

EXHIBIT LIST

Exhibit Number:	Document:
1	WRTL Weekly Activity for Each Campaign Component (Exhibits WRTL-02-74 to WRTL-02-75)
2	Barbara Lyons Deposition, Excerpt pages 1, 78-81 and pages 142-145 (May 18, 2006)
3	E-mail from Jason Vanderground to Greg Reese and Roy Tahtinen (Exhibit HM-01-317) (July 2, 2004)
4	E-mail from Barbara Lyons to [redacted identity], Eddie Mahe, Ladonna Lee, Jason Vanderground, Peggy Howard, Douglas51@aol.com , James Bopp, Jr., Richard Coleson (Exhibit HM-01-286) (July 21, 2004)
5	Filibuster Project Notes (Exhibit HM-01-323 to HM-01-324) (July 9, 2004)
6	Filibuster/Bipartisan Campaign Reform Act Action Plan (Exhibit HM-01-319 to HM-01-321)
7	WRTL Press Releases (Exhibits WRTL-02-S-15 to WRTL-02-S-17) (August 17, 2004 and September 8, 2004)
8	E-mail from Barbara Lyons to Legislative (Exhibits WRTL-02-39 to WRTL-02-40) (August 16, 2004)
9	WRTL Proposal for Statewide Survey (Exhibit WRTL-02-70)
10	Jason Vanderground Deposition, Excerpt pages 1 and 94-98 (June 7, 2006)
11	Plaintiff WRTL's Response to Defendants' Requests for Admissions (May 6, 2006)
12	Plaintiff WRTL's Responses to Defendants' First Interrogatories (April 4, 2006)
13	Corporate Contributions to General Fund 1/1/04 through 12/31/04 (Exhibits WRTL-05-097 to WRTL-05-103)

EXHIBIT 1

Wisconsin Right to Life

Weekly Activity for Each Campaign Component

Component	June 13-19	June 20-26	June 27-30	July 4-10	July 11-17
Statewide Survey	~ Proposal Developed (18)	~ Submit Proposal to Client (22) for Approval (24) ~ Submit Questionnaire to Client (24) for Approval (29)	~ Field Survey (29-30) ~ Interview Schedule Delivered (1) ~ Data Books Delivered (2)	~ Survey Analysis Complete (8) ~ Research Analysis Presented (9)	
Strategic Planning and Message Development		~ Develop Propositions within Key Categories	~ Develop Creative Strategies for Anti-Filibuster and Campaign Finance Reform Phases	~ Present Creative Strategy (9) and Get Client Approval (9)	~ Ongoing Consultation and Coordination
Creative Concepting/Development			~ Input Anti-Filibuster with Creative Team (30) ~ Team Concepting Anti-Filibuster TV/Radio	~ Team Concepting Anti-Filibuster TV/Radio	~ Internal Review of Anti-Filibuster Concepts (12) ~ Input Campaign Finance with Creative Team (12) ~ Present Anti-Filibuster Concepts to Client (13) for Approval (14)
TV/Radio Production					~ Pre-production for Anti-Filibuster TV/Radio Spot
Media Planning and Buying			~ Finalize Plan Parameters (Weeks, Weights, Mix, Demo) ~ Request Availabilities from Stations	~ Negotiate Media Buy ~ Prepare Recommended Media Schedule	~ Negotiate Media Buy ~ Prepare Recommended Media Schedule
Dedicated Website Development			REPAIRED - Not responsive		
Public Relations (WRTL)				~ Develop First Draft of Fact Sheets	~ Compile State Media List (Larger Outlets) ~ Send Formal Letters to Senators ~ Send Initial E-Alerts to Interested Individuals
Public Relations (Straightline)		~ Submit Proposal (24) for Client Approval	~ Research Media Outlets and Finalize Media List	~ Edit Campaign Materials ~ Develop Media Distribution Plan	~ Disseminate Media Materials ~ Follow-up Calls
Legal					

WRTL-02-74

Anti-Judicial Nominee
Filibuster Launch (8/1)

Campaign Finance
Launch (8/15)

July 18-24	July 25-31	August 1-7	August 8-14	August 15-21	August 22-28
Ongoing consultation and Coordination	~ Ongoing Consultation and Coordination	~ Ongoing Consultation and Coordination	~ Ongoing Consultation and Coordination	~ Ongoing Consultation and Coordination	~ Ongoing Consultation and Coordination
Internal Review Campaign Finance Concepts (19) Present Concepts Client (22) for Approval (23)					
Shoot Anti-Filibuster Spot and Record Studio (20-21) Tough Spots to Client (22) for Approval (23)	~ Edit/Finish Anti- Filibuster Spots ~ Client Approval ~ Stations Review Ad ~ Traffic Spot to Stations <i>REDACTED - Not responsive</i>	~ Shoot Campaign Finance Spots	<i>REDACTED - Not responsive</i>		
Present Media Schedule (20) for Client Approval (22) Place Media (23)	~ Place Media Buy	~ Ongoing Media Schedule Maintenance	~ Ongoing Media Schedule Maintenance	~ Ongoing Media Schedule Maintenance	~ Ongoing Media Schedule Maintenance

REDACTED - Not responsive

Send Packets Late Media All Media Leaders and Op-Ed and 2nd E-Alert Packets to Chapters and New Release	~ Hold News Conf. in Madison ~ Send 3rd E-Alert ~ Send News Release to All Media	<i>REDACTED - Not responsive</i> ~ Send 2nd Op-Ed Piece to Key Outlets ~ Send New Release to All Media	~ Hold 2nd News Conference in Madison (Based on Court Outcome) ~ Send 4th E-Alert ~ Send News Release to Media	~ Media Follow-up Phone Calls ~ Send News Release to Media	~ Media Follow-up Calls ~ Send 5th E-Alert ~ Send News Release to Media
Disseminate Media Materials Follow-up Calls	~ Disseminate Media Materials ~ Follow-up Calls	~ Disseminate Media Materials ~ Follow-up Calls	~ Disseminate Media Materials ~ Follow-up Calls	~ Disseminate Media Materials ~ Follow-up Calls	~ Disseminate Media Materials ~ Follow-up Calls
					WRTL-02-75

EXHIBIT 2

BROWN & JONES REPORTING, INC.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WISCONSIN RIGHT TO LIFE, INC.,

Plaintiff,

-VS-

FEDERAL ELECTION COMMISSION,

Defendant,

and

Case No. 04-1260
(DBS, RWR, RJL)

SEN. JOHN MCCAIN, et al.,

Intervening
Defendants.

Examination of BARBARA LYONS, taken at the instance of the Defendant, under and pursuant to Rules 26 and 30(b)(6) of the Federal Rules of Civil Procedure, before JANE M. JONES, a Certified Realtime Reporter, Registered Merit Reporter and Notary Public in and for the State of Wisconsin, at Brown & Jones Reporting, Inc., 312 East Wisconsin Avenue, Milwaukee, Wisconsin, on May 18, 2006, commencing at 7:58 a.m. and concluding at 3:54 p.m.

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09:49 1 A I was.

09:49 2 Q Did any staff assist you on that?

09:49 3 A Susan Armacost had limited involvement. In terms
09:49 4 of the ad campaign, I want to go back to your
09:49 5 question. In terms of the ad campaign, I was the
09:49 6 only one involved in the ad campaign.

09:49 7 Q What was Susan Armacost's role?

09:49 8 A She participated in several news conferences, just
09:49 9 talking about the project.

09:49 10 Q So you were the one who dealt with all of the
09:49 11 outside consultants who actually implemented the
09:49 12 ads?

09:49 13 A Yes.

09:49 14 Q And there was no one else within WRTL that did?

09:49 15 A No.

09:50 16 (Exhibit No. 13 was marked.)

09:50 17 BY MS. GILLERS:

09:50 18 Q Do you recognize this?

09:50 19 A Yes.

09:50 20 Q What is it?

09:50 21 A This was a kind of a week-by-week job plan of what
09:50 22 needed to be done and when it would be done.

09:50 23 Q Can I call your attention to the second page? Can
09:50 24 you read the text on the top, above the table?

09:51 25 A The dates?

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09:51 1 Q No. Where it says, "Anti-Judicial Nominee
09:51 2 Filibuster Launch," and the next one, "Campaign
09:51 3 Finance Launch." Do you see that? On top of the
09:51 4 page?

09:51 5 A Oh, I see. Got it. Sorry.

09:51 6 Q That's fine. What do these titles refer to?

09:51 7 A The filibuster launch was the campaign talking
09:51 8 about filibusters and asking people to contact
09:51 9 Senators Kohl and Feingold.

09:51 10 Q What does the campaign finance launch refer to?

09:51 11 MR. BOPP: I object. That's future
09:51 12 advocacy, beyond the scope of the order.

09:51 13 BY MS. GILLERS:

09:51 14 Q Can you answer the question?

09:51 15 MR. BOPP: No, I instruct her not to.

09:52 16 BY MS. GILLERS:

09:52 17 Q Are you going to follow your counsel's advice and
09:52 18 not answer the question?

09:52 19 A I'm following my counsel's advice not to answer
09:52 20 the question.

09:52 21 Q And the basis again for instructing the witness
09:52 22 not to answer the question, just for the record?

09:52 23 MR. BOPP: It's beyond the scope of the
09:52 24 permitted discovery, as planned future advocacy by
09:52 25 plaintiff.

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09:52 1 MR. SUMMERS: Jim, do you interpret that
09:52 2 to mean planned future after July 2004, in the
09:52 3 order, just to clarify because it would seem that
09:52 4 that would be planned future, in the sense of
09:52 5 future from now. This is about advocacy that
09:52 6 happened in 2004.

09:52 7 MR. BOPP: Well, we also object to any
09:52 8 questions about other advocacy, other than this
09:52 9 ad, the filibuster ad campaign.

09:53 10 MR. SUMMERS: It seems that the document
09:53 11 appears to establish that it was all part of the
09:53 12 same initiative, the same project, and I think
09:53 13 we're just trying to explore the different facets
09:53 14 of the project of which the three ads attach to
09:53 15 the complaint are a manifestation, so --

09:53 16 MR. BOPP: We object to any questions
09:53 17 about planned future advocacy other than the 2004
09:53 18 filibuster advertising campaign.

09:53 19 MR. SUMMERS: Well, I think the basis
09:53 20 for exploring this is that this is actually part
09:53 21 of the 2004 filibuster advocacy campaign, based on
09:53 22 the documents that we received earlier this month,
09:53 23 which pretty clearly address them at the same
09:53 24 time, this document being an example, Exhibit 13,
09:54 25 so it's our position that it's all part of the

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09:54 1 same thing. It's all part of the same project.

09:54 2 If you look at Exhibit 6, which was the
09:54 3 statewide survey, that also talks about both the
09:54 4 filibuster and the BCRA, as part of the same
09:54 5 campaign, part of the same initiative, so we would
09:54 6 read the Court's order as including the elements
09:54 7 of that campaign because the three ads appear to
09:54 8 have emanated from that initiative.

09:54 9 MR. BOPP: That's fine. You have your
09:54 10 position. I have mine.

