefferson, GA 30549

Description	Amount
Newspaper ad Full Page March Issue Total Value \$600.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
3/15/2006	175

Bill To
Heritage Of Maine Dick Traynor 1321 Washington Ave. Suite 205 Portland, Maine 04103

Description	Amount
Newspaper ad Half Page April Issue	300.00
If paid before April 1, 2006 a 5% discount will apply, Please reduce your payment accordingly.	
Total	\$300.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
3/15/2006	176

Bill To
Viddles & Griddles 901 Main Street Oxford, Me 04270

Description	Amount
Newspaper ad Half Page April Issue	105.00
If paid before April 1, 2006 a 5% discount will apply, Please reduce your payment accordingly.	
Total	\$105.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
3/15/2006	171

Bill To
Mayflower Productions 28 Mayflower Lane South China, ME 04358

Description	Amount
Newspaper ad 2x2 April Issue Total Value \$28.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Invoice

Christian Civic League

70 Sewall St.

Augusta Me. 04330

Date	Invoice #
3/15/2006	178

Bill To

Hosanna New Testament Church
Dallas Henry
109 Schoolhouse Road
Oxford, ME 04270

Description	Amount
Newspaper ad 2x2 April Issue Total Value \$28.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
3/15/2006	179

Bill To
Mr. & Mrs. Douglas Sukeforth 982 Lakeview Drive China, Maine 04358

Description	Amount
Newspaper ad 5x5 April Issue Total Value \$56.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Invoice

Christian Civic League

70 Sewall St.
Augusta Me. 04330

Date	Invoice #
3/15/2006	180

Bill To
Hope Haven Gospel Mission 209 Lincoln Street Lewiston, Maine 04240

Description	Amount
Newspaper ad April Issue 4x2 Total Value \$56.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Invoice

Christian Civic League

70 Sewall St.
Augusta Me. 04330

Date	Invoice #
3/15/2006	181

Bill To
Frec Indeed Ministries Aaron Shorey PO Box 2836 Waterville, ME 04903

Description	Amount
Newspaper ad 2x2 April Issue Total Value \$40.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330

Invoice

Date	Invoice #
3/15/2006	182

Bill To
Linnehan Family Business Ryan Linnehan PO Box 553 Ellsworth, ME 04605

Description	Amount
Newspaper ad Full Page April Issue	350.00
<p>If paid before April 1, 2006 a 5% discount will apply, Please reduce your payment accordingly.</p>	
Total	\$350.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
3/15/2006	183

Bill To
Mr. & Mrs. Richard Kurtz One Windward Way Cape Elizabeth, Maine 04107

Description	Amount
Newspaper ad 5x5 April Issue "WORLD Magazine" Total Value \$56.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	invoice #
3/15/2006	184

Bill ToEdward Sepcialo
570 Middle Road
Sabbatus, Maine 04280

Description	Amount
Newspaper ad Business Card Ad April Issue	10.00
Total	
\$10.00	

Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
3/15/2006	185

Bill To
Michelle Truman P O. Box 296 Hallowell, Maine 04347

Description	Amount
Newspaper ad 2x2 April Issue Total Value \$ 28.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

70 Sewall St.
Augusta Me. 04330

Invoice

Date	Invoice #
3/15/2006	186

Bill To
Allen's Auto Sales Peter Allen 24 Main Street Norway, Maine 04268

Description	Amount
Newspaper ad April Issue Business Card Ad	10.00
	Total \$10.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
3/21/2006	187

Bill To
New Life Christian Academy Jim Warnock 8 Drift Road Prychburg, Maine 04037

Description	Amount
Newspaper ad April Issue 2x2 space Total Value \$28.00 COMMITTED FOR 3 Months 5% discount \$1.40	26.60
If paid before April 1, 2006 a 5% discount will apply. Please reduce your payment accordingly.	
Total	\$26.60

Christian Civic League

70 Sewall St.

Augusta Me. 04330

Invoice

Date	Invoice #
3/21/2006	188

Bill To
Market America Phil Clayton 42 Masonic Street Rockland, Maine 04841

Description	Amount
Newspaper ad April Issue Business Card \$10.00 per month COMMITTED FOR 3 MONTHS April, May, June Total Value \$30.00 Paid in full 3/21/06 no payment needed	0.00
No balance due	Total \$0.00

Christian Civic League

70 Sewall St.
Augusta Me. 04330**Invoice**

Date	Invoice #
1/31/2006	159

Bill To
Mr. & Mrs. Richard Kurtz One Windward Way Cape Elizabeth, Maine 04107

Description	Amount
Newspaper ad 5 inch x 2 Column February Issue Total Value: \$56.00	0.00
No balance due Courtesy Advertisement	Total \$0.00

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT A-14
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT A-14 SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

Form **990**

OMB No. 1545-0047

Department of the Treasury
Internal Revenue Service

Return of Organization Exempt From Income Tax

Under section 501(c), 527, or 4947(a)(1) of the Internal Revenue Code (except black lung benefit trust or private foundation)

The organization may have to use a copy of this return to satisfy state reporting requirements.

2004Open to Public
Inspection**A** For the 2004 calendar year, or tax year beginning , and ending**B** Check if applicable:

- ☐ Address change
- ☐ Name change
- ☐ Initial return
- ☐ Final return
- ☐ Amended return
- ☐ Application pending

Please use IRS label or print or type.

See Specific Instructions.

C Name of organization**Christian Civic League of Maine Inc.**

Number and street (or P.O. box if mail is not delivered to street address)

70 Sewall Street

City or town, state or country, and ZIP + 4

Augusta**ME 04330-6333****D** Employer identification no.**01-0044660****E** Telephone number**207-622-7634****F** Accounting method: ☐ Cash☒ Accrual ☐ Other (specify)

Section 501(c)(3) organizations and 4947(a)(1) nonexempt charitable trusts must attach a completed Schedule A (Form 990 or 990-EZ).

G Website: **www.cclmaine.org****J** Organization type(check only one) ☒ 501(c) (**4**) (insert no.) ☐ 4947(a)(1) or ☐ 527**K** Check here ☐ if the organization's gross receipts are normally not more than \$25,000.

The organization need not file a return with the IRS; but if the organization received a Form 990 Package in the mail, it should file a return without financial data. Some states require a complete return.

H and I are not applicable to section 527 organizations.

H(a) Is this a group return for affiliates? ☐ Yes ☒ No**H(b)** If "Yes," enter number of affiliates **▶****H(c)** Are all affiliates included? ☐ Yes ☐ No

(If "No," att. a list. See instr.)

H(d) Is this a separate return filed by anorganization covered by a group ruling? ☐ Yes ☒ No**I** Group Exemption Number **▶**

M Check ☐ if the organization is not required to attach Sch. B (Form 990, 990-EZ, or 990-PF).

L Gross receipts: Add lines 6b, 8b, 9b, and 10b to line 12 **▶****250,599****Part I Revenue, Expenses, and Changes in Net Assets or Fund Balances (See page 18 of the instructions.)****1** Contributions, gifts, grants, and similar amounts received:**a** Direct public support**1a** **181,492****b** Indirect public support**1b** **50,513****c** Government contributions (grants)**1c****d** Total (add lines 1a through 1c) (cash \$ **232,005** noncash \$)**1d** **232,005****2** Program service revenue including government fees and contracts (from Part VII, line 93)**2** **595****3** Membership dues and assessments**3****4** Interest on savings and temporary cash investments**4****5** Dividends and interest from securities**5** **645****6a** Gross rents**6a****b** Less: rental expenses**6b****c** Net rental income or (loss) (subtract line 6b from line 6a)**6c****7** Other investment income (describe)**7****8a** Gross amount from sales of assets other than inventory(A) Securities **16,500**

(B) Other

8a**b** Less: cost or other basis and sales expenses**12,135****8b****c** Gain or (loss) (attach schedule)**4,365****8c****d** Net gain or (loss) (combine line 8c, columns (A) and (B))**See Stmt 1****8d** **4,365****9** Special events and activities (attach schedule). If any amount is from gaming, check here ☐**a** Gross revenue (not including \$ of contributions reported on line 1a)**9a****b** Less: direct expenses other than fundraising expenses**9b****c** Net income or (loss) from special events (subtract line 9b from line 9a)**9c****10a** Gross sales of inventory, less returns and allowances**10a****b** Less: cost of goods sold**10b****c** Gross profit or (loss) from sales of inventory (attach schedule) (subtract line 10b from line 10a)**10c****11** Other revenue (from Part VII, line 11a)**11** **854****12** Total revenue (add lines 1d, 2, 3, 4, 5, 6c, 7, 8d, 9c, 10c, and 11)**12** **238,464****13** Program services (from line 44, column (B))**13** **166,015****14** Management and general (from line 44, column (C))**14** **38,023****15** Fundraising (from line 44, column (D))**15** **29,947****16** Payments to affiliates (attach schedule)**16****17** Total expenses (add lines 16 and 44, column (A))**17** **233,985****18** Excess or (deficit) for the year (subtract line 17 from line 12)**18** **4,479****19** Net assets or fund balances at beginning of year (from line 73, column (A))**19** **60,296****20** Other changes in net assets or fund balances (attach explanation)**See Statement 2****20** **-2,035****21** Net assets or fund balances at end of year (combine lines 18, 19, and 20)**21** **62,740**

For Privacy Act and Paperwork Reduction Act Notice, see the separate instructions.

DAA

PENGAD 800-631-6809

DEPOSITION
EXHIBITHeater 14
cp 4-13-06

Form 990 (2004)

G 78

Advisors

Mr. Robert Bruns,	14 Harbor Ridge Road, Freeport, ME 04032	865-6194 H Fax 774-4917W bbruns@headlightaudiovisual.com
Rev. Whitfield Curtis,	1516 Highway 1, Littleton, ME 04730	538-9386 H
Mr. James Duran,	105 Harris Avenue, Portland, ME 04103	797-4915 W/H JimD15904@aol.com
Dr. Eugene Glad,	11 Middle Street, Augusta, ME 04330	622-1430W
Mr. Irving Lash,	41 Jefferson Street, Augusta, ME 04330	622-6784W ejqins@powerlink.net
Mrs. Evelyn Maxfield,	170 Naples Road, Harrison, ME 04040	583-2388 H dodevy1@juno.com
Mr. Arnold Sturtevant,	P.O. Box 2350, Kents Hill, ME 04349 Summer Camp in Weld	897-4125H 585-2139

Denominational Advisors

ASSEMBLIES OF GOD --

Rev. Brad Puckett, Kennebec Valley Assembly of God, 44 Hallowell Road Chelsea, ME 04330-9644	622-1572 C 445-5853 H kvaog@juno.com
---	--

July 21, 2005

Part II Statement of Functional Expenses

All organizations must complete column (A). Columns (B), (C), and (D) are required for section 501(c)(3) and (4) organizations and section 4947(a)(1) nonexempt charitable trusts but optional for others. (See page 22 of the instructions.)

Do not include amounts reported on line 6b, 8b, 9b, 10b, or 16 of Part I.

