

Albany  
Atlanta  
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**McKenna Long  
& Aldridge**<sup>LLP</sup>  
Attorneys at Law

1900 K Street, NW • Washington, DC 20006  
Tel: 202.496.7500 • Fax: 202.496.7756  
www.mckennalong.com

New York  
Philadelphia  
San Diego  
San Francisco  
Washington, DC

STEFAN C. PASSANTINO  
(202) 496-7138

EMAIL ADDRESS  
spassantino@mckennalong.com

**URGENT**

January 16, 2012

**VIA Electronic Filing**

Patricia S. Connor, Clerk  
U.S. Court of Appeals for the Fourth Circuit  
1100 East Main Street, Suite 501  
Richmond, Virginia 23219-3517

Re: *Perry v. Judd*, Record No. 12-1067

Dear Ms. Connor:

I am counsel for Speaker Newt Gingrich, who was permitted to intervene as a Co-Plaintiff in the underlying Eastern District of Virginia suit (Civ. No. 3:11-cv-856) involving inclusion of candidates on the Republican ballot for the upcoming Presidential primary election in Virginia. The above-referenced appeal, filed by Gov. Rick Perry, challenges the district court's January 13, 2012 Order denying a motion for a preliminary injunction. On behalf of Speaker Gingrich, we filed our own Notice of Appeal yesterday, January 15, challenging the same Order. Gov. Perry now has filed an Emergency Motion for Injunction Pending Appeal.

Given the short timeframe and holiday weekend, our appeal has not yet been transmitted to your office by the district court clerk. Since our appeal has not yet been docketed or consolidated with Gov. Perry's appeal, we are writing this letter to advise the Court that we support Gov. Perry's Emergency Motion since Speaker Gingrich is similarly situated.

Please provide copies of this letter to the Court. Also, please advise me whether there are any immediate procedural steps that we should take on behalf of Speaker Gingrich with regard to docketing and consolidation of the appeals and/or joining the Emergency Motion.

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We very much appreciate your cooperation and assistance.

Very truly yours,

A handwritten signature in black ink, appearing to read "Stefan Passantino". The signature is written in a cursive style with a prominent initial "S" and a long horizontal stroke at the end.

Stefan C. Passantino  
ATTORNEY FOR NEWT GINGRICH

**CERTIFICATE OF SERVICE**

I hereby certify that on January 16, 2012, I electronically transmitted a copy of the foregoing to the following counsel of record for Defendants/Appellees, Plaintiff/Appellant, and the remaining Intervenor-Plaintiffs:

E. Duncan Getchell, Jr.  
Wesley G. Russell  
Office of the Attorney General  
900 East Main Street  
Richmond, Virginia 23219  
Telephone: (804) 786-2436  
dgetchell@oag.state.va.us  
wrussell@oag.state.va.us  
*Counsel for Charles Judd, Kimberly Bowers and Don Palmer, Members of the Virginia State Board of Elections, in their official capacity*

Joseph N. Lief  
Virginia International Raceway  
1245 Pinetree Road  
Alton, Virginia 24520  
Telephone: (434) 822-7700  
*Counsel for Charles Judd, Kimberly Bowers and Don Palmer, Members of the Virginia State Board of Elections, in their official capacity*

Charles M. Sims (VSB No. 35845)  
LeClairRyan, A Professional Corporation  
Riverfront Plaza, East Tower  
951 East Byrd Street, Eighth Floor  
Richmond, Virginia 23219  
Telephone: (804) 343-5091  
Facsimile: (804) 783-7655  
Charles.sims@leclairryan.com  
*Counsel for Pat Mullins, in his official capacity as Chairman of the Republican Party of Virginia*

Lee Elton Goodman  
LeClairRyan, A Professional Corporation  
1701 Pennsylvania Ave NW, Suite 1045  
Washington, DC 20006  
lee.goodman@leclairryan.com  
*Counsel for Pat Mullins, in his official capacity as Chairman of the Republican Party of Virginia*

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Hugh M. Fain, III (VSB No. 26494)  
M. F. Connell Mullins, Jr. (VSB No. 47213)  
Edward Everett Bagnell, Jr. (VSB No. 74647)  
Spotts Fain PC  
411 East Franklin Street, Suite 600  
Richmond, Virginia 23219  
Telephone: (804) 697-2000  
Facsimile: (804) 697-2100  
Email: hfain@spottsfain.com  
Email: cmullins@spottsfain.com  
Email: ebagnell@spottsfain.com  
*Counsel for Rick Perry*

Joseph M. Nixon  
James E. ("Trey") Trainor, III  
Martin D. Beirne  
Beirne, Maynard & Parsons, L.L.P.  
1300 Post Oak Boulevard, Suite 2500  
Houston, TX 77056  
Telephone: (713) 623-0887  
Facsimile: (713) 960-1527  
Email: jnixon@bmpllp.com  
*Counsel for Rick Perry*

Craig Engle  
Arent Fox LLP  
1050 Connecticut Avenue, NW  
Washington, DC 20036-5339  
Tel: (202) 857-6000  
Fax: (202) 857-6395  
*Counsel for Jon Huntsman, Jr.*

Cleta Mitchell  
Foley & Lardner LLP  
3000 K Street, N.W., Suite 600  
Washington, DC 20007-5109  
Tel: (202) 672-5300  
Fax: (202) 672-5399  
*Counsel for Rick Santorum*