09:54 11 MR. SUMMERS: So you're -- okay.

09:54 12 BY MS. GILLERS:

09:54 13 Q Going back to the August 4th message to the
09:54 14 chapter leaders.

09:54 15 MR. BOPP: What number is that, please?

09:55 16 BY MS. GILLERS:

09:55 17 Q Exhibit 12. What was the purpose of sending this
09:55 18 to the chapter leaders?

09:55 19 A Stated in the last paragraph, "Please use this
09:55 20 material to create short letters to the editor in
09:55 21 your local paper."

09:55 22 Q And do you know if the chapter leaders followed
09:55 23 through and did that?

09:55 24 A I don't know.

09:55 25 Q The second paragraph says, "On July 26, Wisconsin

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03:06 1 A Yes.

03:06 2 Q Someone named June?

03:06 3 A Yes.

03:06 4 Q As a fundraiser, correct?

03:06 5 A Yes.

03:06 6 Q Please describe what June did to raise money in

03:06 7 2004 to finance the three ads?

03:06 8 A June contacted individuals and asked them to

03:06 9 donate money to the broadcast of the ads.

03:06 10 Q What list or lists did she use?

03:06 11 A She used her own lists.

03:06 12 Q Those were lists provided by CDG Services?

03:06 13 A I'm not sure. I believe she had some resources,

03:07 14 some resource list that she used.

03:07 15 Q You're not sure?

03:07 16 A I'm not sure where they came from, no.

03:07 17 Q So you did not provide her with a list of

03:07 18 potential Wisconsin donors?

03:07 19 A No.

03:07 20 Q Did she work from Wisconsin, or elsewhere?

03:07 21 A She worked -- I believe she lives in Colorado.

03:07 22 Q Was her list a national list?

03:07 23 A Yes.

03:07 24 Q How much money did she raise for the project?

03:07 25 A I don't recall.

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03:07 1 Q Did she do anything else to raise money for the
03:07 2 project, other than making those calls?
03:07 3 A No.
03:07 4 Q How much time did she spend working on the
03:07 5 project?
03:07 6 A I don't know.
03:07 7 Q Was it one month?
03:07 8 A I don't recall.
03:08 9 Q Did you receive money to finance the filibuster
03:08 10 project, in 2004, from any national non-profit
03:08 11 group?
03:08 12 A Not that I recall.
03:08 13 Q Did you receive money from any business
03:08 14 corporation to finance the three ads?
03:08 15 A Yes.
03:08 16 Q Please describe that.
03:08 17 A They were business corporations.
03:08 18 Q How many business corporations donated to finance
03:08 19 the three ads?
03:08 20 A I don't recall, specifically.
03:08 21 Q Was it more than five?
03:08 22 A I would say it's more than five, yes.
03:08 23 Q More than ten?
03:08 24 A I don't think so.
03:09 25 Q Were they Wisconsin corporations?

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03:09 1 A Some, I believe, were Wisconsin corporations.

03:09 2 Q And some were located outside Wisconsin?

03:09 3 A Yes.

03:09 4 Q What fund-raising technique did those donations

03:09 5 result from?

03:09 6 A From one-on-one.

03:09 7 Q In every case?

03:09 8 A I believe so, yes.

03:09 9 Q One-on-one by you?

03:09 10 A No. By June.

03:09 11 Q I see. Did you, yourself, generate any funds for

03:09 12 the ads in that way?

03:09 13 A I'm asking for money all the time, and to parse

03:09 14 that out, I really don't recall, specifically.

03:09 15 Q How much money did you raise from business

03:10 16 corporations to finance the ads?

03:10 17 A I don't recall, specifically.

03:10 18 Q Was it a large number?

03:10 19 A Define large.

03:10 20 Q More than \$10,000, total?

03:10 21 A Yes.

03:10 22 Q Was it more than 50,000, total?

03:10 23 A Probably, yes.

03:10 24 Q More than 100,000, total?

03:10 25 A I'm not sure.

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03:10 1 Q Could it have been more than 200,000?

03:10 2 A I'm not sure.

03:10 3 Q Okay. Did Wisconsin Right to Life mention the
03:10 4 filibuster project in its general fund-raising
03:10 5 activity during 2004?

03:11 6 A We mentioned it in the telemarketing scripts.

03:11 7 Q I'm speaking now about the different ways you
03:11 8 described that you raised money, in general, like
03:11 9 direct mail, telemarketing, that were not designed
03:11 10 specifically to raise funds for the filibuster
03:11 11 project, but general operating funds for Wisconsin
03:11 12 Right to Life.

03:11 13 A It's possible that it was mentioned in direct
03:11 14 mail.

03:11 15 Q Can you think of any other, more general types of
03:11 16 appeals that may have included reference to the
03:11 17 filibuster issue in 2004?

03:11 18 A No, I don't recall.

03:11 19 MR. SUMMERS: Okay. I'd like to mark
03:11 20 another exhibit.

03:12 21 (Exhibit No. 22 was marked.)

03:12 22 BY MR. SUMMERS:

03:12 23 Q Please take a look at this, and I'll ask you if
03:12 24 this is the IRS Form 990, for Wisconsin Right to
03:12 25 Life for the year 2004?

EXHIBIT 3

Fri, Jul 2, 2004 4:28 PM

From: Jason Vanderground <vanderground@hanon-mckendry.com>
To: Greg Reese <reese@hanon-mckendry.com>, Roy Tahtinen <roytahtinen@yahoo.com>
Cc: Bill McKendry <mckendry@hanon-mckendry.com>, Bill Oechsler <oechsler@hanon-mckendry.com>, Peggy Howard <howard@straightlinepr.com>, Melissa Steelman <steelman@hanon-mckendry.com>, Steve Lewis <slewis@fusionary.com>, Shawn McKendry <swmckendry@hanon-mckendry.com>
Date: Friday, July 2, 2004 9:44 AM
Subject: Mtg. w/Fusionary to Discuss WRTL Website

Greg and Roy,

I met with Steve Lewis at Fusionary Media yesterday to discuss the dedicated website they're developing to support the WRTL campaign. I shared the initial web schematic (see attached) which maps out the basic components of the site. Steve also had some initial conceptual ideas for the site that I thought you'd want to know as you concept the TV spots.

We talked about the need for continuity between the filibustering ,

redacted

Steve really saw the site as being educational/information with several focus points. Like the pollster, he felt the both phases of the campaign dealt with basic American values. The filibustering phase really addresses fairness, being reasonable, and not denying nominees their rights.

redacted

This idea of basic American values led to some thoughts about the overall look and feel of the site. He saw the site being driven by a clean layout, strong typefaces and a nostalgic/patriotic color pallet. Maybe something that feels a little like a website for a political candidate. Rather than several large visuals like the CARE website, he was thinking about using accent visuals that reinforce these American values.

Fusionary will have concepts for the home page, a major section page, and a sub-section page by late next week.

- Jason

--

Jason Vanderground
Strategic Planner
Hanon McKendry - The Brand Consultants
616-776-1111

CONFIDENTIALITY NOTICE: This e-mail message, including any attachments, is for the sole use of the intended recipients(s) and may contain confidential and privileged information. Any unauthorized review, use, disclosure or distribution is prohibited. If you are not the intended recipient, please contact the sender by reply e-mail and destroy all copies of the original message.

HM-01-317

EXHIBIT 4

Wed, Jul 21, 2004 9:21 AM

From: Barbara Lyons <blyons@wrtl.org>
To: 'redacted', "'Mahe, Eddie'" <EMahe@foley.com>, 'Ladonna Lee' <LLee@FoleyLaw.com>, 'Jason Vanderground' <vanderground@hanon-mckendry.com>, 'Peggy Howard' <howard@straightlinepr.com>, <Douglas51@aol.com>, <JBoppjr@aol.com>, 'Richard E Coleson' <rcoleson@bopplaw.com>
Cc: Sue Armacost <SArmacost@WRTL.org>
Date: Wednesday, July 21, 2004 9:16 AM
Subject: Progress Report

Dear Team,

I am excited to announce the immense progress made towards launching our campaign. Doug Johnson, Legislative Director for the National Right to Life Committee, has been added to the team as he has been extremely helpful in keeping us current on what is happening in Congress, and in identifying national media sources. Rich Coleson, an attorney with Jim Bopp, is handling much of the legal paperwork for the project.

Here's where we are:

start w/ media
 supportive of
 the issue - it was
 influence other
 media outlets
 and we will be
 pitching

ADS

*Radio and TV ads will be recorded, filmed on July 23.

*All scripts are ready for court case.

*Story board for second TV ad is being completed.

WEB SITE

*Design is completed.

*Content is written and revised.

*Launch scheduled for July 26.

EXHIBIT 5

FILIBUSTER PROJECT NOTES
Meeting
Friday, July 9, 2004
Sheraton Four Points Hotel, Milwaukee

PRESENT: Eddie Mahe, Jason Vanderground, Greg Reese, Jim Bopp, Peggy Howard, Barbara Lyons, Mary Phillips

CONCLUSIONS AND DECISIONS:

A. Research

1. Both the filibuster and free speech issues are widely supported, with the filibuster being the stronger issue. *redacted*
2. Public opinion is fluid, people are not entrenched.
3. Men are more knowledgeable and favorable, especially older men.
4. Republicans, conservatives, and pro-life people are the most favorable to messages.

Redacted

B. Ad Creation

1. Create two radio and two TV ads on the filibuster issue which mention the names of both Kohl and Feingold.

Redacted

C. Media Buy

1. Target the Milwaukee, Green Bay/Appleton, and La Crosse/Eau Claire media markets. Delete the Madison and Wausau/Rhineland media markets.
2. Add Milwaukee radio to the schedule.
3. Target older men as our prime audience.
4. Move most of the media buy to the front of the schedule to get the project off to a dynamic start.
5. Begin radio buys on July 26. Begin TV buys on August 2.

D. Grassroots Lobbying

1. Add 100,000 IVR calls to the geographic areas in which the ads will be aired. Place calls in the opening wave of the campaign.

E. Public Relations

1. Do not mention the court case publicly until filing.
2. Build awareness through extensive interviews on national and state media outlets.
3. Prime spokespersons will be Jim Bopp for legal; Barbara Lyons and Sue Armacost for general information.

F. Legal

1. July 28: File initial case.
2. August 9/10: Potential hearing date in District Court.
3. August 13: District Court decision (potential date).
4. August 15: File in Court of Appeals if District Court decision is unfavorable.
5. August 23: Court of Appeals decision (potential date).

G. Financial

1. The first two weeks of the campaign, August 1 – August 14, will feature ads that are NOT electioneering communications even though they mention Feingold's name. WRL's **general account** can pay for these ads.
2. WRL's **special account** must pay for ads aired after August 14 that mention Feingold's name as these are now electioneering communications.

redacted

H. Flow Chart:

Run Filibuster Ad.
File in District Court

District Court Win

1. Continue airing filibuster ad.
2. Go back to District Court with Feingold Sponsoring legislation ad.

District Court Loss

1. *redacted*
2. File in Court of Appeals.