	(A) Total	(B) Program services	(C) Management and general	(D) Fundraising
22 Grants and allocations (attach schedule) (cash \$ non-cash \$)	22			
23 Specific assistance to individuals	23			
24 Benefits paid to or for members	24			
25 Compensation of officers, directors, etc.	25 60,200	42,140	9,030	9,030
26 Other salaries and wages	26 61,214	42,850	9,182	9,182
27 Pension plan contributions	27			
28 Other employee benefits	28 9,113	6,379	1,367	1,367
29 Payroll taxes	29 10,686	7,480	1,603	1,603
30 Professional fundraising fees	30			
31 Accounting fees	31 2,773	2,773		
32 Legal fees	32 16,146	10,470	2,838	2,838
33 Supplies	33 3,300		3,300	
34 Telephone	34 5,339	3,737	801	801
35 Postage and shipping	35 7,006	4,904	1,051	1,051
36 Occupancy	36 15,444	10,376	2,844	2,224
37 Equipment rental and maintenance	37 4,736	2,972	1,764	
38 Printing and publications	38 394	276	59	59
39 Travel	39 6,248	3,124	1,562	1,562
40 Conferences, conventions, and meetings	40			
41 Interest	41 82		82	
42 Depreciation, depletion, etc. (attach schedule)	42 1,535	1,075	230	230
43 Other expenses not covered above (itemize): a	43a			
b See Statement 3	43b 29,769	27,459	2,310	
c	43c			
d	43d			
e	43e			
44 Total functional expenses (add lines 22 - 43). Organizations completing columns (B)-(D), carry these totals to lines 13-15	44 233,985	166,015	38,023	29,947

Joint Costs. Check ☐ if you are following SOP 98-2.

Are any joint costs from a combined educational campaign and fundraising solicitation reported in (B) Program services? ☐ Yes ☒ No

If "Yes," enter (i) the aggregate amount of these joint costs \$; (ii) the amount allocated to Program services \$;

(iii) the amount allocated to Management and general \$; and (iv) the amount allocated to Fundraising \$

Part III Statement of Program Service Accomplishments (See page 25 of the instructions.)

What is the organization's primary exempt purpose?

To make the publics aware of ethical issues.

All organizations must describe their exempt purpose achievements in a clear and concise manner. State the number of clients served, publications issued, etc. Discuss achievements that are not measurable. (Section 501(c)(3) and (4) organizations and 4947(a)(1) nonexempt charitable trusts must also enter the amount of grants and allocations to others.)

Program Service Expenses
(Required for 501(c)(3) & (4) orgs., & 4947(a)(1) trusts; but optional for others.)

a The organization mails periodic publications that serve to make interested persons and the general public aware of various ethical issues.	(Grants and allocations \$)	166,015
b	(Grants and allocations \$)	
c	(Grants and allocations \$)	
d	(Grants and allocations \$)	
e Other program services (attach schedule)	(Grants and allocations \$)	
f Total of Program Service Expenses (should equal line 44, column (B), Program services)		166,015

Part IV Balance Sheets (See page 25 of the instructions.)

Note: Where required, attached schedules and amounts within the description column should be for end-of-year amounts only.		(A) Beginning of year		(B) End of year
45	Cash-non-interest-bearing	2,913	45	13,151
46	Savings and temporary cash investments		46	
47a	Accounts receivable		47a	
b	Less: allowance for doubtful accounts		47b	
			47c	
48a	Pledges receivable		48a	
b	Less: allowance for doubtful accounts		48b	
			48c	
49	Grants receivable		49	
50	Receivables from officers, directors, trustees, and key employees (attach schedule)		50	
51a	Other notes and loans receivable (attach schedule)		51a	
b	Less: allowance for doubtful accounts		51b	
			51c	
52	Inventories for sale or use		52	
53	Prepaid expenses and deferred charges		53	
54	Investments-securities See Statement 4 <input type="checkbox"/> Cost <input checked="" type="checkbox"/> FMV	63,906	54	50,330
55a	Investments-land, buildings, and equipment: basis		55a	
b	Less: accumulated depreciation (attach schedule)		55b	
			55c	
56	Investments-other (attach schedule)		56	
57a	Land, buildings, and equipment: basis	43,079	57a	
b	Less: accumulated depreciation (attach schedule) See Statement 5	36,064	57b	
		6,015	57c	7,015
58	Other assets (describe ▶)		58	
59	Total assets (add lines 45 through 58) (must equal line 74)	72,834	59	70,496
60	Accounts payable and accrued expenses	12,538	60	7,756
61	Grants payable		61	
62	Deferred revenue		62	
63	Loans from officers, directors, trustees, and key employees (attach schedule)		63	
64a	Tax-exempt bond liabilities (attach schedule)		64a	
b	Mortgages and other notes payable (attach schedule)		64b	
65	Other liabilities (describe ▶)		65	
66	Total liabilities (add lines 60 through 65)	12,538	66	7,756
Organizations that follow SFAS 117, check here <input checked="" type="checkbox"/> and complete lines 67 through 69 and lines 73 and 74.				
67	Unrestricted	56,531	67	58,975
68	Temporarily restricted		68	
69	Permanently restricted	3,765	69	3,765
Organizations that do not follow SFAS 117, check here <input type="checkbox"/> and complete lines 70 through 74.				
70	Capital stock, trust principal, or current funds		70	
71	Paid-in or capital surplus, or land, building, and equipment fund		71	
72	Retained earnings, endowment, accumulated income, or other funds		72	
73	Total net assets or fund balances (add lines 67 through 69 or lines 70 through 72; column (A) must equal line 19; column (B) must equal line 21)	60,296	73	62,740
74	Total liabilities and net assets / fund balances (add lines 66 and 73)	72,834	74	70,496

Form 990 is available for public inspection and, for some people, serves as the primary or sole source of information about a particular organization. How the public perceives an organization in such cases may be determined by the information presented on its return. Therefore, please make sure the return is complete and accurate and fully describes, in Part III, the organization's programs and accomplishments.

DAA

Reconciliation of Expenses per Audited Financial Statements with Expenses per Return

N/A

Part V **List of Officers, Directors, Trustees, and Key Employees** (List each one even if not compensated; see page 27 of the instructions.)

75 Did any officer, director, trustee, or key employee receive aggregate compensation of more than \$100,000 from your organization and all related organizations, of which more than \$10,000 was provided by the related organizations? ☐ Yes ☒ No
If "Yes," attach schedule-see page 28 of the instructions.

Form 990 (2004) **Christian Civic League of Maine** 01-0044660

Page 5

Part VI Other Information (See page 28 of the instructions.)

		Yes	No
76	Did the organization engage in any activity not previously reported to the IRS? If "Yes," attach a detailed description of each activity	76	X
77	Were any changes made in the organizing or governing documents but not reported to the IRS? If "Yes," attach a conformed copy of the changes.	77	X
78a	Did the organization have unrelated business gross income of \$1,000 or more during the year covered by this return?	78a	X
b	If "Yes," has it filed a tax return on Form 990-T for this year?	78b	
79	Was there a liquidation, dissolution, termination, or substantial contraction during the year? If "Yes," attach a statement	79	X
80a	Is the organization related (other than by association with a statewide or nationwide organization) through common membership, governing bodies, trustees, officers, etc., to any other exempt or nonexempt organization?	80a	X
b	If "Yes," enter the name of the organization Christian Education League, Inc. and check whether it is <input checked="" type="checkbox"/> exempt or <input type="checkbox"/> nonexempt.		
81a	Enter direct and indirect political expenditures. See line 81 instructions	81a	
b	Did the organization file Form 1120-POL for this year?	81b	X
82a	Did the organization receive donated services or the use of materials, equipment, or facilities at no charge or at substantially less than fair rental value?	82a	X
b	If "Yes," you may indicate the value of these items here. Do not include this amount as revenue in Part I or as an expense in Part II. (See instructions in Part III.)	82b	
83a	Did the organization comply with the public inspection requirements for returns and exemption applications?	83a	X
b	Did the organization comply with the disclosure requirements relating to quid pro quo contributions?	83b	N/A
84a	Did the organization solicit any contributions or gifts that were not tax deductible?	84a	X
b	If "Yes," did the organization include with every solicitation an express statement that such contributions or gifts were not tax deductible?	84b	X
85	501(c)(4), (5), or (6) organizations. a Were substantially all dues nondeductible by members?	85a	X
b	Did the organization make only in-house lobbying expenditures of \$2,000 or less? If "Yes" was answered to either 85a or 85b, do not complete 85c through 85h below unless the organization received a waiver for proxy tax owed for the prior year.	85b	X
c	Dues, assessments, and similar amounts from members	85c	0
d	Section 162(e) lobbying and political expenditures	85d	0
e	Aggregate nondeductible amount of section 6033(e)(1)(A) dues notices	85e	0
f	Taxable amount of lobbying and political expenditures (line 85d less 85e)	85f	0
g	Does the organization elect to pay the section 6033(e) tax on the amount on line 85f?	85g	N/A
h	If section 6033(e)(1)(A) dues notices were sent, does the organization agree to add the amount on line 85f to its reasonable estimate of dues allocable to nondeductible lobbying and political expenditures for the following tax year?	85h	N/A
86	501(c)(7) orgs. Enter: a Initiation fees and capital contributions included on line 12	86a	
b	Gross receipts, included on line 12, for public use of club facilities	86b	
87	501(c)(12) orgs. Enter: a Gross income from members or shareholders	87a	
b	Gross income from other sources. (Do not net amounts due or paid to other sources against amounts due or received from them.)	87b	
88	At any time during the year, did the organization own a 50% or greater interest in a taxable corporation or partnership, or an entity disregarded as separate from the organization under Regulations sections 301.7701-2 and 301.7701-3? If "Yes," complete Part IX	88	X
89a	501(c)(3) organizations. Enter: Amount of tax imposed on the organization during the year under: section 4911 <input type="checkbox"/> ; section 4912 <input type="checkbox"/> ; section 4955 <input type="checkbox"/>		
b	501(c)(3) and 501(c)(4) orgs. Did the organization engage in any section 4958 excess benefit transaction during the year or did it become aware of an excess benefit transaction from a prior year? If "Yes," attach a statement explaining each transaction	89b	X
c	Enter: Amount of tax imposed on the organization managers or disqualified persons during the year under sections 4912, 4955, and 4958		0
d	Enter: Amount of tax on line 89c, above, reimbursed by the organization		0
90a	List the states with which a copy of this return is filed None	90b	2
b	Number of employees employed in the pay period that includes March 12, 2004 (See instructions.)		
91	The books are in care of Michael Heath Located at Augusta, ME	Telephone no. 207-622-7634 ZIP + 4 04330	
92	Section 4947(a)(1) nonexempt charitable trusts filing Form 990 in lieu of Form 1041- Check here <input type="checkbox"/> and enter the amount of tax-exempt interest received or accrued during the tax year	92	

Form 990 (2004)

Part VII Analysis of Income-Producing Activities (See page 33 of the instructions.)

Note: Enter gross amounts unless otherwise indicated.

	Unrelated business income		Excluded by sec. 512, 513, or 514		(E) Related or exempt function income
	(A) Business code	(B) Amount	(C) Exclusion code	(D) Amount	
93 Program service revenue:					
a Convention Revenue					595
b					
c					
d					
e					
f Medicare/Medicaid payments					
g Fees and contracts from government agencies					
94 Membership dues and assessments					
95 Interest on savings and temporary cash investments					
96 Dividends and interest from securities			14	645	
97 Net rental income or (loss) from real estate:					
a debt-financed property					
b not debt-financed property					
98 Net rental income or (loss) from personal property					
99 Other investment income					
100 Gain or (loss) from sales of assets other than inventory					4,365
101 Net income or (loss) from special events					
102 Gross profit or (loss) from sales of inventory					
103 Other revenue: a					
b Other revenue - Excluded					854
c					
d					
e					
104 Subtotal (add columns (B), (D), and (E))		0		645	5,814
105 Total (add line 104, columns (B), (D), and (E))					6,459

Note: Line 105 plus line 1d, Part I, should equal the amount on line 12, Part I.

