

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

CHAMBER OF COMMERCE OF THE)	
UNITED STATES OF AMERICA,)	
<i>Plaintiff,</i>)	
)	
v.)	Case No. 09-CV-02014-RWR
)	
JACQUES SERVIN, et al.)	
<i>Defendants.</i>)	

**UNOPPOSED MOTION OF PUBLIC CITIZEN FOR LEAVE TO FILE A
MEMORANDUM AS AMICUS CURIAE IN SUPPORT OF DEFENDANTS'
MOTION TO DISMISS**

Public Citizen hereby moves this Court for leave to file a memorandum as amicus curiae in support of defendants' motion to dismiss, in accordance with the briefing schedule set forth in the accompanying joint motion.

Pursuant to Local Civil Rule 7(m), counsel for proposed amicus curiae has discussed this motion with counsel for all parties. Counsel for both Plaintiff and Defendants have consented to the filing of this motion and the proposed amicus curiae memorandum. *Cf.* Fed. R. App. P. 29(a).

Public Citizen is a national public-interest organization based in Washington, D.C. Since its founding in 1971, Public Citizen has advocated for protections for citizens who speak out against governments and corporations. Along with its efforts to encourage public participation, Public Citizen has brought and defended many cases involving the First Amendment rights of citizens who participate in public debates. For the past decade, Public Citizen has observed an increasing number of companies using litigation to prevent ordinary citizens from using the Internet to express their opinions about those companies' products and services. In Public Citizen's experience, companies often sue or

threaten to sue without a substantial legal basis, hoping to silence their critics through the threat of ruinous litigation. Public Citizen lawyers have represented Internet speakers who have been sued for publicly criticizing companies online and have successfully argued motions to dismiss based on the First Amendment rights of the speaker.

Accordingly, Public Citizen requests that this Court grant leave to file a memorandum in support of defendants' motion to dismiss.

Respectfully submitted,

/s/ Deepak Gupta

/s/ Gregory A. Beck

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