Appeals Court Win

1. Continue ad up until Vote.
2. Go back to District

redacted

Appeals Court Loss

1. Air generic ad.
2. Go back to District

EXHIBIT 6

Filibuster/BiPartisan Campaign Reform Act - Action Plan

Key Messages:

needed

SW

Filibustering

"Every judicial nominee deserves to be considered fairly and receive a yes or not vote within a reasonable time frame, and Senator Feingold and Senator Kohl should not deny nominees of this right."

"Senator Feingold and Senator Kohl should review judicial nominees based on their qualifications and should keep politics out of our court system."

"When Senator Feingold and Senator Kohl tie up the judicial nomination process, it causes gridlock, costs taxpayers money, and diverts their attention from more pressing issues like the economy and national security."

Strategy: Utilize media relations to create buzz regarding the judicial nominee filibustering and BCRA issues.

- Save the date...*
- SL - will create the FAX Monday, send it out media advisory Thurs. 22 Resend 23*
- July 11 - 17*
- WRTL - Develop first draft of fact sheets (SL review) - *finish this week OK*
 - Compile state and national media lists (SL review national list) - *Conversation*
 - Send formal letters to senators (SL review) - *Network Meeting OKW/ Doug Johnson*
 - Send initial e-alerts to interested individuals (SL review) - *4,000 - 5,000 - just send OK them*
- to do*
- July 18 - 24*
- WRTL - Send packets to state media, *OK*
 - Call media leaders *OK*
 - Send Op-Ed (SL review)
 - Send 2nd e-alert (SL review)
 - Packets to chapters - *Letter to editors*
 - ~~Send news release (SL review/topic?)~~
- Media Advisory - Campaign - learn more later Tony Snow*
- Wk of 25th (Mail on 23rd)*
- July 25 - 31*
- Launch Web site
 - WRTL - Send 3rd e-alert (~~SL review~~)
 - ~~Send news release to all media (SL review/topic?)~~
 - News Conference in Madison, Wisconsin to announce campaign regarding filibuster *OK*
 - Radio campaign starts *OK*
 - News release announcing suit filed in District Court in Washington D.C. regarding the BiPartisan Campaign Reform Act (~~engineering communication~~)
 - National media campaign begins *relations*
- Hold/Thinking about it - Milwaukee - fact sheet local paper letter*
- July 25 (Monday) 10 a.m. - Tuesday*
- July 28*
- News release announcing suit filed in District Court in Washington D.C. regarding the BiPartisan Campaign Reform Act (~~engineering communication~~)
 - National media campaign begins *relations*
- July 28*
- Radio campaign continuing
 - WRTL - 100,000 IVR calls
 - Send 2nd Op-Ed piece to key media outlets (SL review)
 - Send news release to all media (SL review/topic?)
 - TV campaign to begin with filibuster ad
- Aug. 1 - 7*
- Radio campaign continuing
 - WRTL - 100,000 IVR calls
 - Send 2nd Op-Ed piece to key media outlets (SL review)
 - Send news release to all media (SL review/topic?)
 - TV campaign to begin with filibuster ad
- Aug. 2*
- TV campaign to begin with filibuster ad
- Green Bay Appleton Oshkosh*
- prepare CBS - burn radio & packets, Website Visuals - Voting Record - Website - story book*
- hints in Media - advisory - Packet*

Page 2

Aug. 8 - 14

- TV Filibuster continuing
- Radio campaign continuing
- WRTL - Send 4th e-alert (SL review)
 - Send news release to media (SL review/topic)
 - Hold 2nd news conference in Madison based on court outcome (alternate date August 16 when file in Court of appeals)

August 9/10

August 13

- Potential hearing dates in District Court
- Potential date for decision regarding suit in District Court (request injunction for ads to continue until decision ~~unfavorable~~)

Whether or not injunction

redacted

Favorable -

Continue airing filibuster ad/

redacted

Redacted

injunction

end of Sept.

redacted

stay act - lobbying not engineering Temporary Restraining order July 28

re

August 23

Potential date for Court of Appeals decision

redacted

redacted

Favorable -

Continue filibuster: *redacted*

redacted

Media Spokespeople:

Wisconsin/Right to Life - Barbara Lyons and Sue Armacost

National/Legal: Jim Bopp

Story Starters:

Filibustering:

- Research results: how 500 Wisconsin residents feel about filibustering/BCRA ✓
- Consequences of filibustering - cases put on hold - *Abortion / economics impact*
- Interview with Right to Life - why taking on this issue - *WI R to Life -*

fact sheet

redacted

pears slipping

of

redacted

W congress

Just for report

Page 3

State Media

Charlie Sykes on Newsradio 620 WTMJ, 8:30 a.m. until noon, Monday through Friday.

- Weekly half hour TV show - *Sunday Insight with Charlie Sykes*
- Writes a syndicated column and hosts the television show *Sunday Insight With Charles Sykes* on TODAY'S TMJ4.
- Provide his views in a regular Weblog

Mark Belling is the host of Radio 1130, WISN's highly rated "Mark Belling Late Afternoon Show," heard daily 3 - 6pm.

- Mark is also host and producer of "Belling and Company," a fast-paced panel discussion of local and national issues, seen Sunday mornings at 10:30 on WDJT-TV, Channel 58 (CBS). Mark also writes a weekly column, appearing Wednesdays, in the Waukesha Freeman.

National Media

- WRTL media list
- Talk to Jim Bopp regarding his recommendations for national media

→ National list -
depends the topic
+ targeted basing -

EXHIBIT 7



FOR IMMEDIATE RELEASE:
Tuesday, August 17, 2004

CONTACT: Barbara Lyons or Susan Armacost
Wisconsin Right to Life
877-855-5007
blyons@wrtl.org sarmacost@wrtl.org

James Bopp, Jr.
Bopp, Coleson & Bostrom
812-232-2434 (office)
812-243-0825 (cell)
jboppjr@aol.com

**WISCONSIN RIGHT TO LIFE FILES APPEAL TODAY IN
U. S. COURT OF APPEALS, DISTRICT OF COLUMBIA TO
PROTECT INTEGRITY OF GRASSROOTS LOBBYING**

New radio ads point out outrageous assault on the freedom of speech—grassroots lobbying.

MILWAUKEE, WI—Wisconsin Right to Life (WRL) is filing an appeal today in the U. S. Court of Appeals for the District of Columbia, of the U. S. District Court for the District of Columbia's decision that denied a preliminary injunction to allow Wisconsin Right to Life to air its anti-filibuster radio and television ads beyond August 14. McCain-Feingold stipulates that broadcast advertising that mentions a candidate's name that is running for a federal office must cease 30 days before a primary election. Because the U. S. District Court failed to provide injunctive relief to Wisconsin Right to Life, the ads stopped running at the end of the day on August 14.

"The appeal we are filing today is essential in order to protect the integrity of grassroots lobbying," said James Bopp, Jr., who is representing Wisconsin Right to Life. "Due to the McCain-Feingold law, we have not only lost our right to freely engage in political discourse regarding the actions of our elected officials, but we have lost our right to lobby them."

redacted

More

Page redacted



FOR IMMEDIATE RELEASE
September 8, 2004

Contact: Barbara Lyons
Wisconsin Right to Life
877-855-5007
blyons@wrtl.org

James Bopp, Jr.
Bopp, Coleson & Bostrom
812-232-2434 (office)
812-243-0825 (cell)
jboppjr@aol.com

WISCONSIN RIGHT TO LIFE FILES IN U.S. SUPREME COURT

MILWAUKEE, WI—Wisconsin Right to Life filed a motion on Tuesday, September 7, 2004 for an injunction pending appeal in the U.S. Supreme Court in its ongoing quest to obtain permission to air lobbying ads which mention the name of Senator Russ Feingold in the blackout period created by the McCain-Feingold law, according to James Bopp, Jr., lead attorney for Wisconsin Right to Life.

Bopp added that Wisconsin Right to Life is also asking the U.S. Supreme Court to accept the organization's appeal. He said that this action was necessitated when the Court of Appeals for the District of Columbia decided it had no jurisdiction over the case, that authority belonging to the U.S. Supreme Court.

"The clock is ticking," declared Barbara Lyons, Executive Director of Wisconsin Right to Life. "The U.S. Senate is expected to vote to defeat the filibuster of numbers of President Bush's judicial nominees later this month. It is imperative that we be allowed to air our ads asking citizens to contact Wisconsin Senators Russ Feingold and Herb Kohl, asking them to oppose the filibuster."

Many of the documents filed in the lawsuit, ~~redacted~~ ~~redacted~~ are available online at Wisconsin Right to Life's website dedicated to this issue— www.befair.org. For all other information about Wisconsin Right to Life, visit the organization's general website at www.wrtl.org.

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EXHIBIT 8

Barbara Lyons

From: WRLBoardOfDirectors-owner@wrtl.org on behalf of Legislative [legis@wrtl.org]
Sent: Monday, August 16, 2004 7:27 PM
To: Legislative
Subject: Wisconsin Right to Life Files Appeal Today in Federal Court of Appeals

Be Fair.org

Wisconsin Right to Life NEWS RELEASE

10625 W. North Avenue, Milwaukee, WI 53226
414-778-5780 or toll free: 877-855-5007

For immediate release: Tuesday, August 16, 2004

Contact: Barbara Lyons, Wisconsin Right to Life
877-855-5007 blyons@wrtl.org

James Bopp, Jr., Bopp, Coleson & Bostrom
812-232-2434 (office) 812-243-0825 (cell)
jboppjr@aol.com

Wisconsin Right to Life Files Appeal Today in U. S. Court of Appeals, District of Columbia to Protect Integrity of Grassroots Lobbying

New Radio Ads Point Out Outrageous Assault on the Freedom of Speech - Grassroots Lobbying

Today, Wisconsin Right to Life is filing an appeal in the U. S. Court of Appeals for the District of Columbia of last week's decision by the U. S. District Court for the District of Columbia that denied a preliminary injunction to allow Wisconsin Right to Life to air its anti-filibuster radio and television ads beyond August 14, 30 days before Wisconsin's primary election.

Because the U. S. District Court failed to provide injunctive relief to Wisconsin Right to Life, the ads stopped running at the end of the day on August 14.

"The appeal we are filing today is essential in order to protect the integrity of grassroots lobbying," said James Bopp, Jr., who is representing Wisconsin Right to Life. **"Due to the McCain-Feingold law, we have not only lost our right to freely engage in political discourse regarding the actions of our elected officials but we have lost our right to lobby them."**

Because Wisconsin Right to Life's previously run ads are viewed as criminal activity by the Federal Election Commission, with possible hefty fines and prison sentences, Wisconsin Right to Life has begun running a new radio ad pointing out the outrageous assault on the organization's freedom of speech and the right of citizens to be informed regarding the actions of their elected officials.

The text of the new radio ad, which is entitled "News Bulletin," is as follows:

"Due to recent legislative restrictions and government red tape, our regularly scheduled freedom of speech cannot be aired at this time.