Part VIII Relationship of Activities to the Accomplishment of Exempt Purposes (See page 34 of the instructions.)

Line No.	Explain how each activity for which income is reported in column (E) of Part VII contributed importantly to the accomplishment of the organization's exempt purposes (other than by providing funds for such purposes).
93a	Program service revenue, along with other income
103a	provide the League with the capital necessary to fund its operations.

Part IX Information Regarding Taxable Subsidiaries and Disregarded Entities (See page 34 of the instructions.)

(A) Name, address, and EIN of corporation, partnership, or disregarded entity	(B) Percentage of ownership interest	(C) Nature of activities	(D) Total income	(E) End-of-year assets
N/A	%			
	%			
	%			
	%			

Part X Information Regarding Transfers Associated with Personal Benefit Contracts (See page 34 of the instructions.)

- (a) Did the organization, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract? ☐ Yes ☒ No
- (b) Did the organization, during the year, pay premiums, directly or indirectly, on a personal benefit contract? ☐ Yes ☒ No

Note: If "Yes" to (b), file Form 8870 and Form 4720 (see instructions).

Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

Please Sign Here	Signature of officer	Date
	<i>M. Heath</i>	<i>8-01-05</i>
	Signature of officer	Date
	<i>Exec. Dir.</i>	
	Date	Check if self-employed <input type="checkbox"/>
		Preparer's SSN or PTIN (See Gen. Instr. W)

CCL4660 Christian Civic League of Maine
 01-0044660
 FYE: 12/31/2004

Federal Statements

7/25/2005 8:43 AM

Statement 1 - Form 990, Part I, Line 8c - Sale of Assets Other Than Inventory - Securities

Desc		How Rec'd	Whom Sold	Date Acquired	Date Sold	Sale Price	Cost & Expense	Deprec	Gain/ -Loss
Sales of Stocks		Purchase		Various	Various	\$ 16,500	\$ 12,135	\$	\$ 4,365
Total						\$ 16,500	\$ 12,135	\$ 0	\$ 4,365

CCL4660 Christian Civic League of Maine

7/25/2005 8:43-AM

01-0044660

Federal Statements

FYE: 12/31/2004

Statement 2 - Form 990, Line 20 - Other Changes in Net Assets or Fund Balances

<u>Description</u>	<u>Amount</u>
Unrealized losses on investments	\$ -2,035
Total	\$ -2,035

01-0044660

Federal Statements

FYE: 12/31/2004

Statement 3 - Form 990, Part II, Line 43 - Other Functional Expenses

Description	Total Expenses	Program Service	Mgt & General	Fund- Raising
	\$	\$	\$	\$
Expenses				
Miscellaneous Office Expense	1,218		1,218	
Insurance	1,092		1,092	
Members/constituency expenses	10,163	10,163		
Weekly Issues Summary	255	255		
The Record Expense	5,443	5,443		
Annual Convention	1,309	1,309		
Public Relations/Advertising	7,563	7,563		
Books & Periodicals	2,345	2,345		
Coalition on Marriage	381	381		
Total	\$ 29,769	\$ 27,459	\$ 2,310	\$ 0

01-0044660

Federal Statements

FYE: 12/31/2004

Statement 4 - Form 990, Part IV, Line 54 - Investments in Securities

<u>Description</u>	<u>Beginning of Year</u>	<u>End of Year</u>	<u>Basis of Valuation</u>
US and State Government Investments in securities	63,906	50,330	Market
	<u>63,906</u>	<u>50,330</u>	

Statement 5 - Form 990, Part IV, Line 57 - Land, Buildings, and Equipment

<u>Description</u>	<u>Beginning of Year</u>	<u>Accum Deprec</u>	<u>End of Year</u>	<u>Accum Deprec</u>
Furniture & fixtures	\$ 40,542	\$ 34,527		
Land, buildings & equipment			43,079	
Accumulated depreciation				36,064
Total	<u>\$ 40,542</u>	<u>\$ 34,527</u>	<u>\$ 43,079</u>	<u>\$ 36,064</u>

CCL4660 Christian Civic League of Maine

7/25/2005 8:43 AM

01-0044660

Federal Statements

FYE: 12/31/2004

Form 990, Part I, Line 1a - Direct Public Support

Description	Cash	Noncash	Total
Direct contrib etc rcvd-not f	\$ 181,492	\$	\$ 181,492
Less amount on Sch B	-15,000		-15,000
Other Contributions	15,000		15,000
Total	\$ 181,492	\$ 0	\$ 181,492

Form 990, Part I, Line 1b - Indirect Public Support

Description	Cash	Noncash	Total
Indirect contr etc rcvd-not f	\$ 50,513	\$	\$ 50,513
Total	\$ 50,513	\$ 0	\$ 50,513

**The Christian Civic League of Maine
2005 Officers and Directors**

Officers

President: Dallas E. Henry
Vice President: Dr. Jerry Mick
Secretary: Christiana Poole
Treasurer: Mr. Gregg Tabbutt

Directors

Mrs. Elaine C. Bridge, PO Box 245, Manchester, ME 04736 623-3794H
[winter] 21 Hall Away Villa # 10 522-4267Cell
Hilton Head, S.C.
(843) 842-7921 ecbridge8@aol.com

Rev. John Eckhardt, P.O. Box 426, Brunswick, ME. 04011 353-6426 home
Stauron Ministries Cell phone 841-5832 (most reliable communication) 729-4688 office
725-1318 fax
john@stauron.org

Rev. Dallas Henry, 109 Schoolhouse Road, Oxford 04270-3113 539-2295 office & fax
890-5228 cell dhenry40@verizon.net office
233 Ashton Rd., Norway, ME 04268 743-7750 H
henrymd@localnet.com home

Dr. Jerry Mick, 1597 Broadway, Bangor 04401 947-6576 C
Bangor Baptist Church, 1476 Broadway, Bangor, 04401 947-8106H
Fax: 990-8955
pastor@bangorbaptist.org

Mrs. Christiana Poole, 544 River Road, PO Box 12, Newcastle, ME 04553
563-1232
633-2313 fax
592-6408 cell
jep@lincoln.midcoast.com

Mr. Al Roberts, 12 Roberts Circle, Boothbay Hbr. 04538 633-0757H
633-2822O
aroberts@gwi.net

Mr. Gordon Benn Sither, 16 Maple Avenue, Scarborough, ME 04074 883-4758H
854-2551H X3234
matawamkeg@aol.com

Mr. Douglas Sukeforth, 982 Lakeview Drive, China, ME 04358 968-2100 H
649-6160 Cell
ritaanddouq@pivot.net 872-2017 Fax

Mr. Gregg Tabbutt, 555 Grandview Ave., Bangor, ME 04401 945-5995 H
glt@gwi.net

Rev. Matthew M. Ward, PO Box 179, Charleston, ME 04422 285-3504W
pastorward@charlestonchurch.net

Mr. Stephen Whiting, 39 Horseshoe Dr.; Scarborough, ME 04074 883-3403 H
Pwhiting@rcn.com

The Whiting Law Firm, P.A., 75 Pearl Street, Suite 207, Portland, ME 04101 780-0681W
Fax 780-0682W
mail@whitinglawfirm.com

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT B
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT B SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

Michael Heath

From: Paulton, John [john.paulton@fotf.org]
Sent: Friday, March 24, 2006 1:26 PM
To: Gary Palmer; Jerry Cox; Ron Prentice; Curt Smith; Iowa Family Policy Center; Kentucky - The Family Foundation; Michael Heath; fthigpen@msfamily.org; repjeff@hotmail.com; Dave Bydalek; Len Deo; Bill Brooks; Phil Burruss; Michael Howden; Michael Geer; kelly@freemarket.org; Victoria Cobb
Cc: Brandt, Peter; Miller, Brad; Pfaff, Jim; Hupke, Chris; Blad, Erin; JBoppjr@aol.com
Subject: Possible legal action needed

Dear Executive Directors:

You are receiving this because you are in a state that could be affected by McCain-Feingold restrictions on Marriage Amendment lobbying ads that target U.S. senators who are on the ballot.

See the note below from our attorney, Jim Bopp, and respond to him (copying us) if you are willing to assist in this matter.

Thank you.

John Paulton

FROM JIM BOPP:

In the federal McCain-Feingold law passed in 2002 and reviewed by the U.S. Supreme Court in 2003, Congress prohibited corporations from running "electioneering communications," that is broadcast ads naming federal candidates within 30 days of a primary and 60 days of a general election in which the named candidate is on the ballot. This January in *Wisconsin Right to Life v. FEC*, the U.S. Supreme Court held that certain broadcast ads might be exempt from this prohibition, such as grass roots lobbying about upcoming votes in Congress, and directed the lower court to consider such exemption. I represent Wisconsin Right to Life and we are attempting to establish this exemption before the District Court in DC.

It is very unlikely that the *Wisconsin Right to Life* case, however, will be resolved before next fall and the Senate has scheduled a vote on the federal Marriage Amendment in June. Thus, any FPC or other group, which is planning to run broadcast ads within 30 days of a scheduled primary naming a federal candidate on the ballot, will likely be prohibited from doing so by this law. The states where broadcast ads would be effected are: AL, Ark, Calif, Idaho, Ind, Iowa, Ky, Maine, Miss, Mont, Neb, NJ, NM, NC, ND, Ohio, Ore, PA, Texas, Utah, WV, VA. The blackout periods are set out, by the FEC, at [Click here: FEC Electioneering Communications Periods](#).

We are willing to represent, at no charge to the group, any group whose planned broadcast ad falls within the blackout period. We would bring federal suit prior to the blackout period and seek an injunction to allow the ads to go forward. This may even involve an appeal to the U.S. Supreme Court (which would result in a landmark ruling). It would be very helpful to all groups which want to run such ads for some group to step up and do this. It could potentially clear the way for everyone to do such grass roots lobbying.

Anyone interested in this possibility should contact me or Richard Coleson at my law firm.

4/14/2006

James Bopp, Jr.
BOPP, COLESON & BOSTROM
1 South 6th Street
Terre Haute, IN 47807
voice: 812-232-2434
fax: 812-235-3685
cell: 812-243-0825
e-mail: jboppjr@aol.com

John Paulton
Director, Family Policy Councils
Focus on the Family Action
8605 Explorer Dr.
Colorado Springs, CO 80920
(719) 531-3471
FAX: (719) 531-3385
john.paulton@fotf.org

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT C
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT C SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

Michael Heath

From: Michael Heath [msheath@pivot.net]

Sent: Friday, March 24, 2006 2:27 PM

To: 'jboppjr@aol.com'

Subject: Interested

I will run an ad in that period of time mentioning Olympia Snowe.

Michael S. Heath, Executive Director

Christian Civic League of Maine

70 Sewall Street

Augusta, ME 04330

v - 207-622-7634 X4

f - 207-621-0035

mike@cclmaine.org

www.cclmaine.org

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT D
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT D SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

Exported report: ME HYPOTHETICAL
 Market: NATIONAL REGIONAL DATABASE
 Survey: Fall 2005, Spring 2005, Fall 2004
 Demo: P 18+
 Geo Area: ME COUNTIES - Cnty Grp
 Population: 1,041,900
 Intab: 9,420
 Qualitative: none

Station	Format	Market	Daypart	Rate	Spots	Total \$	Potential	Reach(00)	CPM
WGAN-AM	News/Talk	Portland & Lewiston	M-F 9:00AM - 12:00N	75	0	0	0	0	18.75
WGAN-AM			M-F 12:00N - 3:00PM	70	3	210	51.8	146	8.14
WGAN-AM			M-F 3:00PM - 6:00PM	75	2	150	31.5	88	13.89
WGAN-AM			M-F 6:00PM - 8:00PM	10	2	20	27.1	32	5
WGAN-AM			M-F 10:00AM - 12:00N	60	2	120	36.8	60	14.63
WGAN-AM			M-F 3:00PM - 5:00PM	60	2	120	39.7	94	10
WGAN-AM			Subtotal:		11	620	58.5	245	10.2
WVOM-FM	News/Talk	Bangor	M-F 9:00AM - 12:00N	44	1	44	16.4	27	16.3
WVOM-FM			M-F 12:00N - 3:00PM	44	3	132	52.4	129	5.87
WVOM-FM			M-F 3:00PM - 7:00PM	44	3	132	40.7	116	8.15
WVOM-FM			M-F 7:00PM - 10:00PM	44	0	0	0	0	88
WVOM-FM			Subtotal:		7	308	51.3	208	7.44
WLOB-FM	News/Talk	Lewiston & Augusta	M-F 9:00AM - 6:00PM	35	2	70	23.4	56	10.29
WLOB-FM			Subtotal:		2	70	23.4	56	10.29
WLOB-AM	News/Talk	Portland & Lewiston	M-F 9:00AM - 6:00PM	0	2	0	23.7	9	0
WLOB-AM			Subtotal:		2	0	23.7	9	0
Station Subtotals:									
WGAN-AM					11	620	58.5	245	10.2
WVOM-FM					7	308	51.3	208	7.44
WLOB-FM					2	70	23.4	56	10.29
WLOB-AM					2	0	23.7	9	0
Schedule Summary:									
					22	998	49.5	503	9.06

ME COUNTIES - Cnty Grp: ANDROSCOGGIN, ME; AROOSTOOK, ME; CUMBERLAND, ME; FRANKLIN, ME; HANCOCK, ME; KENNEBEC, ME

Stations qualify to be reported if they have received five or more minutes of listening in a single quarter-hour in at least 1 in-tab diary in the market. Estimates are derived from the diaries that provided the audience data for the Market Report and are subject to the limitations stated in that Report

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UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT E
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT E SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

Welcome to the first donation screen for the Maine Coalition for Marriage

Thank you for your donation to the Coalition for Marriage (CFM) which is non tax deductible. The CFM depends solely on your donation to educate the people of Maine with the truth about Question 1. The CFM is the only statewide organization that can counter the lies coming from the other side. The CFM is the Christian Civic League of Maine's political action committee and by law is required by the Maine Ethics Commission to submit the names and occupation of all contributors who donate more than \$50. Please fill out the Contact Information Form below and then click the "Submit Form" button. You can indicate the amount you are donating after the next screen. When you click submit you will be taken to the Paypal website to make your secure online donation.

Contact Information Form:

Name

Title

Organization

Work Phone

Home Phone

E-mail

[Submit Form](#)

[Reset Form](#)

Subscribe

FAQ

Michael Hein, Treasurer, P.O. Box 817 * Augusta * Maine * 04332 * 207-622-7634

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT F
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT F SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

2004 Voter Guide Project

"A general dissolution of principles and manners will more surely overthrow the liberties of America than the whole force of the common enemy. While the people are virtuous they cannot be subdued; but when once they lose their virtue then will be ready to surrender their liberties to the first external or internal invader." --Samuel Adams

2004 League Interactive Voter Guide

**Click here to view 2002 general election
voter guide**

(PDF)

The Importance of Morality and Religion in Government
Click here to go to Wallbuilders website. You will leave the League's website.

The Christian Civic League of Maine, 70 Sewall Street,
Augusta, ME 04330 * 207-622-7634

HOME

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT G
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT G SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

the RECORD

online newspaper published since 1900

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Church in Western Maine

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"Fearful lest it be relegated to the position of an isolated sect, Christianity seems to be making frenzied efforts at mimicry in order to escape being devoured by its enemies--a reaction that seems defensive, but is in fact self-destructive. In the hope of saving itself, it seems to be assuming the colors of its environment, but the result is that it loses its identity. . . ."

--Leszek Kolakowski, from *Modernity on Endless Trial*



THE RECORD Online Newspaper

In This Issue:

Friday, April 15, 2005

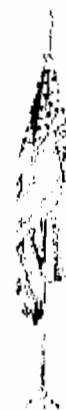
- You Cannot Serve God and Mammon
- A Victory for Common Sense
- Senator Snowe to Vote with Democrats Again
- We The People Tour: Final Travel Schedule for Madore and Heath

- Connecticut Elitism Behind Pro-Gay Vote
- Report from the road -- We the People!

You Cannot Serve God and Mammon

" For where your treasure is, there will your heart be also. The light of the body is the eye: if therefore thine eye be single, thy whole body shall be full of light. But if thine eye be evil, thy whole body shall be full of darkness. If therefore the light that is in thee be darkness, how great is that darkness! No man can serve two masters: for either he will hate the one, and love the other; or else he will hold to the one, and despise the other. Ye cannot serve God and mammon. "

(Mt 6:21-24)



[Obtain free Bible study software online by clicking here](#)

A Victory for Common Sense

Pro-family forces won a major victory yesterday, when the Oregon Supreme Court handed down a decision invalidating the marriage licenses of over two-thousand same-sex couples. A number of these couples had joined forces with the gay rights activist group Basic Rights Oregon, and the ACLU, to bring a lawsuit against the state of Oregon after the State Registrar had refused to record the marriage licenses. In its decision, the Court took the common sense approach that existing Oregon law provides for marriage only between individuals of the same sex. Furthermore, the court rejected any interpretation of the words "husband" and "wife" other than a person of the male or female sex respectively. It is interesting to note that the Court relied on a copy of Webster's Dictionary for the proper interpretation of the words "husband" and "wife." Following this line of reasoning, the Court found that the same-sex marriage licenses were void on issue.

[Click here for more of today's RECORD](#)

Connecticut Elitism Behind Pro-Gay Vote

Even as common sense was prevailing in Oregon, Connecticut took a major step backwards by passing the nation's first law permitting civil unions. The 85-63 vote in the Connecticut House yesterday provoked great jubilation on the part of the law's supporters. Unlike Oregon, where the driving force behind the defense of marriage was the will of the people expressed in a popular referendum, the force behind the victory of the homosexual rights lobby in Connecticut was once again, a Liberal elite working on behalf of special interests. A case can be made that no state is as Liberal as Connecticut, which is home to the wealthy bedroom communities of Litchfield, Greenwich, and Stamford, where many dedicated ACLU members and other Liberal functionaries commute to and from their posh offices in New York City. Many active in the Pro-family movement in Connecticut had long warned that the first step towards achieving same-sex marriage or civil unions in Connecticut, was the enactment of exactly the same type of gay rights legislation recently signed into law by Governor Baldacci.

[Click here for more of our online newspaper the RECORD](#)

Senator Snowe to Vote with Democrats Again

It seems that Senator Olympia Snowe is once again acting more like a stalwart Democrat than a Republican. This time her vote will be on a matter which will affect the welfare of the nation for generations, and that is the filibustering of conservative judicial nominees by the Democrats. Current Senate rules make it virtually impossible for a social conservative to be appointed to the Federal Judiciary, by requiring a so-called "super majority" to end a Democratic filibuster. Republicans are urging a change in procedure which would reduce the number of votes needed to a simple majority. But the issue is larger than a matter of Senate procedure. The goal of the Democrats, and Senator Snowe, is to exclude from the Federal Judiciary all judges who do not share the Left's views on abortion, euthanasia, homosexual rights, and other radical attempts to re-engineer American society.

[Click here for more of today's news from the RECORD](#)

We The People Tour: Final Travel Schedule for Madore and Heath

Paul Madore and Mike Heath are on a "We the People" swing through northern and downeast Maine starting this afternoon. They will hold one hour training sessions for volunteers interested in making sure that the Governor's "same sex marriage" agenda is stopped dead in its tracks.

This second People's Veto of "gay rights" is unprecedented and should never have become necessary. Heath and Madore will speak with members of the media during the tour, as their schedule permits. Journalists should call 1-207-592-4137. Supporters are urged to contact local newspapers, radio and television stations. Urge them to report on the "We the People" tour.

The duo have engaged in this sort of campaigning successfully in previous campaigns on this issue. Both men are reaching out to good Mainers who want to protect their families and Maine from the ideology of evil that is strengthening its death grip on all things decent.

Heath spoke to dozens of pentecostal ministers in Charleston Wednesday. He told them that this isn't about bringing politics into the church. He said, "This is about taking common sense into the world."

Here is the travel schedule. Please urge friends and family to attend the meeting nearest them:

CONFIRMED

Thursday, April 14
4:30-5:30 PM
Kennebec Valley Baptist Church
Marston Rd.
Waterville, ME 04901
Pastor Kevin Grant
Call M. Heath 592-4137

CONFIRMED

Thursday, April 14
7:00-8:00 PM
Cornerstone Baptist Church
Exeter, ME
Assoc. Pastor Mark Arnold 1-800-696-4734 Work

CONFIRMED

Friday, April 15
7:30-8:30 AM
Bangor Baptist Church, Pastor Mick's office
Broadway,
Bangor, ME 04401

9947-6576 Becky Snell, Pastor's Secretary
Pastor Jerry Mick

CONFIRMED
Friday, April, 15,
NOON - 1:00 PM
Tri-town Baptist Church
E. Millinockett, ME
746-2211
Pastor Dave Chicoine

CONFIRMED
Friday, April 15,
7:00-8:00 PM
Military St. Baptist Church
Military St.
Houlton, ME
532-2783
Debbie Nickerson, Secretary
Rev. Randall Burns

CONFIRMED
Saturday, April 16,
8:30-9:30 AM
State St. Baptist Church
State St.
Presque Isle, ME
768-3041church; 760-8178 home
Robin Thurston, Secretary

CONFIRMED
Saturday, April 16
NOON-1:00 PM
Location: Knights of Columbus Hall
Ft. Kent, ME
834-5730church; 834-6610home
Rev. Duane Stiles

CONFIRMED
Sunday, April 17
1:00-2:00 PM
E. Machias Baptist Church
Machias, ME
Bob Simpson, layman
259-3473

CONFIRMED
Sunday, April 17
4:30 - 5:30 PM
Maine Coast Baptist Church

Bangor Road
Ellsworth, ME

April 18-20, 2005

CONFIRMED
Monday, April 18
5:00-6:00 PM Augusta
Christian Civic League
70 Sewall St.
Augusta, ME
622-7634
Mike Heath

Tuesday, April 19
UNCONFIRMED, waiting for a confirmation call back from the pastor
5:00-6:00 PM Belfast,
Little River Baptist Church
259 Northwood Ave., Route 1
Rev. Scott Baker
338-1006

CONFIRMED
Tuesday, April 19
7:00-8:00 PM
First Baptist Church
215 Limerock St.
Rockland, ME
594-8363 church
Matt Parker 594-8139
Email: mparker@midcoast.com

CONFIRMED
Wednesday, April 20
5:00-6:00 PM
First Baptist Church
851 Washington St.
Bath, ME
Pastor Frank Rolfe
443-4032
Email: fsrolfe@suscom_maine.net

CONFIRMED
Wednesday, April 20
5:30-6:30 PM
S. Portland First Baptist Church
879 Sawyer St.
S. Portland
799-4565

Carol Taylor, secretary
Pastor Phil Andrukaitis

CONFIRMED
Wednesday, April 20
7:30-8:30 PM
Freeport Baptist Church
185 Main St.
Pastor Sandy Williams
865-4404

[Click here for more of today's online RECORD](#)

Report from the road -- We the People!