Because of campaign finance reform, our anti-filibuster ads...the ones questioning the blocking of qualified judicial nominees from a simple "yes" or "no" vote ...well, ads like these aren't allowed on the air as of August 15.

Does that seem fair to you?

More restrictions on free speech. Less information. Was that really the intent of campaign finance reform?

To find out more about what Washington says we can't say here, 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."

All of the documents filed in the case, the previously run radio and television ads and the new radio ad as well as other information about the lawsuit are available online at Wisconsin Right to Life's website www.befair.org that is devoted to this issue. For all other information about Wisconsin Right to Life, visit the organization's general website at www.wrtl.org

EXHIBIT 9



Wisconsin Right to Life

Proposal for Statewide Survey

Objectives

- Gauge awareness, familiarity, and interest levels among Wisconsin citizens on both issues in question: 1) Senate's filibustering of the President's judicial nominee; and 2) infringement on the right of free speech as a result of the Bipartisan Campaign Reform Act (BCRA).
- Uncover effective message strategies/propositions for Wisconsin Right to Life that resonate with the general public as well as key audience segments.
- Determine areas of alignment and discord between Wisconsin Right to Life's messages and various audiences.
- Identify any potential communication vulnerabilities for Wisconsin Right to Life.
- Profile those for, against, swayable, and undecided on these issues.

Methodology

- Quantitative, statewide phone survey conducted among 500 public policy aware adults. Qualified respondents are defined as those who have at least some awareness of public policy issues by meeting at least one of these requirements: written or called an elected official; called a radio talk show; written a letter to the editor of a newspaper; or voted in an election for President, Congress, Governor or other state or local offices in the past four years.
- Survey to consist of approximately 40 closed-ended as well as two open-ended questions. Administration time is estimated at between 13-14 minutes.
- Completed over a three-night period, with topline numbers available the morning following the last night of fielding.

Budget & Timing

- The working budget for this statewide project is \$18,000. This includes all fees and outside expenses.
- We have tentatively reserved field time for the survey on June 27-29, 2004. Again, data (i.e., frequencies, percentages, cross-tabulations, verbatims) will be available the morning of June 30th after the survey is completed. (In order to follow this timeline, we would need questionnaire approval by noon on Friday, June 25th.)
- A comprehensive analysis, including strategic recommendations will be completed within seven business days, and no later than Friday, July 9th.

EXHIBIT 10

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA

WISCONSIN RIGHT TO LIFE, INC.,

Plaintiff,

-vs-

No. D.D.C. 04-1260

FEDERAL ELECTION COMMISSION, and
SENATOR JOHN MCCAIN, et al.,

Defendants.

_____)

DEPOSITION OF JASON VANDERGROUND, taken pursuant
to Notice, at 25 Ottawa, in the city of Grand Rapids,
Michigan, at 9:10 a.m., on Wednesday, June 7, 2006,
before Dawn M. Houghton, C.S.R. #3071, a Certified
Shorthand Reporter within and for the County of Kent,
State of Michigan.

APPEARANCES:

For the Plaintiff:

MR. JAMES BOPP, JR.
BOPP, COLESON & BOSTROM
1 South 6th Street
Terre Haute, Indiana 47807

For the Defendant Federal Election Commission:

MR. KEVIN DEELEY
FEDERAL ELECTION COMMISSION
999 E Street, Northwest
Washington, DC 20463

For the Intervenor (appearing telephonically):

MR. BRENT BICKLEY
WILMERHALE
1875 Pennsylvania Avenue
Washington, DC 20006

1 the issue?

2 A. Not that I can remember specifically.

3 Q. Was an opinion poll done as part of the research for the
4 filibuster campaign?

5 A. Yes.

6 Q. What role, if any, did you have in the opinion poll?

7 A. I managed the research partner that executed it.

8 Q. Who was that?

9 A. Public Opinion Strategies.

10 Q. And did they have a doing-business-as name that they used
11 to be billed for that project instead of Public Opinion
12 Strategies?

13 A. I believe so.

14 Q. Do you have an understanding as to why they used a
15 doing-business-as name for that project?

16 A. I -- I believe it was to adhere to some legal guidelines.

17 Q. And how are you-- Are you aware of that because your
18 counsel told you that?

19 A. No.

20 Q. Did your lawyer tell you that? How are you aware of that?

21 A. There was -- they kind of had a standard explanation for
22 it, and so they relayed that and said that all the
23 business would be done through this entity.

24 Q. And how did you choose Public Opinion Strategies to be the
25 research partner?

1 A. We had worked with them in the past on -- on other clients
2 and their work had -- you know, was very effective, and we
3 had a good relationship.

4 Q. Do you have an understanding as to whether Public Opinion
5 Strategies was also the pollster for a Republican
6 candidate in the 2004 Wisconsin Senate race?

7 A. Yes.

8 Q. What is your understanding?

9 A. I knew that they had a candidate and so that's why we did
10 business through this separate entity in order to set up
11 significant distance from that, and I knew that the person
12 that I was working with, Robert Autry and his team, that
13 they had put measures in place to create a wall between
14 that group and the Public Opinion Strategy, the team that
15 was working on that candidate.

16 Q. What techniques did they use to gauge public opinion?

17 A. We did a telephone interview.

18 Q. Is that it?

19 A. Yes, I believe that was it.

20 Q. There weren't any focus groups?

21 A. Not that I remember.

22 Q. And what were the -- what were you trying to learn through
23 doing the poll?

24 MR. BOPP: I object to the extent that it -- the
25 question calls for a response that counts any results of

1 the polling because that is proprietary and I instruct him
2 not to answer as to that aspect.

3 MR. DEELEY: I think we would disagree that the
4 polling that led to the campaign in which we are trying to
5 discover the effect that it was intended to have, in which
6 we have been hauled into court to grant an exemption from
7 Federal law, that that matter would be proprietary in the
8 context of this litigation that has been brought against
9 us.

10 MR. BOPP: Well, I wipe away my tears. I still
11 stand by my objection.

12 BY MR. DEELEY:

13 Q. You can answer.

14 MR. BOPP: No, he can't. I instructed him not
15 to answer.

16 MR. DEELEY: You can answer to the extent --

17 MR. BOPP: Yes, to the other extent. I'm
18 sorry.

19 BY MR. DEELEY:

20 Q. The question was what were you hoping to learn by doing
21 the poll? And your counsel, correct me if I'm wrong,
22 instructed you not to answer to the extent you would
23 reveal the results.

24 A. The objective of the study was to find out what were the
25 most -- what were going to be the most effective message

1 strategies for communicating with people about the
2 judicial filibustering.

3 Q. And I'll anticipate your counsel's objection and try and
4 narrow this question, but were there also other subjects
5 besides the judicial filibuster that were the subject of
6 the poll --

7 MR. BOPP: I object to that.

8 BY MR. DEELEY:

9 Q. -- without saying what they are?

10 MR. BOPP: I object to even the question whether
11 there were other subjects as related to historical or
12 future advocacy. If it's not about the filibuster, you're
13 not entitled to investigate my client.

14 BY MR. DEELEY:

15 Q. Okay. Well, so I guess I'm limited in the questions that
16 I can ask about the poll that led to the campaign which is
17 the subject of this lawsuit under your counsel's reading,
18 but to the extent that the poll covered the campaign
19 filibuster issue, what did you hope to learn from it?

20 A. We wanted to understand people's current impression of the
21 issue, we looked at a variety of statements and tested how
22 compelling they were to people, and we wanted to
23 understand what was -- what were the -- what were the best
24 ways of communicating with people on the judicial
25 filibustering issue.

1 Q. And as part of that analysis, did you analyze, after
2 testing those messages, whether the recipients viewed
3 Senator Feingold in any more or less favorable light?

4 MR. BOPP: I object to any of the specific
5 questions as proprietary and beyond the scope of the
6 order.

7 MR. DEELEY: This is at the heart of the inquiry
8 into the effect of the ad campaign that's the subject of
9 this lawsuit. And I'm not asking for the results. I'm
10 asking whether the question was asked. So I think he can
11 answer.

12 MR. BOPP: And I instruct the witness not to
13 answer as to any of the specific survey questions, what
14 they said.

15 BY MR. DEELEY:

16 Q. Did the poll generally test the -- in any manner the
17 favorability or unfavorability of Senator Feingold?

18 MR. BOPP: I object on the same grounds,
19 instruct the client not to answer -- or my client not to
20 answer.

21 BY MR. DEELEY:

22 Q. Did the poll also test the likely public opinion of
23 bringing a lawsuit challenging the provisions of the
24 McCain-Feingold Law?

25 MR. BOPP: Again, you're asking him specific --

EXHIBIT 11

United States District Court
District of Columbia

Wisconsin Right to Life, Inc.

Plaintiff,

v.

Federal Election Commission,

Defendant,

and

Sen. John McCain et al.,

Intervenors-Defendants.

Civil Action No. **04-1260 (DBS, RWR, RJL)**

THREE-JUDGE COURT

2006 JUN -5 A 6:5

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

**Plaintiff WRTL's Response
To Defendants' Requests For Admissions**

Pursuant to Federal Rule of Civil Procedure 34 and the Court's April 17, 2006

Scheduling Order, Wisconsin Right to Life, Inc. ("WRTL") submits these Responses to
Defendant Federal Election Commission's and Intervenor-Defendants' Request for Admissions
("Requests") served on WRTL.

1. Wisconsin Right to Life, Inc. is the Wisconsin state affiliate of the National Right to Life
Committee, Inc.

Answer: Admit.

2. At all times relevant to this case, WRTL has administered its own separate segregated fund,

the Wisconsin Right to Life Political Action Committee (“WRTL PAC”). The fund is registered with the Commission as a multicandidate political committee under the FECA.

Answer: Admit.

3. In August 2002, the Commission issued a notice of proposed rulemaking to implement the “electioneering communication” provisions of the Bipartisan Campaign Reform Act of 2002 (“BCRA”), Pub. L. No. 107-155, 116 Stat. 81, 91-92 (2002). See 67 Fed. Reg. 51,131 (Aug. 7, 2002). The notice discussed, among other topics, whether the Commission should exempt certain types of communications from the definition of “electioneering communications.” 67 Fed. Reg. 51,136. The Commission held a public hearing on this rulemaking on August 28-29, 2002.

Answer: Admit

5. The National Right to Life Committee, Inc., did not submit written comments or send a representative to testify at the electioneering communication hearing the Commission held.

Answer: Admit.

6. WRTL has never petitioned the Commission to initiate a rulemaking to adopt any exemptions from the statutory definition of electioneering communication.

Answer: Admit.

7. WRTL has not asked the Commission for an advisory opinion pursuant to 2 U.S.C. § 437f with respect to how it might broadcast advertisements that would serve the corporation’s alleged

grassroots lobbying purposes but would not be considered electioneering communications.

Answer: Admit.

8. For the first time on July 26, 2004, WRTL paid to broadcast the radio advertisements that reference federal officeholder Senator Russell Feingold and the text of which is attached to WRTL's Verified Complaint as Exhibits A and B.

Answer: Admit.

9. For the first time on August 2, 2004, WRTL paid to broadcast the television advertisement that references federal officeholder Senator Russell Feingold and the text of which is attached to WRTL's Verified Complaint as Exhibit C.

Answer: Admit.

10. In late July to early August 2004 WRTL did broadcast the advertisements attached to its Verified Complaint as Exhibits A, B, and C.

Answer: Admit.

11. WRTL took no surveys, conducted no focus groups, and took no other steps to determine whether it would be harmed if it did not name Senator Russell Feingold in its 2004 broadcast advertisements.

Answer: Admit.

12. The 7/31/2004 balance sheet for WRTL PAC (WRTL-03-84 to WRTL- 03-85) reveals that WRTL PAC had \$12,417.03 in total assets on that date.

Answer: Admit.

13. From January 2003 through the present, WRTL PAC has received no contributions from a single individual in one calendar year that have totaled more than \$1,000.

Answer: Admit.

14. WRTL PAC opposed Russell Feingold's election to the United States Senate in 1992 and his re-election in 1998 and 2004.

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.

15. WRTL PAC made independent expenditures opposing Feingold's 2004 reelection campaign.

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.

16. WRTL has not paid to broadcast after the November 2004 federal election any of the advertisements attached as exhibits to its Verified Complaint.

Answer: Admit.

17. Democratic Senators in the United States Senate were filibustering a number of judicial nominees in the spring of 2005. The nominees being filibustered included then-California Supreme Court Justice Janice Rogers Brown, then-Texas Supreme Court Justice Priscilla Owen, and former Alabama Attorney General William Pryor. A number of Republican Senators responded to the Democratic filibusters with a proposed rule change that would have eliminated the ability of Senators to filibuster judicial nominees. Proponents of the rule change referred to it as the “constitutional option” and opponents referred to it as the “nuclear option.” The confrontation over the filibustering of judges abated when a group of fourteen Senators that have become known as the “Gang of 14” reached a compromise on the standard for the filibustering of judges at the end of May 2005.

Answer: Admit.

18. WRTL has not paid to broadcast after the November 2004 federal election any advertisements concerning the filibuster of federal judicial appointments.

Answer: Deny. WRTL paid to broadcast ads concerning the filibuster of federal judicial appointments in January and February of 2006.

19. On March 5, 2004, WRTL PAC endorsed three U.S. Senate candidates, each of whom was seeking the Republican nomination in the September 14, 2004 party primary to challenge Senator Russell Feingold in the November general election. In responding to WRTL’s federal candidate questionnaire prior to receiving the endorsement, all three candidates stated their support of WRTL PAC’s position on the judicial filibuster issue.

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.

20. WRTL PAC's March 5, 2004 announcement of its endorsement of the three Republican candidates in 2004 explained that "[w]e do not want Russ Feingold to continue to have the ability to thwart President Bush's judicial nominees.... '[T]he defeat of Feingold must be uppermost in the minds of Wisconsin's right to life community in the 2004 elections.' "

Answer: WRTL objects to this request as WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.

21. On March 26, 2004, WRTL issued a press release headed: "Feingold's, Kohl's and Kerry's Votes Against Unborn Victims Bill Demonstrates [sic] an Utter Disrespect for Human Life! Top Election Priorities for Right to Life Movement in Wisconsin: Re-elect George W. Bush ... Send Feingold Packing!"

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.

22. The judicial filibuster issue remained an important one in the Senate campaign in Wisconsin

during the summer of 2004.

Answer: WRTL objects to this request to the extent that it calls for a subjective calculation of the meaning of a vague and ambiguous term. Whether an issue is “important” is not definitively ascertainable by reasonable inquiry and thus WRTL cannot either admit or deny.

23. The Republican Party of Wisconsin publicly criticized Senator Russell Feingold over the judicial filibuster issue in the summer of 2004.

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court’s April 17, 2006 Scheduling Order. It requests admission of facts irrelevant to WRTL’s ads and/or having to do with historical or planned advocacy, in direct contravention to the Order’s text.

24. In its press releases and “e-alerts” to the public in the summer of 2004, WRTL itself voiced criticisms of Senator Feingold on the filibuster issue that were substantially similar to those made by his Republican opponents and by WRTL PAC.

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court’s April 17, 2006 Scheduling Order. It requests admission of facts irrelevant to WRTL’s ads and/or having to do with historical or planned advocacy, in direct contravention to the Order’s text. WRTL objects to this request to the extent that it calls for a subjective calculation of the meaning of a vague and ambiguous term. Whether a criticism is “substantially similar” to others is not definitively ascertainable by reasonable inquiry and thus WRTL cannot either admit or deny.

25. On July 14, 2004, WRTL issued a news release entitled “Wisconsin Right to Life Urges Sens. Feingold, Kohl to Stop Filibustering Judicial Nominees and to Act With Fairness.” The news release quoted a letter the corporation’s Executive Director and Legislative Director had sent that day to Senators Kohl and Feingold. The letter stated in part: “ We are writing on behalf of the entire Wisconsin Right to Life organization to express our grave concerns regarding your efforts to prevent an up or down vote on various qualified and well-qualified judicial nominees.... You have voted 16 out of 16 times to filibuster judicial candidates.”

Answer: Admit.

26. At least as early as July 26, 2004, some of the communications that set out WRTL’s view of Senator Feingold’s record on judicial nominees and that criticize that record could be found at a special website WRTL created. See http://www.befair.org/news_room.php. This site is no longer available on the Internet. The three advertisements that WRTL desired to broadcast with money from its corporate treasury during the 2004 primary and general elections ask the listener or viewer to “visit” that website.

Answer: WRTL objects to this request to the extent that it calls for a subjective calculation of the meaning of a vague and ambiguous term. Whether a communication is “critical” of a record is not definitively ascertainable by reasonable inquiry. WRTL admits that the website contained information on Senator Feingold’s record on allowing votes for judicial nominees, and that the three advertisements at issue here asked the listener to visit the website.

27. WRTL made no effort in the 2004 election cycle to raise funds subject to the requirements of

the FECA for the purpose of paying for the three broadcast advertisements attached to WRTL's complaint.

Answer: Deny. WRTL made efforts to raise funds subject to the FECA.

28. WRTL PAC made no effort in the 2004 election cycle to raise funds subject to the requirements of the FECA that would then be used to pay for its planned three broadcast advertisements.

Answer: Deny. WRTL-PAC made efforts to raise funds subject to the FECA.

29. Exhibit 4 to the Federal Election Commission's Opposition to WRTL's Motion for a Preliminary Injunction is a true and accurate copy of WRTL PAC's press release dated March 5, 2004.

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.

30. Exhibit 5 to the Federal Election Commission's Opposition to WRTL's Motion for a Preliminary Injunction is a true and accurate copy of the WRTL's undated list of Endorsed Pro-Life Candidates.

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.

31. Exhibit 7 to the Federal Election Commission's Opposition to WRTL's Motion for a Preliminary Injunction is a true and accurate copy of the WRTL's March 4, 2004 press release announcing its endorsement of Bob Welch.

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.

32. Exhibit 16 to the Federal Election Commission's Opposition to WRTL's Motion for a Preliminary Injunction is a true and accurate copy of WRTL's July 14, 2004 press release.

Answer: Admit.

33. Exhibit 18 to the Federal Election Commission's Opposition to WRTL's Motion for a Preliminary Injunction is a true and accurate copy of WRTL's July 21, 2004 e-alert as posted on www.befair.org.

Answer: Admit.

34. Exhibit 20 to the Federal Election Commission's Opposition to WRTL's Motion for a Preliminary Injunction is a true and accurate copy of WRTL's March 26, 2004 press release.

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.

35. Exhibit 24 to the Federal Election Commission's Opposition to WRTL's Motion for a Preliminary Injunction is a true and accurate copy of WRTL's July 21, 2004 e-alert as posted on www.befair.org.

Answer: Admit.

36. Exhibit 25 to the Federal Election Commission's Opposition to WRTL's Motion for a Preliminary Injunction is a true and accurate copy of WRTL's July 21, 2004 press release.

Answer: Admit.

37. The fifteen pages of documents produced by WRTL in its response to defendants' Request to Produce No. 1, which have been marked by defendants as "WRTL-01-01 to WRTL-01-161," are true and correct copies of the documents in WRTL's possession.

Answer: Admit.

38. The sixty-six pages of documents produced by WRTL in its response to defendants' Request to Produce No. 2, which have been marked by defendants as "WRTL-02-17 to WRTL-02-83," are true and correct copies of documents in WRTL's possession.

Answer: Admit.

39. The twelve pages of documents produced by WRTL in its response to defendants' Request to Produce No. 3, which have been marked by defendants as "WRTL-03-84 to WRTL-03-96," are

true and correct copies of documents in WRTL's possession.¹

Answer: Admit.

40. The twenty-eight pages of documents produced by WRTL in its response to defendants' Request to Produce No. 5, which have been marked by defendants as "WRTL-05-097 to WRTL-05-125," are true and correct copies of documents in WRTL's possession.

Answer: Admit.

41. The three pages of documents produced by WRTL in its response to defendants' Request to Produce No. 6, which have been marked by defendants as "WRTL-06-126 to WRTL-06-128," are true and correct copies of documents in WRTL's possession.

Answer: Admit.

42. The four pages of documents produced by WRTL in its response to defendants' Request to Produce No. 7, which have been marked by defendants as "WRTL-07-129 to WRTL-07-132," are true and correct copies of documents in WRTL's possession.

Answer: Admit.

43. The two pages of documents produced by WRTL in its response to defendants' Request to

¹ All documents referred to herein which have been marked by defendants are reprinted in full in Attachment 1.

Produce No. 9, which have been marked by defendants as “WRTL-09-133 to WRTL-09-134,” are true and correct copies of documents in WRTL’s possession.

Answer: Admit.

44. The five pages of documents produced by WRTL in its response to defendants’ Request to Produce No. 13, which have been marked by defendants as “WRTL-13-135 to WRTL-13-139,” are true and correct copies of documents in WRTL’s possession.

Answer: Admit.

45. The nine pages of documents produced by WRTL in its response to defendants’ Interrogatory No. 1 are true and correct copies of documents in WRTL’s possession.

Answer: Admit.

46. The six pages of documents produced by WRTL in its response to defendants’ Interrogatory No. 2 are true and correct copies of documents in WRTL’s possession.

Answer: Admit.

47. The one page document produced by WRTL in its response to defendants’ Interrogatory No. 3 is a true and correct copy of documents in WRTL’s possession.

Answer: Admit.

48. The one page document produced by WRTL in its response to defendants’ Interrogatory No.

7 is a true and correct copy of documents in WRTL's possession.

Answer: Admit.

49. The first proposal by WRTL Executive Director Barbara Lyons dated June 14, 2004 (WRTL-02-61) to the WRTL board of directors for approval of a campaign to lobby Wisconsin's two Senators on the judicial filibuster issue estimated that the costs for developing and broadcasting television advertisements would be approximately \$250,000.

Answer: Admit.