League director Mike Heath and Maine Grassroots Coalition Director Paul Madore kicked off their "We the People" Tour through northern and downeast Maine last night. They spoke to a combined total of more than 50 coordinators and circulators in two meetings, one in Oakland and one in Exeter.

The Waterville Sentinel Newspaper covered the Oakland session. Channel 7 joined the men and nearly thirty volunteers in Pastor Jerry Mick's office this morning. Madore and Heath were delayed by the towing of their vehicle during the night. The hotel made an error and had the truck removed from the hotel lot while the leaders slept. They awoke to a missing vehicle.

They proceeded from the very successful training session at Bangor Baptist Church to a session in East Millinockett where they fired up a group of 15 coordinators and circulators. Petitions are being distributed so rapidly at the training sessions that they were forced to drive back to Bangor to meet a courier from Lewiston bearing enough petitions to serve Aroostook County.

They will hold a training session at the Military Street Baptist Church tonight at 7 p.m.

Encourage friends and family to attend the session. Heath urged all Christians to pray that God would continue to give them strength and protection during this tour.

The "We the People" Tour was organized in 24 hours by Paulie Heath and other volunteers statewide.

[Click here for more of today's RECORD](#)

The Christian Civic League of Maine
70 Sewall Street
Augusta, ME 04330
V-207-622-7634
F-207-621-0035
www.cclmaine.org

The RECORD is published every weekday at 6 a.m. and archived at www.cclmaine.org/forum
Forward this email to your Christian friends and family. Encourage them to sign up and stay informed and praying about current issues. Please email your suggestions for segments to mike@cclmaine.org. [Click here for a map to our headquarters building](#)

[Close Window](#)

Home

The Christian Civic League of Maine

70 Sewall Street
Augusta, Maine 04330
v- 207-622-7634
f- 207-621-0035
email@cclmaine.org

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT H
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT H SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

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"Fearful lest it be relegated to the position of an isolated sect, Christianity seems to be making frenzied efforts at mimicry in order to escape being devoured by its enemies--a reaction that seems defensive, but is in fact self-destructive. In the hope of saving itself, it seems to be assuming the colors of its environment, but the result is that it loses its identity. . . ."

--Leszek Kolakowski, from *Modernity on Endless Trial*



THE RECORD Online Newspaper

In This Issue:

Wednesday, May 25, 2005

- Exchanging the Truth for a Lie
- Living as One's Nature Requires
- Crucial Public Hearing on Bill to
- House Tells Parents 'You're Not Supposed to Know'
- Susan, How Could You?
- The Original Band of Brothers

Defend Marriage

Exchanging the Truth for a Lie

"For although they knew God, they neither glorified Him as God nor gave thanks to Him, but their thinking became futile and their foolish hearts were darkened. Although they claimed to be wise, they became fools and exchanged the glory of the immortal God for images made to look like mortal man and birds and animals and reptiles. Therefore God gave them over in the sinful desires of their hearts to sexual impurity for the degrading of their bodies with one another. They exchanged the truth of God for a lie, and worshipped and served created things rather than the Creator – who is forever praised. Amen. Because of this, God gave them over to shameful lusts. Even their women exchanged natural relations for unnatural ones. In the same way the men also abandoned natural relations with women and were inflamed with lust for one another. Men committed indecent acts with other men, and received in themselves the dire penalty for their perversion."



(Romans 1:21-27)

[Obtain free Bible study software online by clicking here](#)

Living as One's Nature Requires

"But neither life nor happiness can be achieved by the pursuit of irrational whims. Just as man is free to attempt to survive in any random manner, but will perish unless he lives as his nature requires, so he is free to seek his happiness in any mindless fraud, but the torture of frustration is all he will find, unless he seeks the happiness proper to man. The purpose of morality is to teach you, not to suffer and die, but to enjoy yourself and live."



(Ayn Rand)

Crucial Public Hearing on Bill to Defend Marriage

The public hearing on LD 1294, "Proposing an Amendment to the Constitution of Maine to Define Marriage" will be held today at 1:00 p.m. in Room 438 of the Capitol Building (State House).



Despite the assurances of homosexual rights activists, the Governor, and the Legislature to the contrary, the ultimate goal of the homosexual rights movement is gay marriage. Using a strategy called "incrementalism" gay rights activists plan to win "civil rights" a bit at a time, until the public is ready to accept the notion that homosexuals should not be denied what they claim is the ultimate civil right, the right to marry. The hearing today will be your opportunity to let the Legislature know that the families of Maine are deeply opposed to such an absurd and dangerous idea

The League urges you to come testify, or just be there to lend your support to those who will testify. This will be your chance to help shut down the militant homosexual rights movement, the same movement that was handing out condoms to seventh graders in the State House last week, with the tacit approval of Liberal members of your State Legislature.

Please wear a Marriage Button or Marriage T-shirt. We need as many people as possible to show the legislature that marriage between one man and one woman needs to be protected in the Constitution. Please pass along this information to your family, friends, and neighbors.

Tim Russell, the Legislative Liaison of the League, points out that the existing Defense of Marriage Act (DOMA) in Maine prevents the state from recognizing same-sex unions, but does not protect us from activist judges who can impose same-sex marriage on the state whenever they see fit. The only way to prevent this, Tim says, is to amend the constitution of Maine to define marriage as

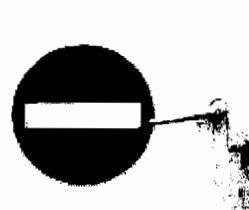
between a man and a woman. You can help support this effort by clicking on the link below, where you will be taken to our Citizen Action Center which will enable you to send the Judiciary Committee an e-mail expressing your thoughts on this crucial matter.

[Click Here for Our Citizen Action Center](#)

House Tells Parents 'You're Not Supposed to Know'

Many were shocked by the result of Monday's vote in the House which rejected Brian Duprey's proposed bill LD 1488 "An Act to Give Parents Control over the Sex Education of their Children." The act would have required teachers to notify parents of the content of so-called "family life" classes, specifically whether or not they deal with the subjects of abstinence or homosexuality. The bill is still alive, however, and can be returned to the House for another vote if approved by the Senate.

Despite the fact that the bill was narrowly rejected by a margin of ten votes, the actions of the Legislature are a cause for alarm. In a detailed survey of sex education in Maine, Dr. Sandra L. Caron, a professor at the University of Maine at Orono, suggested that sex education in Maine be brought in line with what such groups as SIECUS, refer to as "comprehensive family life education." This harmless-sounding comprehensive family life education would extend beyond prevention of pregnancy and avoidance of disease, which Dr. Caron calls "sex-negative" topics to include discussions of homosexuality and abortion and such "sex-positive" topics such as "Sex for Pleasure" "Gay/Lesbian/Bisexual Issues" "Sex for Procreation," and [deleted.] Dr. Caron's entire article can be seen by clicking on the link below.



[Click Here to See Dr. Caron's Shocking Recommendations for Liberalizing the Sex Education Curriculum in Maine](#)

Susan, How Could You?

It's something of an understatement to say that stalwart Republicans reacted with dismay at the compromise reached in the Senate late Monday night to ward off a vote to end the filibustering of judicial nominees. The compromise was reached among fourteen U.S. Senators, who are being portrayed in the media as "moderates." Among the fourteen were John McCain, John Warner, Lincoln Chafee, Robert Byrd, Joe Lieberman, and our own two senators from Maine, Olympia Snowe and Susan Collins.



Many analysts are commenting that the driving force behind the compromise was the simple desire for publicity and self-aggrandizement on the part of the Republican and Democratic senators. Both sides seemed eager to compromise their principles. In the deal that was worked out, two of the current judicial nominees, Priscilla Owen and Janice Brown, will be approved by the Senate, and the Democrats have promised not to use the filibuster against any other nominees except in "extraordinary circumstances" – which means, of course, the next time they encounter a judicial nominee who is a true social conservative.

The heated reaction to the news of the compromise - some Republican activists stormed into the headquarters of their local party organization and loudly announced their resignation – was caused by the fact that the recent Republican successes in the presidential, congressional, and gubernatorial elections were caused by the participation of social conservatives, who now feel betrayed at the eleventh hour by their two Republican senators, Collins and Snow. The compromise reached late on Monday virtually ensures that no pro-life social conservatives will be appointed to the Supreme Court. Many feel that years of effort have now gone down the drain, and their reaction is one of intense frustration.

But then again, this should have been expected. The positions of Collins and Snowe on a number of issues are virtually interchangeable with those of the Democrats. We wonder how much the people of Maine will have to suffer – base closings, a ruined economy, the shipping of our industry overseas – before they finally get the picture. If events continue on their current course, the only thing left to the people of Maine will be the dubious distinction of being an “enlightened” and “progressive place” with regard to liberal social causes, foremost among them gay marriage.

The Original Band of Brothers

150 years before our generation's "Band of Brothers" fought Nazi oppression an inspired and beloved British naval Admiral said, "I had the happiness to command a Band of Brothers." Lord Horatio Nelson remained mindful of this sentiment from his successful Battle of the Nile as he led nearly thirty ships of the line against Napoleon's larger combined fleet at Trafalgar in 1805.



As Nelson's ship "Victory" boldly sailed under light morning winds toward the impressive center of the French and Spanish line of battle he penned a famous Christian prayer, "May the Great God whom I worship, grant to my Country and for the benefit of Europe in general an great and glorious victory." He wrote on his knees in his spacious quarters overlooking, through the stern wall of glass, his own battleships lined up behind the "Victory." As they anxiously anticipated the coming calamity the Christian Admiral continued writing, "and may no misconduct in anyone tarnish it; and may humanity after victory be the predominant feature of the British Fleet. For myself individually I commit my life to Him who made me and may his blessing alight upon my endeavors for serving my Country faithfully. To Him I resign myself and the just cause which is entrusted to me to defend. Amen, Amen, Amen."

Just a couple hours later Nelson breathed his last as a French sharpshooter's bullet pierced his chest

and lodged in his backbone. While the great Christian lost his life, his strategy carried the day and led to British dominance of all the earth's oceans for over a century.

[Learn more about Lord Horatio Nelson](#)

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Forward this email to your Christian friends and family. Encourage them to sign up and stay informed and praying about current issues. Please email your suggestions for segments to mike@cclmaine.org. [Click here for a map to our headquarters building](#)

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Home

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UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT I
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT I SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

Primary Source

Transcript of remarks to the Family Research Council's Washington Briefing by Senate Majority Leader Bill Frist and House Majority Leader Tom DeLay.

Skip to Rep. DeLay's remarks below.

March 17, 2005

Frist to Family Research Council

Washington, D.C.

CONNIE MACKEY (VP-GOVERNMENT AFFAIRS, FAMILY RESEARCH COUNCIL): Let's see, Senator, can you hear us? Senator?

U.S. SEN. BILL FRIST (R-TENN.) - BY TELEPHONE: Yes!

MACKEY: Well, you're here!

FRIST: Yes, indeed! Good to be with you.

MACKEY: Good. We know that you wanted to be here personally because the last time you joined us, I think you ran six blocks through some sort of a hold-up that was going on, and you made it into the room then, and I know you want to be in the room with us now, but if it has to be on the phone we appreciate that too.

FRIST: Thank you so much. It is great to be with you. Can you hear me ok?

AUDIENCE: Yes.

MACKEY: We can, sir.