50. On July 8, 2004 Barbara Lyons executed on behalf of WRTL three working budget contracts with Grand Rapids consultant firm Hanon McKendry. WRTL- 02-67 to WRTL-02-69.

Answer: Admit.

51. The three WRTL working budget contracts were executed by Jason Vandergound on behalf of Hanon McKendry and provided for the payment (including 10% contingencies) of \$22,000 for "strategic planning," \$30,250 for "creative concepting," and \$11,000 for "media planning and buying."

Answer: Admit.

52. On June 24, 2004 Barbara Lyon accepted, on behalf of WRTL, a proposal from consultants Hanon McKendry and NMB Research, LLC, to conduct a statewide telephone opinion survey for a total cost of \$18,000 to be conducted in late July 2004. WRTL-02-70 to WRTL-02-71.

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy and/or requests admission of proprietary information, in direct contravention to the Order's text.

53. On July 9, 2004 Barbara Lyons entered into a \$13,330 public relations contract with Straightline, a Grand Rapids public relations firm, for services to raise the public's awareness of the filibuster issue.

Answer: Admit.

54. On August 4, 2004 Barbara Lyons submitted a memorandum to WRTL's chapter leaders informing them of the public relations campaign. WRTL-02-76 to WRTL-02-83.

Answer: Admit.

55. According to WRTL's General Fund Account Activity report (WRTL-05- 108 to WRTL-05-109) WRTL deposited into its general fund \$12,134.69 from all income sources in July 2004, \$5,832.72 in August 2004, \$12,426.24 in September 2004, and \$28,582.94 in October 2004.

Answer: Admit.

56. In 2004 WRTL spent a total of approximately \$165,000 to air the three broadcast advertisements attached to its complaint.

Answer: Admit.

57. In 2004 WRTL spent a total of approximately \$95,000 for all aspects of its 2004 media campaign about judicial filibusters other than the airing costs identified in Request for Admission No. 57, including but not limited to costs of survey research, public relations, strategic planning, creative concepting, and media planning and buying.

Answer: WRTL objects as to the relevance of money spent to acquire what is proprietary information (any survey research) and admits the remaining points.

58. In September 2003, WRTL Executive Director Barbara Lyons stated to the press that WRTL would be working hard to unseat Senator Feingold in 2004 and that "I think Russ Feingold's been in Washington too long. We need to send him back to Wisconsin." See J.W. Espino, "Wisconsin Right to Life Director Opposes Violence," The Post-Crescent, September 11, 2003.²

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.

59. At a September 2004 rally in Eau Claire, Wisconsin, Vice President Cheney said, "The Democrats in the Senate have been doing everything they can -including using the filibuster - to keep the President's sensible, mainstream nominees off the bench ... a good way to deal with the problem of the Democratic filibuster in the Senate is to elect some good Republicans like Tim Michels." (See <http://www.whitehouse.gov/news/releases/2004/09/print/20040929.html>). At an October 2004 rally in Ashwaubenon, Wisconsin, the Vice-President reiterated that "a good way

² See Attachment 2.

to deal with the problem of the Democratic filibuster in the Senate is to elect some good Republicans like Tim Michels." (See <http://www.whitehouse.gov/news/releases/2004/10/print/20041021-27.html>).

Answer: WRTL objects to this request as beyond the scope of relevant discovery as set out by the Court's April 17, 2006 Scheduling Order. It requests admission of facts having to do with historical or planned advocacy in direct contravention to the Order.


Verification

I affirm under the penalties for perjury that the foregoing statements are true.

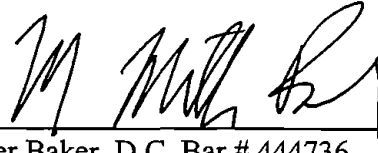
May 6, 2006
Date

Barbara L. Lyons
Barbara L. Lyons, WRTL Exec. Dir.

Respectfully submitted,



James Bopp, Jr.
Richard E. Coleson
Jeffrey P. Gallant
BOPP, COLESON & BOSTROM
1 South Sixth Street
Terre Haute, IN 47807-3510
812/232-2434 telephone
812/234-3685 facsimile
Lead Counsel for Plaintiff



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

EXHIBIT 12

United States District Court
District of Columbia

Wisconsin Right to Life, Inc. <i>Plaintiff,</i> v. Federal Election Commission, <i>Defendant,</i> and Sen. John McCain et al., <i>Intervenors-Defendants.</i>	Civil Action No. 04-1260 (DBS, RWR, RJE) THREE-JUDGE COURT
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**Plaintiff WRTL's Responses
To Defendants' First Interrogatories**

Pursuant to Federal Rule of Civil Procedure 33 and the Court's April 17, 2006 Scheduling Order, Wisconsin Right to Life, Inc. ("WRTL") submits these Responses to *Defendant Federal Election Commission's and Intervenor-Defendants' First Interrogatories* ("Interrogatories") served on WRTL.

General Objections

1. WRTL objects to the Interrogatories to the extent that: (a) they purport to call for the disclosure of information that contains privileged attorney-client communications; (b) constitute attorney work product; (c) disclose the mental impressions, conclusions, opinions, or legal theories of any attorneys or other representatives of WRTL; (d) were prepared in

anticipation of litigation; or (e) are otherwise protected from disclosure under applicable privileges, immunities, laws, or rules.

2. WRTL objects to the Interrogatories to the extent that they are vague, not limited in scope, unreasonably broad and burdensome, beyond the scope of permissible discovery, and seek documents not relevant to the subject matter of this action.

3. WRTL objects to the Interrogatories to the extent that they seek information concerning the plans, programs, and activities of WRTL (used herein to include WRTL-PAC), its members, officers, and associated entities which are protected from compelled public disclosure by the First Amendment rights of free speech and association. WRTL further objects to the Interrogatories to the extent that the information provided may be used by defendants and defendant-intervenors for purposes other than in connection with this litigation.

4. WRTL objects to the instructions accompanying the Interrogatories to the extent that they purport to impose obligations beyond those imposed by the Federal Rules of Civil Procedure, local rules or any Order issued by this Court, including the Court's April 17, 2006 Scheduling Order.

5. WRTL objects to the extremely broad and vague definition of "WRTL" as including a wide range of non-official persons, including volunteers and consultants over whom WRTL exercises no control. WRTL objects to the concept of "unpaid" "employees" as incomprehensible. WRTL objects to the phrase "or persons otherwise working on behalf of" as being incomprehensibly vague and so apparently overbroad as to encompass persons across Wisconsin (and to a lesser extent the nation, e.g., the National Right to Life Committee, Inc.)

who support WRTL and its ideological causes.

6. WRTL 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 to these Interrogatories, WRTL 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. WRTL reserves any and all objections as to competency, relevance, materiality, privilege, admissibility, or any other grounds on which an objection may be made. WRTL expressly reserves the right to object to further discovery into the subject matter of these Interrogatories. Any response to an Interrogatory that inadvertently discloses privileged documents is not intended to and shall not be deemed or construed to constitute a waiver of any privilege or right of WRTL. 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, WRTL objects to the individual Interrogatories as follows:

Specific Objections & Responses

1. Identify the names, addresses, and positions of any and all persons who held the following positions (or their functional equivalents) in WRTL at any time from January 1, 2002 to the present: Executive Director, Legislative Director, Political Action Committee (PAC) Director, Legislative Legal Counsel, President of the Board, Board Member, PAC President, PAC Chair, or PAC Board Member.

WRTL objects that it is unduly burdensome for it to attempt to identify the present

whereabouts of persons holding the indicated positions. WRTL objects that any information other than for 2004 and the present is irrelevant and beyond the scope of the Court's April 17, 2006 Scheduling Order. However, without waiving any objection, WRTL attaches hereto existing lists that provide responsive information that was known or believed to be accurate at the time the lists were created.

2. Describe in detail the job responsibilities (including any changes) of the following individuals and positions at any time from January 1, 2002 to the present. Individuals: Marianne Linane, Barbara L. Lyons, Susan Armacost, Bonnie Pfaff and Mary Klaver; Positions: President of the Board, WRTL; Executive Director, WRTL; Legislative/PAC Director, WRTL; PAC Chair, WRTL; and Legislative Legal Counsel, WRTL.

WRTL provides responsive information by attaching hereto documents stating job descriptions as indicated.

3. Identify by name, address, and telephone number all non-WRTL consultants, advisors, agents, corporations, firms, or other individuals or entities who provided advice, assistance or other direct input into WRTL's fund raising, independent expenditure decisions, grass roots lobbying or public communications efforts for the period 2002 to the present.

WRTL objects that this request is vague, incomprehensible, and unduly burdensome. The terms "advice, assistance or other direct input" are vague, and when coupled with both "non-WRTL consultants, advisors, agents, corporations, firms, or other individuals or entities" and the broad definition of "WRTL" (to include inter alia "volunteers; agents; consultants, or person otherwise working on behalf of . . .") could be intended to capture mere compliments, criticisms, or other unidentifiable commentary by unidentifiable persons. If "consultants" are defined as part of "WRTL" in the definition section, who are the "non-WRTL consultants" in the interrogatory? And who is a consultant? Anyone who makes a comment or someone who holds him- or herself out as having some professional expertise in consulting in a particular area and is consequently

retained and paid for that consulting expertise? Under expansive interpretations of the terms of this interrogatory, WRTL would be at a loss as to how to respond, possibly being required to make an effort to recall anyone from January 2002 to mid-2006 who said anything about “fund raising, independent expenditures, grassroots lobbying or public communications efforts” belonging to “WRTL” (extremely broadly defined). WRTL objects to any questions relating to “any historical advocacy,” state-related advocacy, or other matters not directly related to “plaintiff’s 2004 advertisements” as being beyond the permissible scope of discovery identified in the Court’s April 17, 2006 Order. WRTL objects to any information other than for 2004 as irrelevant and beyond the permitted scope under the Scheduling Order. WRTL objects that general fund raising information is irrelevant and beyond the permitted scope of the Scheduling Order. WRTL objects that information about independent expenditures is irrelevant and beyond the permitted scope of the Scheduling Order. WRTL objects that “public communications efforts” is vague. However, without waiving any objection, WRTL provides responsive information by identifying the entities in an attached list as being retained for the purpose of giving WRTL assistance with respect to relevant advocacy because of their expertise.

4. Describe in detail the factual basis for WRTL’s contention that it is not a “qualified nonprofit corporation,” and was not so qualified in 2004, within the meaning of 11 C.F.R. § 114.10.

WRTL objects to this request as unduly burdensome because of the lack of temporal limitation (other than “is” and a reference to 2004). However, without waiving any objections, WRTL states that it is not presently a QNC, just as it was not in 2004, because it does not meet the requirements of 11 C.F.R. § 114.10. Included in that provision are requirements that the QNC “cannot engage in business activities.” This is not true of WRTL, as evidenced by its Articles of

Incorporation and Bylaws and the fact that it actually has business income, e.g., it rents mailing lists to candidates and has some income that results from sales of advertising and materials. Moreover, it has no policy against receiving business corporation contributions and has, in fact, received some contributions from business corporations. Thus, WRTL would not be willing to certify that it qualifies as a QNC.