FRIST: Good. Well, let me apologize. We are voting every ten minutes in what's called a vote-a-thon as we work toward passing the budget for the United States of America here in the Senate, so literally we're voting every ten minutes. We started at about 1:30, and we'll be going to about ten o'clock tonight. In between votes, I am spending nine minutes working on a case that addresses the culture of life, the dignity of life, and it's a case that all of you are familiar with and you may have talked about today. It's the Terri Schiavo case. I had the opportunity when I was in Florida last week to talk to the neurologist who has been taking care of her in the past. I have talked to the state senator who is in charge of the judiciary committee there, and it's clear to me that we in the United States Senate, in order to prevent her from being starved to death, are going to have to act. Florida is dealing with the case now, but it's unclear whether they will be able to, so I can promise you that I will not leave tonight or tomorrow until we do everything we can and ultimately save the life by preventing the starvation of Terri Schiavo.

[applause]

Let me just step back for a minute and say that you stand up for our children, you stand up for our families, you never back down. That's why we are winning these larger battles today. As Ronald Reagan said nearly thirty years ago, he said, "I refuse to believe the good Lord divided this world into Republicans who defend basic values and Democrats who win elections." I say those words because, together, we are leading our nation forward. We have a president, we have a House of Representatives, we have a Senate that shares our values, and the American people are on our side. In this Congress, we're going to continue to work on issues that are important to you, to me, above all to America's future. That includes good judges, the sanctity of marriage, and, I just mentioned, the culture of life, as well as protection for the unborn. One of the first tests we will have is this whole confirmation of judges. This is at the top of the challenges that we must overcome in this Congress. We all know that activist judges in the past have recently cited international law written by U.N. bureaucrats, they directly undermined marriage being between a man and a woman, they struck down our partial-birth abortion bans, and these activist judges are not interpreting the Constitution, they're re-writing it, and that's wrong, and it's something that I know you're committed to and I'm committed to. I'm also committed to overcoming the minority's filibuster and restoring this 220 years or more of Senate tradition and history --

[applause]

-- we're going to have to make sure that every judge who comes out of the committee gets the up or down vote he or she deserves. The minority broke the tradition, they violated the founders' intent, and we will bring the President's nominees up for a vote, and we will confirm them.

[applause]

The second issue that I'll briefly mention is what our government has got to do, and that is defend the institutions our society rests on, and especially, especially, the marriage between a man and a woman. Monday's terrible decision in California reminded us of the stakes. We've got activist trial-court judges and their allies on the left who will not stop until they have imposed their vision of marriage on every state in the union. And let me just say that we have got to, we will, take action to preserve, and protect, and defend the sanctity of marriage between a man and a woman.

[applause]

As we all know, the American people stand with us, everywhere they voted on a state constitutional amendment to protect marriage it passed. We will, once again, bring an amendment to the floor when the time is right. I and others will be discussing with you when the appropriate time is. Last year we had to be sure it was an issue on which Americans could express their minds at the polls. We brought it to the floor, we accomplished that, we know we're right, and we want to win. We want to protect marriage from activist judges once and for all, and we will do it.

[applause]

Let me just comment on a couple of other things, and then we're in the middle of a vote so I have to run, but third, and certainly not last, we've got to move forward on protecting the sanctity of every human life. I will do it on the floor, with the strong support of my Senators, in a bill that will save Terri Schiavo life today, and I think hopefully that speaks directly to the fact that this Congress under this leadership focuses on the dignity of life, the sanctity of life, in a very direct way. When Congress returns after our recess, we'll consider the Child Custody Protection Act. I don't know exactly what day that will be, but as you know this law makes it illegal to transport a child across state lines to get around parental notification laws on abortion. We all heard about the story of the fourteen-year-old Pennsylvania girl where her boyfriend's family forced her into having an abortion without her parents' knowledge. It's wrong on so many levels, it's hard to even know where to begin. But I do know that we must pass this law so that sort of thing will never happen again. Our laws need to, must, recognize that unborn children are real people, people able to feel pain, and that's why we will also pass a bill called the Unborn Child Pain Awareness Act, a bill that many of you have participated in and have discussed. I truly believe with this leadership working with the President, that in this Congress we can pass these measures, and this Congress will become the most pro-family Congress in our nation's history.

[applause]

Let me just close, and I apologize for coming right in the middle of your program, and I appreciate your understanding, but let me just say thank you from the bottom of my heart. The work that you do makes our country a beacon of liberty, a beacon of freedom for the world. I've had the opportunity to travel in many places around the world as a medical mission person in delivering health care to people in really underserved areas on many continents; I go to Africa every summer to provide health care to people who are pretty far away from any type of electricity or health facility. I always take with me - even out in the bush of Africa, a thousand miles south of Khartoum, and five hundred miles west of the Nile River, where there's no electricity, there are no automobiles, there are no generators even, I take a little picture of the Capitol of the United States of America, where I'm blessed to work every day, where I'm sitting right now. And it's amazing, even out in the bush, when I pull that picture out, in whatever dialect they happen to speak, they say "America," and then right after that, they say, "freedom." This nation's symbols are just that, it's freedom and democracy in the world, and we speak to the world by liberty, by democracy, by freedom, and that's reflected in the work that you do, and what we do on the floor of the Senate. These symbols are bright symbols; they touch the souls of people who live in the darkness of poverty, the darkness of war, and the darkness of tyranny around the world. Our symbols provide that hope and I will continue to rely on your help, and your support, your guidance, and your prayers as we move forward in this cause of freedom. Thank you for what you do, and I look forward to seeing you, and I apologize for not being with you there today. Thank you; God bless you all.

[applause]

MACKEY: Thank you, Senator.

March 18, 2005

To Family Research Council

Washington, D.C.

U.S. REP. TOM DELAY (R-TEXAS): ...we were within an hour of finishing our work and urged us to stay in session. I told them it would be very difficult to do that, and it got to the point that we had nothing else to do and we had to adjourn. They waited until after we adjourned to pass their bill, because the Democrats who wanted to vote for this bill for political cover knew that once we adjourned we would not be in session to pick up this bill so they could vote for it knowing it was going to die. That is the real situation we find ourselves in. Yesterday we spent all day trying to figure - to work on our bill in the Senate. We obviously saw the gridlock that we were coming to, so we were grasping at straws at

anything we could find to put off pulling the feeding tube out in an hour or less. And we came up with the idea of getting Tom Davis, chairman of the Government Reform Committee, to subpoena Terri as a witness and her equipment, so it has to be frozen in place. We issued that subpoena this morning. The last we had checked, I don't know what it is, but we have a lot of confidence that they will not pull the feeding tube because of this subpoena. We also came up with the idea, and gave it to the Senate, and the Senate sent a letter of inquiry, which under the law - we found this little obscure law that says if a Senate committee sends a letter of inquiry you have to freeze everything in place for ten days until the answer to the question of inquiry. So we're on dual tracks: we have the letter of inquiry, we have the subpoena, and the reason we did that is to spend the weekend trying to pass the House bill in the Senate. We cannot go back in session today, tomorrow; we can't go back, by Constitution we cannot go back in session until Monday. The Senate is still in session; they have not passed the concurrent resolution of adjournment. So this notion that all we have to do is come back Monday and pick up the Senate bill, that the House can do that, is not where we are at. We want the Senate to go back into session - that they can do - today, tomorrow, Sunday, I don't care, at least give us a chance to pass the House bill, which is the superior bill. Now we'll be fighting this fight all weekend, hopefully as events occur today we will have stayed pulling the feeding tube to give us an opportunity to fight this fight. But the point is, whatever happens come Monday, we're going to solve this issue, one way or another. My admonition to you is, if you can help us. I'm going to a press conference in just a minute, and name Senator Ron Wyden, Senator Carl Levin, and Senator Barbara Boxer are stopping us from saving Terri Schiavo life by not passing the House bill.

[applause]

And we need to put as much pressure on the Senate - not the House, the House is in fine shape - to do the right thing. Whatever Senators' contact you have, please contact them. I know what they're going to tell you, "Well, if the House would just take our bill up, it'd be law." Well, I feel if the Senate would just take up our bill, it'd be law. Now, one of these two bills is going to be law in the next few days. But if we have to choose, the one that's most superior, and helps Terri more, is to get this case out of that state court and into another court. The Senate bill does not do that. And we can settle this once and for all, you won't have a whole bunch of court cases and all this kind of stuff, although they'll probably challenge the Constitutionality of our law, we're still, we think we're standing on very solid Constitutional grounds because all we did was amend an already-existing statute and have it applied to Terri. This is critically important, and I know you know that. It's more than just Terri Schiavo. It is a critical issue for people in this position, and it is also a critical issue to fight the fight for life, whether it be euthanasia or abortion. And I tell you, ladies and gentlemen, one thing that God has brought to us is Terri Schiavo, to elevate the visibility of what's going on in America that Americans would be so barbaric as to pull a feeding tube out of a person that is lucid and starve them to death for two weeks. I mean, in America, that's going to happen if we don't win that fight. So it's bigger than any one of us, and we have to do everything that is in our power to save Terri Schiavo and anybody else that may be in this kind of position.

And let me just finish with this. This is exactly the issue that's going on in America, of attacks against the conservative movement, against me and against many others. The point is, the other side has figured out how to win and defeat the conservative movement, and that is to go after people personally, charge them with frivolous charges, link that up with all these do-gooder organizations funded by George Soros, and then get the national media on their side. That whole syndicate that they have going on right now is for one purpose and one purpose only, and that's to destroy the conservative movement. It's to destroy conservative leaders, not just in elected office but leading. I mean, Ed Feulner of the Heritage Foundation was under attack in the National Journal. This is a huge, nationwide, concerted effort to destroy everything we believe in. You need to look at this, at what's going on, and participate in fighting back. One way they stopped churches from getting into politics was Lyndon Johnson, who passed a law that said you couldn't get into politics or you were going to lose your tax-exempt status because they were all opposed to him when he was running for President. That law we're trying to repeal; it's very difficult to do that. But the point is, when they knock out a leader, then no other leader will step forward for a while, because they don't want to go through the same thing. If they go after and get a pastor, then other pastors shrink from what they should be doing. It forces Christians back into the church, and that's what's going on in America: "The world is too bad, I'm going to go get inside this building and I'm not going to play in the world." That's not what Christ asked us to do. And so they understand that, it is a political maneuver, and they are going to try to destroy the conservative movement, and we have to fight back.

So, please, this afternoon, each and every one of you, if you know a Senator, give him a call, tell him - they'll say, "Our bill can pass in the House." Tell him, "That's fine, your bill is ok, but the House bill is better, and I want the House bill." Particularly, you know, Democrats. Don't let them get off the hook by hiding behind "one house or the other is adjourned." We can do anything we need to do to pass any bill we need to pass. So I appreciate what you're doing. God bless you, and thank you for the Family Research Council.

[applause]

TONY PERKINS, PRESIDENT, FAMILY RESEARCH COUNCIL: He has to leave for the press conference. You can just say "Terri's Law," "carry the bill for Terri Schaivo" and they'll know exactly who that is. I have been, for the eighteen months I've been here, and prior to that, back when I was even in the legislature in Louisiana, I came up with pastors, and met with congressman DeLay in his office many times. And I want you to know what he has told me consistently, and not just me but other leaders: top on his agenda, one of the reasons he's worked to build a conservative majority, is that he wants to see abortion outlawed in America. He wants George Bush--

[applause]

You see the bulls-eye that that has created on him, as a result of saying that? He is number one enemy to the liberal syndicate on the left, that wants to take him out. So I challenge you to pray for him, to talk to your Republican members of Congress, who are part of the Republican team, to support their leader. I know the work this man is doing. I vouch for his work, I vouch for his character, and I urge you to stand with him and support him in the work that he's doing for families, for life, for the unborn, here in our nation's capital.

[applause]

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Special Report

Americans United Exposes Congressional Leaders' Plan To Push Religious Right's Controversial Political Agenda

The Family Research Council, a Washington-based Religious Right group, held a closed-door "Washington Briefing" March 17-19, 2005. During the event, House Majority Leader Tom DeLay (R-Texas) and Senate Majority Leader Bill Frist (R-Tenn.) addressed attendees and pledged that Republican leaders in Congress would work to implement the Religious Right's controversial political agenda.

Americans United obtained a recording of DeLay's and Frist's comments. Americans United believes this recording underscores the growing power and influence of ultra-conservative fundamentalist organizations on our political system. AU released it to the media and public because the organization does not believe that powerful groups with controversial and narrow fundamentalist agendas that they seek to impose on all Americans should be permitted to plot and scheme in secret.

The Recording

The people speaking on this recording, in order of appearance, are:

- *Thursday, March 17*
 - Connie Mackey, vice president for government affairs, Family Research Council
 - U.S. Sen. Bill Frist (R-Tenn.) [speaking via telephone]
- *Friday, March 18*
 - U.S. Rep. Tom DeLay (R-Texas) [speaking in person]
 - Tony Perkins, president, Family Research Council

AUDIO STREAM 

(requires Real player)

DOWNLOAD mp3 

(20mb)

FULL TRANSCRIPT 

Both speeches took place during the Family Research Council's "Washington Briefing" at the Willard Hotel, Washington, D.C., March 17-19, 2005.

More On This Issue

Press Release

Top congressional leaders have promised to push the Religious Right agenda on judicial nominations, church politicking, abortion, marriage and the Terri Schiavo case, according to Americans United for Separation of Church and State. [Read more...](#)

Stand With AU

We depend on your support to continue our work.

Become a member today, or if you are already a member, please make a special contribution.

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UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT J
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT J SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

NewsRoom

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Citation
2/11/06 APDATASTREAM 00:51:5

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Rank(R) 8 of 28

Database
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2/11/06 AP DataStream 00:51:58

AP DataStream

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February 11, 2006

Republican chief outlines strategy to portray Democrats as weak, bypass mainstream media

WASHINGTON Republican national chairman Ken Mehlman on Friday outlined a political strategy for 2006 to portray Democrats as too weak to protect the country and to bypass the mainstream media to spread the GOP message.

Speaking at the Conservative Political Action Conference, Mehlman roused the crowd at a Washington hotel to cheers as he told them President Bush had finally responded to decades of terrorist attacks.

"For a generation, terrorists learned they could make war on free nations without fear of war in return," Mehlman said, adding that Bush understood how to respond. "On Sept. 12, the terrorists got war in return."

Bush's stance on fighting terror is very popular with participants in this annual meeting of hard-line conservatives from around the country and so are his federal court appointments.

But many at this national conference question the Bush administration's spending, deficits, immigration policies, prescription drug plan and increased use of federal power.

The GOP chief said such questioning and grumbling is healthy for the Republican party and the conservative movement.

The fight against terrorism is centered in Iraq, Mehlman said, and the only way to prevent terrorists from taking charge there is to stick it out and win.

He quoted Democratic chairman Howard Dean saying that the idea the United States can win in Iraq is wrong and reminded that Sen. John Kerry, D-Mass., accused American soldiers of "terrorizing women and children."

"Democratic leaders always seem to blame America first," Mehlman said, "especially when a Republican is in the White House."

Mehlman said the loss in popularity of the mainstream media _ both the evening network news and daily newspapers _ is an opportunity for conservatives. He pointed to the growing popularity of talk radio and blogging.

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Senate Majority Leader Bill Frist told the group he plans to push for a Senate vote in May on the inheritance tax, called the "death tax" by conservatives. And he said he would push for a vote June 5 on "the marriage protection amendment" that seeks to amend the Constitution to define marriage as a union between a man and a woman.

On the Net:

Conservative Political Action Conference _ <http://www.cpac.org>

----- INDEX REFERENCES -----

NEWS SUBJECT: (Government (1GO80); Public Affairs (1PU31))

REGION: (Middle East (1MI23); USA (1US73); Gulf States (1GU47); Americas (1AM92); Iraq (1IR87); North America (1NO39); Arab States (1AR46))

Language: EN

OTHER INDEXING: (CONSERVATIVE POLITICAL ACTION CONFERENCE; CONSTITUTION; DEMOCRATS; GOP; SENATE; WHITE HOUSE) (Bill Frist; Bush; Democratic; Howard Dean; John Kerry; Ken Mehlman; Mehlman)

KEYWORDS: (w)

Word Count: 443

2/11/06 APDATASTREAM 00:51:58

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT K
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT K SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

FILED

AUG 17 2004

Clerk, U.S. District Court
District of Columbia

WISCONSIN RIGHT TO LIFE, INC.,

Plaintiff,

v.

FEDERAL ELECTION COMMISSION,

Defendant.

Civil No. 04-1260 (DBS, RWR, RJL)

THREE-JUDGE COURT

MEMORANDUM OPINION AND ORDER

This matter coming before the court on plaintiff's motion for a preliminary injunction, and the court having considered the affidavits and representations of counsel, solely for the purposes of the motion for a preliminary injunction, the court makes the following findings of fact:

1. Plaintiff Wisconsin Right to Life, Inc. (WRTL) is a nonprofit, nonstock, Wisconsin, ideological advocacy corporation recognized by the Internal Revenue Service as tax-exempt under § 501(c)(4) of the Internal Revenue Code.

2. Defendant Federal Election Commission (FEC) is the government agency charged with enforcing the relevant provisions of the Federal Election Campaign Act, as amended by the Bipartisan Campaign Reform Act of 2002 (BCRA).

3. WRTL admits that it does not qualify for any exception permitting it to pay for

electioneering communications from corporate funds because (a) it is not a “qualified nonprofit corporation” (QNC) within the definition of 11 C.F.R. § 114.10 so as to qualify for the exception found at 11 C.F.R. § 114.2(b)(2) to the electioneering communication prohibition and (b) its advertisements are “targeted” so that it does not fit the exception for § 501(c)(4) organizations as described in 2 U.S.C. § 441b(c)(2). 2 U.S.C. § 441b(c)(6)(A).

4. U.S. Senator Russell Feingold of Wisconsin is running for reelection this year.

5. As early as September, 2003, candidates opposing Senator Feingold made Senator Feingold’s support of Senate filibusters against judicial nominees a campaign issue. Def.’s Opp’n to Pl.’s Mot. for Prelim. Inj. (Def.’s Opp’n) Exh. 10-14.

6. WRTL maintains a political action committee (PAC).

7. In March 2004, WRTL’s PAC endorsed three candidates opposing Senator Feingold and announced that the defeat of Senator Feingold was a priority. Def.’s Opp’n Ex. 4, 5, 6, 7.

8. In a news release on July 14, 2004, WRTL criticized Senator Feingold’s record on Senate filibusters against judicial nominees. Def.’s Opp’n Exh. 16.

9. WRTL had used a variety of non-broadcast communications to convey its criticism of Senate filibusters against judicial nominees in the months leading up to August 2004.

10. WRTL is now paying to broadcast on television and radio a series of advertisements inclusive of those depicted in Exhibits A, B, and C to the complaint and attached as Exhibits A, B, and C hereto, all of which refer to and will continue to refer to and clearly identify Senator Russell Feingold.

11. The Wisconsin primary for the office for which Senator Feingold is a candidate will occur thirty days after August 15, 2004. The general election will occur November 2, 2004.

12. WRTL anticipates that its ongoing advertisements will be considered electioneering communications for purposes of federal statutory and regulatory definitions under 2 U.S.C. § 434(f)(3) and 11 C.F.R. § 100.29 during the period between August 15, 2004, and November 2, 2004.

LEGAL CONCLUSIONS AND ANALYSIS

Plaintiff Wisconsin Right to Life seeks a judgment declaring portions of the BCRA unconstitutional as applied to it under the facts set forth in its complaint, and it seeks preliminary injunctive relief preventing FEC enforcement of those portions of BCRA against it.

The focus of the litigation is 2 U.S.C. § 441b, which regulates the extent to which such corporations as WRTL may finance and produce “applicable electioneering communications,” which are defined at 2 U.S.C. § 434(f)(3) as being “any broadcast, cable, or satellite communication which (I) refers to a clearly identified candidate for Federal office; (II) is made within (aa) 60 days before a general . . . election . . . ; or (bb) 30 days before a primary . . . election; and (III) . . . is targeted to the relevant electorate.”

In this case, WRTL cites three specific ads, first aired July 26, which contain references to Sen. Russell Feingold, currently the sole Democrat contender for the Senate seat. Complaint 5. As the primary election occurs on September 14 and the general election occurs on November 2, BCRA’s (in this case, overlapping) “blackout” periods prohibit the airing of the advertisements from August 15 until November 2. *Id.* at 6.

WRTL’s prayer for relief is sweeping, seeking both declaratory and injunctive relief

declaring 2 U.S.C. § 441b unconstitutional as applied to “electioneering communications . . . that constitute grass-roots lobbying,” and specifically as applied to the three advertisements incorporated in its complaint. Complaint 13. However, the motion before us today concerns only its motion for a preliminary injunction. The standards for the granting of a preliminary injunction are familiar. To prevail, a plaintiff seeking such relief must demonstrate: (1) a substantial likelihood of success on the merits; (2) that it would suffer irreparable harm if an injunction is not granted; (3) that an injunction would not cause substantial injury to other parties; and (4) that the public interest would be furthered by the injunction. *See, e.g., CityFed Fin. Corp. v. Office of Thrift Supervision*, 58 F.3d 738, 746 (D.C. Cir. 1995). Plaintiff’s showing in the present litigation cannot survive this standard.

First, WRTL has not established that it has a substantial likelihood of success on the merits. Just last year, in *McConnell v. Federal Election Commission*, 124 S. Ct. 619 (2003), the Supreme Court upheld the electioneering communication provisions of the BCRA in their entirety. *Id.* at 686-700. WRTL is correct that in *McConnell* the Court was considering a facial challenge while the current challenge subjects the statute to constitutional analysis in the context of its specific application, but the reasoning of the *McConnell* Court leaves no room for the kind of “as applied” challenge WRTL propounds before us. More specifically, the Court noted that the statute included a “back up” definition of electioneering communications, 2 U.S.C. § 434(f)(3)(A)(I), to take effect only if the primary definition were held to be “constitutionally insufficient.” The Court expressly stated that it need not rule on the constitutionality of that back up provision because “*we uphold all applications of the primary definition* and accordingly have no occasion to discuss the backup definition.” 124 S.Ct. at 687 n.73 (emphasis added). The

Court's deliberate declaration of its ruling as encompassing "*all applications* of the primary definition" suggests little likelihood of success for an "as applied" challenge to some applications of that definition, such as the one plaintiff brings before us.

Furthermore, the Court's deliberate upholding of "all applications" stands in informative contrast to its explicit acknowledgment that other parts of the statute which it upheld against facial challenge might be subject to "as applied" challenges in the future. For example, the Court upheld a Title I provision of BCRA restricting state parties from spending "soft money for federal election activities." 2 U.S.C. § 441i(b). But the Court stated that "as-applied challenges remain available" if some future state party could show that the restriction had become "so radical in effect as to . . . drive the sound of [the recipient's] voice below the level of notice.'" *Id.* at 677 (brackets in the original) (quoting *Nixon v. Shrink Missouri Gov't PAC*, 528 U.S. 377, 397 (2000)). Similarly, in upholding the ban on soft money fundraising by national party committees, 2 U.S.C. § 441i(a), the Court noted that "a nascent or struggling minor party can bring an as-applied challenge" should the ban prevent it from "amassing the resources necessary for effective advocacy.'" *Id.* at 669 (quoting *Buckley v. Valeo*, 424 U.S. 1, 21 (1976)).