5. Describe in detail the date, amount, and source of any donation of \$1,000 or more (cash or in-kind) that WRTL has received since January 1, 2002 that was donated to support WRTL's grassroots lobbying efforts.

WRTL objects that, because it has never been permitted to engage in electioneering communications, there is no governmental interest justifying required disclosure, in discovery or otherwise, of the information required to be disclosed when electioneering communications are actually done. In the Bipartisan Campaign Reform Act of 2002, Congress asserted no interest in the disclosure of information concerning grassroots lobbying, only in information concerning electioneering communications that were actually made, and even as to those it only asserted an interest in the disclosure of donors of \$1,000 or more and only from the fund from which the electioneering communications were actually made (i.e., the general fund or a special fund as described in BCRA). WRTL has not contested the disclosure requirements and has agreed to the required disclosure as required by law if and when it is permitted to make electioneering communications. Until such a time, WRTL objects to any disclosure of donor information as protected by the First Amendment rights of free expression and association. WRTL also objects to this question as irrelevant to the extent it seeks information about possible donations "to support" state grassroots lobbying. WRTL objects to the words "to support" as vague, e.g., does it refer to donations that are accompanied by an express earmarking communication, or to

donations made with an awareness that WRTL was supporting or opposing legislation (or in hopes that it might) but without express earmarking, or to donations received in response to a solicitation for donations that listed grassroots lobbying projects along with other WRTL projects as examples of what WRTL was doing (in which situation it is impossible to know to which project the donor was expressing “support” and in what percentage as compared to other projects). WRTL objects that discovery of any information about funding for grassroots lobbying other than in 2004 is impermissible as prohibited under the Court’s April 17, 2006 Scheduling Order, which permitted discovery only as to “the purpose and effect of plaintiff’s 2004 advertisements for the 2004 campaign (but not into any historical or planned future advocacy by plaintiff).” *Id.* at 2.

6. Describe in detail any and all burdens that you contend that the Bipartisan Campaign Reform Act of 2002 (“BCRA”), Pub. L. No. 107-155, 116 Stat. 81 (2002), places upon your speech relating to the three advertisements attached to your Verified Complaint and in particular the factual basis for WRTL’s claim that it would be harmed by being limited to raising funds for these advertisements only through its separate segregated fund; by any loss in the effectiveness of WRTL’s speech if it were to use only non-broadcast media to disseminate the messages contained in the three advertisements; or by “avoiding any specific reference to federal candidates,” *McConnell v. FEC*, 540 U.S. 93, 206 (2003).

WRTL objects that the burdens of speaking through a PAC are already established as a matter of law in *FEC v. Massachusetts Citizens for Life*, 479 U.S. 238 (1986), and *Austin v. Mich. State Chamber of Commerce*, 494 U.S. 652 (1990), so that they are not subject to factual proof in this case, making this discovery irrelevant. However, without waiving any objection, WRTL states that requiring that WRTL speak through WRTL PAC means that the speech rights of WRTL itself have been burdened because it is not permitted to speak. It is an administrative burden to have special funds. Special funds deprive the organization of flexibility and are hard

to manage. Money needed for another activity may not be available when needed because it is in another fund for a restricted purpose. This means that if the funds are not in the necessary account when needed, then there is the need to go and raise funds into the required account, which imposes administrative burdens, fundraising expense, delay, and the possibility of not being able to speak at all or not to be able to speak when most advantageous. Separate accounts require extensive administrative recordkeeping as to a wide range of details and then periodic, regular, often frequent reporting of a wide range of information. In order to terminate PAC status, an entity must essentially cease to exist. PACs are only permitted to solicit from a limited class, including "members," which must qualify under special requirements before they may be solicited, all of which is physically burdensome and may eliminate speech altogether when the need for grassroots lobbying arises quickly. There are source and amount limitations on contributions to PACs that limit the amount they may raise. There are lower disclosure levels for PACs, and some donors are adverse to both disclosure of themselves and their gift and to donating to a "political" entity. Speaking through a PAC requires the identification of the communication as political activity, both in the communication in the form of a disclaimer and in reporting, when the communication is not properly political activity, which is compelled inaccurate speech indicating support for or opposition to candidates for election when the communication is not properly so designated.

As to use of non-broadcast media, WRTL chooses the medium it believes to be most effective for any particular communication based on a broad range of experience and on information it has as to what is most effective. WRTL believes that the chosen broadcast media for the 2004 advertisements at issue (and for similar future grassroots lobbying) were and are the

most effective medium. Not being able to use the most effective medium available is an obvious burden in that it lessens the effectiveness of WRTL's speech. No burden on free speech, association, and petition can be justified if it purports to square with these freedoms but permits only less effective means of engaging in them. Moreover, the electioneering communication restriction removes WRTL's freedom to *choose* the means by which to exercise its freedoms to speak, associate, and petition, which is an independent burden because it is decidedly not the government's job to tell the people how they should exercise these liberties.

As to using the names of public officials in grassroots lobbying, WRTL objects that Judge Leon has already made relevant and applicable findings in *McConnell* that naming the candidate in grassroots lobbying is both helpful and necessary,¹ so that the burden is already established

¹Judge Leon singled out grassroots lobbying as being of special concern, providing a rationale from the record as to why it is necessary to *name* a legislator in such situations:

The mere fact that these issue advertisements mention the name of a candidate (i.e., the elected representative in whose district the advertisement ran) does not necessarily indicate, let alone prove, that the advertisement is designed for electioneering purposes. To the contrary, the testimony of various plaintiffs' witnesses indicates that, in their experience, there are many reasons why it is helpful, if not necessary, to mention a candidate's name in these advertisements in order to focus the public's attention on a particular pending piece of legislation. For example, Paul Huard of NAM states "[t]here are many reasons that an issue ad may need to refer to the name of an elected official or candidate. Many bills are identified with particular sponsors and may be known by the sponsors' names. Also, both incumbents and candidates may be prominent people whose support or opposition to a bill or policy may have important persuasive effect. . . . Also, if an issue ad is used to explain why a legislative position of a particular Member of Congress is good for his or her district or state, the member generally must be mentioned. *The same is true if the purpose of the ad may be to induce viewers to contact the Member and communicate a policy position.*" Huard Decl. ¶ 12 (emphasis added); *see also* Finding 293. Similarly, Denise Mitchell, Special Assistant for Public Affairs to the AFL-CIO, concurred, explaining that it is often necessary to refer to a federal candidate by name because "[t]he express or implied urging of viewers or listeners to contact the policymaker regarding [an] issue is . . . especially effective by showing them how they can personally impact the issue debate in question." Mitchell Decl. ¶ 11; *see also* Finding 293.

for the reasons stated there if naming the candidate is not permitted. But without waiving any objections WRTL additionally adds that it believes that grassroots lobbying requires the naming of the persons to be lobbied because that is most effective based on long experience in the public policy arena. In particular, it would note that many people do not even know the names of their public officials and need the reminder and that many people will not respond to the call for grassroots lobbying if they must first figure out who is their representative before contacting the public official because of the extra time and effort involved. Moreover, if they do not know who they should call, they are less likely to call simply because people are less likely to call an anonymous person than someone whose name they have.

7. Identify by name, address, and position held within WRTL, if any, each and every person who contributed any information to its answers or other responses to these interrogatories or who otherwise participated in the preparation of those answers and other responses.

In addition to legal counsel in this case, the additional persons who so participated is contained in an attached list.

McConnell, 251 F. Supp. 2d at 794 (emphasis in original).

Verification


I affirm under the penalties for perjury that the foregoing statements are true.

Date


4-4-2006

Barbara L. Lyons
Barbara L. Lyons, WRTL Exec. Dir.

Respectfully submitted,



James Bopp, Jr.
Richard E. Coleson
Jeffrey P. Gallant
BOPP, COLESON & BOSTROM
1 South Sixth Street
Terre Haute, IN 47807-3510
812/232-2434 telephone
812/234-3685 facsimile
Lead Counsel for Plaintiff



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

EXHIBIT 13

Corporate Contributions to General Fund 1/1/04 through 12/31/04

CONT_AMT	CONT_DATE	BNK_ACCT
\$80.00	1/13/2004	GF
\$25.00	1/13/2004	GF
\$35.00	1/13/2004	GF
\$175.00	1/13/2004	GF
\$75.00	1/13/2004	GF
\$25.80	1/16/2004	GF
\$100.00	1/19/2004	GF
\$100.00	1/19/2004	GF
\$25.00	1/19/2004	GF
\$2.00	1/19/2004	GF
\$22.14	1/19/2004	GF
\$40.00	1/19/2004	GF
\$100.00	1/19/2004	GF
\$24.66	1/22/2004	GF
\$20.00	1/22/2004	GF
\$100.00	1/22/2004	GF
\$10.00	1/22/2004	GF
\$10.00	1/22/2004	GF
\$100.00	1/23/2004	GF
\$20.00	1/23/2004	GF
\$5.00	1/23/2004	GF
\$100.00	1/23/2004	GF
\$100.00	1/23/2004	GF
\$35.00	1/23/2004	GF
\$9.53	1/27/2004	GF
\$100.00	1/27/2004	GF
\$43.11	1/27/2004	GF
\$50.00	1/27/2004	GF
\$25.00	1/27/2004	GF
\$1,800.00	1/28/2004	GF
\$20.60	1/28/2004	GF
\$16.99	1/28/2004	GF
\$4.21	1/29/2004	GF
\$10.00	1/29/2004	GF
\$20.00	1/29/2004	GF
\$120.00	1/29/2004	GF
\$25.00	1/30/2004	GF
\$100.00	2/2/2004	GF
\$100.00	2/2/2004	GF
\$10.00	2/2/2004	GF
\$15.00	2/3/2004	GF
\$25.00	2/4/2004	GF
\$25.00	2/9/2004	GF
\$20.00	2/9/2004	GF
\$50.00	2/9/2004	GF
\$50.00	2/9/2004	GF
\$50.00	2/9/2004	GF
\$20.00	2/12/2004	GF
\$20.00	2/16/2004	GF
\$20.20	2/16/2004	GF
\$200.00	2/17/2004	GF
\$50.00	2/18/2004	GF
\$10.00	2/19/2004	GF
\$250.00	2/24/2004	GF

WRTL-05-097

Corporate Contributions to General Fund 1/1/04 through 12/31/04

CONT_AMT	CONT_DATE	BNK_ACCT
\$25.00	2/25/2004	GF
\$50.00	2/27/2004	GF
\$105.00	2/27/2004	GF
\$15.00	3/2/2004	GF
\$19.00	3/2/2004	GF
\$25.00	3/2/2004	GF
\$50.00	3/3/2004	GF
\$5.00	3/5/2004	GF
\$2.00	3/8/2004	GF
\$3.00	3/9/2004	GF
\$100.00	3/9/2004	GF
\$24.48	3/9/2004	GF
\$19.15	3/9/2004	GF
\$17.79	3/9/2004	GF
\$100.00	3/11/2004	GF
\$100.00	3/12/2004	GF
\$25.00	3/12/2004	GF
\$38.00	3/12/2004	GF
\$15.00	3/12/2004	GF
\$10.00	3/16/2004	GF
\$10.00	3/17/2004	GF
\$34.31	3/17/2004	GF
\$34.46	3/17/2004	GF
\$25.00	3/17/2004	GF
\$18.69	3/17/2004	GF
\$14.76	3/17/2004	GF
\$25.00	3/17/2004	GF
\$25.00	3/19/2004	GF
\$500.00	3/19/2004	GF
\$100.00	3/25/2004	GF
\$50.00	3/25/2004	GF
\$10.00	3/29/2004	GF
\$51.97	3/30/2004	GF
\$13.25	3/31/2004	GF
\$20.00	4/1/2004	GF
\$15.00	4/6/2004	GF
\$100.00	4/6/2004	GF
\$17.78	4/7/2004	GF
\$51.48	4/7/2004	GF
\$49.22	4/7/2004	GF
\$30.54	4/7/2004	GF
\$25.00	4/12/2004	GF
\$11.88	4/13/2004	GF
\$50.00	4/14/2004	GF
\$26.98	4/15/2004	GF
\$51.97	4/16/2004	GF
\$16.75	4/16/2004	GF
\$44.96	4/16/2004	GF
\$31.78	4/16/2004	GF
\$10.00	4/16/2004	GF
\$21.14	4/16/2004	GF
\$13.15	4/20/2004	GF
\$41.15	4/21/2004	GF
\$14.03	4/21/2004	GF

WRTL-05-098

Corporate Contributions to General Fund 1/1/04 through 12/31/04

CONT_AMT	CONT_DATE	BNK_ACCT
\$25.00	4/23/2004	GF
\$20.00	4/23/2004	GF
\$100.00	4/23/2004	GF
\$100.00	4/23/2004	GF
\$35.00	4/26/2004	GF
\$80.00	5/4/2004	GF
\$20.00	5/4/2004	GF
\$25.00	5/6/2004	GF
\$20.00	5/6/2004	GF
\$20.49	5/11/2004	GF
\$163.90	5/11/2004	GF
\$15.00	5/11/2004	GF
\$10.00	5/11/2004	GF
\$28.00	5/13/2004	GF
\$21.33	5/13/2004	GF
\$15.99	5/13/2004	GF
\$20.33	5/17/2004	GF
\$10.00	5/18/2004	GF
\$21.32	5/19/2004	GF
\$120.00	5/24/2004	GF
\$26.70	5/24/2004	GF
\$46.42	5/25/2004	GF
\$15.83	5/25/2004	GF
\$47.49	5/25/2004	GF
\$20.49	5/25/2004	GF
\$36.98	5/25/2004	GF
\$20.49	5/25/2004	GF
\$20.49	5/25/2004	GF
\$20.49	5/25/2004	GF
\$5.00	6/2/2004	GF
\$15.00	6/3/2004	GF
\$20.00	6/4/2004	GF
\$25.00	6/13/2004	GF
\$21.42	6/17/2004	GF
\$10.00	6/17/2004	GF
\$198.00	6/22/2004	GF
\$5,000.00	6/24/2004	GF
\$36.98	6/30/2004	GF
\$36.98	6/30/2004	GF
\$11.82	6/30/2004	GF
\$29.03	7/1/2004	GF
\$36.98	7/1/2004	GF
\$20.49	7/1/2004	GF
\$20.49	7/1/2004	GF
\$70.96	7/1/2004	GF
\$20.49	7/1/2004	GF
\$20.49	7/1/2004	GF
\$51.97	7/1/2004	GF
\$150.00	7/6/2004	GF
\$50.00	7/6/2004	GF
\$10.00	7/6/2004	GF
\$131.25	7/6/2004	GF
\$33.98	7/6/2004	GF
\$20.49	7/6/2004	GF

WRTL-05-099

Corporate Contributions to General Fund 1/1/04 through 12/31/04

CONT_AMT	CONT_DATE	BNK_ACCT
\$20.49	7/6/2004	GF
\$36.98	7/6/2004	GF
\$36.98	7/6/2004	GF
\$68.46	7/6/2004	GF
\$20.49	7/6/2004	GF
\$36.98	7/6/2004	GF
\$300.00	7/14/2004	GF
\$2,000.00	7/14/2004	GF
\$50,000.00	7/15/2004	GF
\$50.00	7/15/2004	GF
\$40.00	7/15/2004	GF
\$64.46	7/16/2004	GF
\$34.98	7/16/2004	GF
\$20.49	7/16/2004	GF
\$20.49	7/16/2004	GF
\$20.49	7/16/2004	GF
\$20.49	7/16/2004	GF
\$10.00	7/16/2004	GF
\$20.49	7/20/2004	GF
\$20.49	7/20/2004	GF
\$20.49	7/20/2004	GF
\$20.49	7/23/2004	GF
\$92.92	7/23/2004	GF
\$54.44	7/23/2004	GF
\$33.98	7/23/2004	GF
\$36.98	7/23/2004	GF
\$20.49	7/23/2004	GF
\$20.49	7/23/2004	GF
\$408.00	7/26/2004	GF
\$100.00	7/26/2004	GF
\$5,000.00	7/26/2004	GF
\$55.97	7/27/2004	GF
\$20.49	7/27/2004	GF
\$21.31	7/27/2004	GF
\$21.48	7/27/2004	GF
\$98.94	7/28/2004	GF
\$43.13	8/2/2004	GF
\$2,000.00	8/4/2004	GF
\$5.00	8/6/2004	GF
\$25.00	8/6/2004	GF
\$5.00	8/8/2004	GF
\$20.49	8/8/2004	GF
\$20.49	8/8/2004	GF
\$20.49	8/11/2004	GF
\$20.49	8/11/2004	GF
\$25.00	8/13/2004	GF
\$10.00	8/17/2004	GF
\$36.98	8/17/2004	GF
\$34.31	8/17/2004	GF
\$34.31	8/23/2004	GF
\$18.49	8/23/2004	GF
\$38.63	8/23/2004	GF
\$21.31	8/23/2004	GF
\$20.49	8/30/2004	GF

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Corporate Contributions to General Fund 1/1/04 through 12/31/04

CONT_AMT	CONT_DATE	BNK_ACCT
\$20.49	8/30/2004	GF
\$38.63	8/30/2004	GF
\$51.97	8/30/2004	GF
\$75.00	9/9/2004	GF
\$1,000.00	9/9/2004	GF
\$50,000.00	9/9/2004	GF
\$20.49	9/11/2004	GF
\$21.33	9/11/2004	GF
\$34.98	9/11/2004	GF
\$98.46	9/14/2004	GF
\$34.98	9/14/2004	GF
\$50.00	9/14/2004	GF
\$25.00	9/14/2004	GF
\$1,000.00	9/14/2004	GF
\$10,000.00	9/14/2004	GF
\$10.00	9/16/2004	GF
\$1,000.00	9/17/2004	GF
\$250.00	9/17/2004	GF
\$200.00	9/21/2004	GF
\$14.83	9/21/2004	GF
\$42.22	9/21/2004	GF
\$210.60	10/4/2004	GF
\$100.00	10/4/2004	GF
\$21.31	10/6/2004	GF
\$34.41	10/6/2004	GF
\$36.98	10/6/2004	GF
\$79.46	10/6/2004	GF
\$10.00	10/13/2004	GF
\$50.00	10/13/2004	GF
\$248.29	10/13/2004	GF
\$25.00	10/13/2004	GF
\$6.33	10/14/2004	GF
\$10.00	10/14/2004	GF
\$25.00	10/15/2004	GF
\$27.51	10/15/2004	GF
\$1,500.00	10/15/2004	GF
\$15.00	10/19/2004	GF
\$40.00	10/20/2004	GF
\$50.00	10/20/2004	GF
\$100.00	10/21/2004	GF
\$20.97	10/21/2004	GF
\$20,000.00	10/25/2004	GF
\$20.00	10/27/2004	GF
\$500.00	10/27/2004	GF
\$350.00	10/27/2004	GF
\$150.00	10/28/2004	GF
\$36.99	10/28/2004	GF
\$20.49	10/28/2004	GF
\$20.49	10/28/2004	GF
\$21.31	10/28/2004	GF
\$25.00	11/6/2004	GF
\$10,000.00	11/6/2004	GF
\$41.14	11/9/2004	GF
\$3.00	11/9/2004	GF

Corporate Contributions to General Fund 1/1/04 through 12/31/04

CONT_AMT	CONT_DATE	BNK_ACCT
\$23.47	11/9/2004	GF
\$143.67	11/9/2004	GF
\$21.31	11/9/2004	GF
\$75.00	11/10/2004	GF
\$25.00	11/12/2004	GF
\$28.18	11/15/2004	GF
\$50.66	11/15/2004	GF
\$70.00	11/15/2004	GF
\$25.00	11/15/2004	GF
\$200.00	11/18/2004	GF
\$20.49	11/21/2004	GF
\$34.98	11/21/2004	GF
\$36.98	11/21/2004	GF
\$10.00	11/21/2004	GF
\$21.49	11/30/2004	GF
\$35.62	11/30/2004	GF
\$200.00	11/30/2004	GF
\$140,000.00	11/30/2004	GF
\$10.97	11/30/2004	GF
\$20.49	12/1/2004	GF
\$20.49	12/1/2004	GF
\$46.49	12/1/2004	GF
\$20.49	12/1/2004	GF
\$20.49	12/1/2004	GF
\$201.00	12/2/2004	GF
\$20.49	12/2/2004	GF
\$20.49	12/2/2004	GF
\$20.49	12/2/2004	GF
\$21.64	12/2/2004	GF
\$34.98	12/2/2004	GF
\$36.98	12/2/2004	GF
\$20.49	12/6/2004	GF
\$37.00	12/6/2004	GF
\$25.00	12/7/2004	GF
\$20.00	12/7/2004	GF
\$1,000.00	12/7/2004	GF
\$15.00	12/7/2004	GF
\$350.00	12/9/2004	GF
\$37.94	12/14/2004	GF
\$49.97	12/16/2004	GF
\$18.49	12/16/2004	GF
\$22.99	12/16/2004	GF
\$15.99	12/16/2004	GF
\$10.00	12/16/2004	GF
\$33.00	12/16/2004	GF
\$100.00	12/17/2004	GF
\$38.98	12/21/2004	GF
\$25.48	12/21/2004	GF
\$20.49	12/21/2004	GF
\$20.49	12/21/2004	GF
\$20.49	12/21/2004	GF
\$25.45	12/21/2004	GF
\$34.31	12/21/2004	GF
\$59.75	12/21/2004	GF

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Corporate Contributions to General Fund 1/1/04 through 12/31/04

CONT_AMT	CONT_DATE	BNK_ACCT
\$10.00	12/21/2004	GF
\$5.00	12/21/2004	GF
\$20.49	12/21/2004	GF
\$100.00	12/21/2004	GF
\$20.00	12/22/2004	GF
\$200.00	12/22/2004	GF
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