Again, in upholding the Title V recordkeeping requirement on broadcasters, the Court noted that the regulated entities "remain free to challenge the provisions, as interpreted by the FCC in regulations, or as otherwise applied." *Id.* at 717. And finally, the Court noted that its ruling upholding against facial challenge the § 201 disclosure provisions of Title II "does not foreclose possible future challenges to particular applications" of that statutory requirement. *Id.* at 692.

While these dicta concerning the possible future facial challenges to other provisions do

not preclude the possibility that the Supreme Court might uphold an as-applied challenge to the provisions before us, in the face of the strength of the Court's holding with specific reference to these provisions, we cannot possibly conclude that plaintiff has made out a substantial likelihood of success on the merits.

Our reading of *McConnell* that as-applied challenges to § 441b are foreclosed is but one reason we find little likelihood of success on the merits. The facts suggest that WRTL's advertisements may fit the very type of activity *McConnell* found Congress had a compelling interest in regulating. *Id.* at 695. In *McConnell*, the Court voiced the suspicion of corporate funding of broadcast advertisements just before an election blackout season because such broadcast advertisements "will *often* convey [a] message of support or opposition" regarding candidates. *Id.* at 651, 697, 715. Here, WRTL and WRTL's PAC used other print and electronic media to publicize its filibuster message – a campaign issue – during the months prior to the electioneering blackout period, and only as the blackout period approached did WRTL switch to broadcast media. (See Def.'s Opp. Exh. 4, 16, 18.) This followed the PAC endorsing opponents seeking to unseat a candidate whom WRTL names in its broadcast advertisement (Def.'s Opp. Exh. 10-14), and the PAC announcing as a priority "sending Feingold packing." (Def.'s Opp'n Exh. 4.)

As to the second part of the preliminary injunction standard, we hold that plaintiff has not demonstrated that it will suffer irreparable harm in the absence of a preliminary injunction. Plaintiff relies on the general statement that "the loss of First Amendment freedoms, for even minimal periods of time, unquestionably constitutes irreparable injury." *Elrod v. Burns*, 427 U.S. 347, 373 (1976). Unquestionably, as a general proposition of law, that statement is true.

However, in adjudicating entitlement of a plaintiff to a preliminary injunction, we must apply the whole four-part test, which requires us to determine whether the “balance of harms favor[s] plaintiffs.” *Twelve John Does v. District of Columbia*, 841 F.2d 1133, 1137 (D.C. Cir. 1988). That said, the actual limitation on plaintiff’s freedom of expression, as protected by the First Amendment, is not nearly so great as plaintiff argues. At least for purposes of a preliminary injunction, the present showing appears to be that plaintiff is not precluded from forwarding its message, or even from exposing the public to the particular advertisements at issue. As we understand it, the BCRA does not prohibit the sort of speech plaintiff would undertake, but only requires that corporations and unions engaging in such speech must channel their spending through political action committees (PACs).¹ In *McConnell*, the Supreme Court noted that though “corporations . . . may not use their general treasury funds to finance electioneering communications, . . . they remain free to organize and administer segregated funds, or PACs, for that purpose.” *Id.* at 695. The Court went on to reason that “the PAC option allows corporate political participation without the temptation to use corporate funds for political influence” *Id.* (quoting *Federal Election Commission v. Beaumont*, 123 S. Ct. 2200, 2211 (2003)).

The *Beaumont* decision quoted by the Supreme Court in *McConnell*, while not directly on point as it did not deal with the current statute, is instructive. That case involved a challenge to the regulation of a corporation’s political contributions while the present involves regulation of electioneering communications. Nonetheless, the analogy is obvious. In *Beaumont*, the Supreme

¹WRTL also has alternative methods available to communicate its message in addition to using PAC funding for broadcast ads, namely, using print media, such as newspaper or magazine advertisements, press releases, pamphlets, informational mailings, and billboards; using electronic communications, such as e-mailing and internet posting; and placing telephone calls.

Court endorsed the constitutional adequacy of “the PAC option.” That holding by the Supreme Court not only weighs against the likelihood of success on the merits, but it also suggests that plaintiff has not advanced a strong case of irreparable harm in the absence of a preliminary injunction. Certainly, it suggests that the harm established by plaintiff will not weigh much in the balance against potential harm to others under the third step of the test or against the public interest under the fourth. Therefore, WRTL has failed the second as well as the first step of the four-part test.

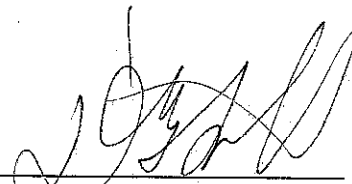


Given the absence of merit in plaintiff’s case on the first element of the preliminary injunction test and the near-total absence of irreparable harm to the plaintiff under the second, we need not linger long over the third and fourth elements. The harm to the opposing party, the Federal Election Commission, is evident. Everyone agrees that it is the statutory duty of the defendant to enforce the BCRA. If we enter the preliminary injunction, then, to the extent of that injunction, the Commission cannot perform its duty. We hold that an injunction against the performance of its statutory duty constitutes a substantial injury to the Commission, although given plaintiff’s failure on the first two elements, we do not consider that showing essential to our denial of the preliminary injunction.

Similarly, since plaintiff has not established any entitlement to a preliminary injunction, it is not essential that we determine that the grant of such an injunction would fail to further the public interest, but for the sake of completion of record for the purposes of any review that might be sought, we do hold that plaintiff has not established that the public interest would be furthered by the injunction. The Supreme Court has already determined that the provisions of the BCRA serve compelling government interests. *See McConnell*, 124 S.Ct. at 695-96. To the extent that

the injunction of the proposed application of those provisions interferes with the execution of the statute upheld by the Supreme Court in *McConnell*, the public interest is already established by the Court's holding and by Congress's enactment, and the interference therewith is inherent in the injunction.

In short, plaintiff's case falls far short of the four-part test for the grant of a preliminary injunction. Therefore, we have denied plaintiff's motion. In light of this disposition, we further order that the parties hereto file supplemental memoranda within ten days of the date of this memorandum and order addressing the question whether this matter should be dismissed.

This the 17th day of August, 2004.


United States Circuit Judge
United States District Judge
United States District Judge

Radio Script

Client: Wisconsin Right to Life
Title: "Wedding" :60
Job#: WRL-8136
Date: July 15, 2004

AUDIO

We hear church bells up and under...

TALENT

PASTOR: And who gives this woman to be married to this man?

BRIDE'S FATHER (rambling): Well, as father of the bride, I certainly could. But instead, I'd like to share a few tips on how to properly install drywall. Now you put the drywall up...

VO: Sometimes it's just not fair to delay an important decision.

But in Washington it's happening. A group of Senators is using the filibuster delay tactic to block federal judicial nominees from a simple "yes" or "no" vote. So qualified candidates don't get a chance to serve.

Yes, it's politics at work, causing gridlock and backing up some of our courts to a state of emergency.

BRIDE'S FATHER (rambling): Then you get your joint compound and your joint tape and put the tape up over...

Contact Senators Feingold and Kohl and tell them to oppose the filibuster.

Visit: BeFair.org. That's BeFair.org

Paid for by Wisconsin Right to Life (befair.org), which is responsible for the content of this advertising and not authorized by any candidate or candidate's committee.

Exhibit

A

Radio Script

Client: Wisconsin Right to Life

Title: "Loan" :60

Job#: WRL-8136

Date: July 14, 2004

AUDIO

TALENT

LOAN OFFICER: Welcome Mr. and Mrs. Shulman. We've reviewed your loan application, along with your credit report, the appraisal on the house, the inspections, and, well...

COUPLE: Yes, yes... we're listening.

OFFICER: Well, it all reminds me of a time I went fishing with my father. We were on the Wolf River in Waupaca...

VO: Sometimes it's just not fair to delay an important decision.

But in Washington it's happening. A group of Senators is using the filibuster delay tactic to block federal judicial nominees from a simple "yes" or "no" vote. So qualified candidates aren't getting a chance to serve.

It's politics at work, causing gridlock and backing up some of our courts to a state of emergency.

Contact Senators Feingold and Kohl and tell them to oppose the filibuster.

Visit: BeFair.org

Paid for by Wisconsin Right to Life (befair.org), which is responsible for the content of this advertising and not authorized by any candidate or candidate's committee.

Exhibit

B

TV Script

Client: Wisconsin Right to Life

Title: "Waiting" :30

Job#: WRL-8136

Date: July 14, 2004

VIDEO

We see vignettes of a middle-aged man being as productive as possible while his professional life is in limbo:

He reads the morning paper
He polishes his shoes
He checks for mail, which hasn't arrived
He scans through his Rolodex
He reads his Palm Pilot manual
He pays bills

SUPER:
www.BeFair.org

4-SECOND DISCLAIMER (4% or 20 scan lines):
Paid for by Wisconsin Right to Life (befair.org), which is responsible for the content of this advertising, not authorized by any candidate or candidate's committee.

AUDIO

VO:
There are a lot of judicial nominees out there who can't go to work.

Their careers are put on hold because a group of U.S. Senators is filibustering—blocking qualified nominees from a simple "yes" or "no" vote.

It's politics at work and it's causing gridlock.

Contact Senators Feingold and Kohl and tell them to oppose the filibuster.

Visit: BeFair.org

WRL REPRESENTATIVE VO:
Wisconsin Right to Life is responsible for the content of this advertising.

Exhibit

C

UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF)	
MAINE, INC.,)	
	)	No. 1:06CV00614
Plaintiff,)	
	)	EXHIBIT L
v.)	
)	
FEDERAL ELECTION COMMISSION)	
)	
Defendant.)	
)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S
EXHIBIT L SUBMITTED IN SUPPORT OF ITS OPPOSITION TO
PLAINTIFF'S MOTION FOR A PRELIMINARY INJUNCTION**

SUPREME COURT OF THE UNITED STATES
OFFICE OF THE CLERK
WASHINGTON, DC 20543-0001

WILLIAM K. SUTER
CLERK OF THE COURT

May 23, 2003

James Bopp, Jr., Esquire
James Madison Center for Free Speech
Bopp, Coleson & Bostrom
1 South Sixth Street
Terre Haute, Indiana 47807

Re: 02A989
02A990
Club for Growth, et al.
v. FEC, et al.

Dear Mr. Bopp:

The above-entitled applications were presented to The Chief Justice, who on May 23, 2003, noted thereon the following:

"Applicants have filed an application to vacate the stay entered by the District Court. After consulting with other members of the Court, I shall deny the application to vacate the stay entered by the District Court. An act of Congress is presumed to be constitutional, see *Bowen v. Kendrick*, 483 U. S. 1304 (1987), and the Bipartisan Campaign Reform Act should remain in effect until the disposition of this case by the Supreme Court. The application to vacate the stay is denied, and the application for an injunction pending appeal, which was contingent on my vacating the District Court's stay, is thereby rendered moot."

Sincerely,
WILLIAM K. SUTER, Clerk

By

Christopher W. Vasil
Chief Deputy Clerk

cc: All counsel

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OFFICE OF THE CLERK
COUNSEL
2003 MAY 28 A 10:35