

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PERSONAL PAC, an Illinois not for profit)
corporation, MARCENA W. LOVE,)
GRACE ALLEN NEWTON,)
)
Plaintiffs,) Judge Marvin E. Aspen
) Magistrate Judge Sheila M Finnegan
v.)
) No. 12 CV 1043
)
WILLIAM M. MCGUFFAGE, Chairman of)
the Illinois State Board of Elections;)
JESSE R. SMART, Vice Chairman of the)
Illinois State Board of Elections;)
HAROLD D. BYERS, Member of the)
Illinois State Board of Elections;)
BETTY J. COFFRIN, Member of the)
Illinois State Board of Elections;)
ERNEST L. GOWEN, Member of the)
Illinois State Board of Elections;)
JUDITH C. RICE, Member of the)
Illinois State Board of Elections;)
BRYAN A. SCHNEIDER, Member of the)
Illinois State Board of Elections;)
CHARLES W. SCHOLZ, Member of the)
Illinois State Board of Elections, all in)
their official capacities,)
)
Defendants.)

**DECLARATION OF TERRY COSGROVE IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Terry Cosgrove declares as follows:

1. I am an Illinois resident and a registered voter in Illinois.
2. Since 1999, I have held the position of President and CEO of Personal PAC, which is an Illinois not-for-profit corporation and a bipartisan, statewide

political action committee (PAC), dedicated to preserving reproductive rights and family planning services in Illinois and to electing pro-choice candidates to state and local office. From 1989-1999, I served as the Executive Director of Personal PAC.

3. Personal PAC accomplishes its mission by spending significant amounts of money on political activities such as voter identification programs, professionally developed direct mail, election day get-out-the-vote programs, television advertisements, and volunteer coordination. The purpose of those communications is to help elect state and local candidates who are pro-choice and supportive of family planning services and defeat candidates who are not.

4. Sections 5/9-2(d) and 5/9-8.5(d) of the Illinois Election Code have constrained Personal PAC's ability to raise and spend funds for so-called "independent expenditures." But for the prohibitions contained in those two sections, Personal PAC would immediately: (a) create a segregated, independent-expenditure-only account for the purpose of soliciting and receiving contributions in excess of current limits and for use solely for independent expenditures to elect pro-choice candidates, both in the current election cycle and in future election cycles; (b) establish one or more additional independent-expenditure-only PACs to receive those contributions; or (c) become a PAC that exclusively makes independent expenditures, again, to receive those contributions. Sections 5/9-2(d) and 5/9-8.5(d) of the Election Code have chilled Personal PAC from pursuing these paths.

5. If Personal PAC, or its newly created independent-expenditure-only account or PAC, were not subject to the contribution caps imposed by 5/9-8.5(d) of the Election Code, Personal PAC would solicit and raise funds in excess of those caps, immediately, in the current election cycle, in order to influence the outcome of the March primaries, and also in future election cycles. Personal PAC would segregate these monies by creating an independent-expenditure-only account or additional PAC and use the money, starting immediately, solely to make independent expenditures to advocate the election of candidates who are pro-choice and supportive of family planning services, and to defeat candidates who are not, without coordination with any political candidate or political party (i.e. for “independent expenditures”).

6. Marcena W. Love (“Love”), Grace Allen Newton (“Newton”), and others, are ready, willing and able to donate, and would immediately donate, more than \$10,000 to Personal PAC, or to any account or additional PAC that Personal PAC would establish for the purpose making independent expenditures, but for the prohibitions contained in Sections 5/9-2(d) and 5/9-8.5(d) of the Election Code. It is my understanding that they would donate immediately, in the current election cycle, in order to influence the outcome of the March primaries

7. If donors such as Love and Newton were able to donate without the prohibitions contained in Sections 5/9-2(d) and 5/9-8.5(d) of the Election Code, Personal PAC would segregate those funds by creating an independent-expenditure-only account or additional PAC and use their funds to advocate the election of

candidates who are pro-choice and supportive of family planning services, and to defeat candidates who are not, without coordination with any political candidate or political party (i.e. for “independent expenditures”).

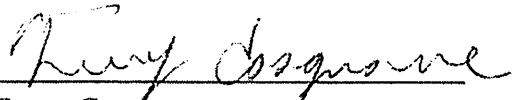
8. It is my informed belief that, because of the restrictions contained in Sections 5/9-2(d) and 5/9-8.5(d) of the Election Code, Personal PAC was prevented from receiving more than \$100,000 of available donor funds during calendar year 2011, money that Personal PAC would have received into an independent-expenditure-only fund or additional PAC. It is also my informed belief that if Sections 5/9-2(d) and 5/9-8.5(d) of the Election Code remain in effect, Personal PAC will be prevented from receiving tens of thousands of dollars in available donor funds during calendar year 2012, money that Personal PAC would receive into an independent-expenditure-only fund or additional PAC.

9. Personal PAC is currently holding a check for \$17,688.26 that it is unable to cash or deposit because the Illinois State Board of Elections has taken the position that to do so would be unlawful under the contribution limits in Section 5/9-8.5(d), even if the full \$17,688.26 were not spent during a single year. The check will be void on May 23, 2012.

10. By supporting Personal PAC and making contributions to it, like-minded individuals are able to amplify their voices, produce advertisements that they do not have the means to produce alone, and speak more loudly and influence election outcomes more profoundly than if they were limited to speaking individually instead. They could amplify their voices even more if Personal PAC

could accept individual contributions in excess of \$10,000, solely for the purpose of making independent expenditures.

11. I declare under penalty of perjury that the foregoing statements are true and correct. 28 U.S.C. § 1746.


Terry Cosgrove

Dated: 2/13/12

EXHIBIT B

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PERSONAL PAC, an Illinois not for profit)
corporation, MARCENA W. LOVE,)
GRACE ALLEN NEWTON,)
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Plaintiffs,) Judge Marvin E. Aspen
) Magistrate Judge Sheila M Finnegan
v.)
) No. 12 CV 1043
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WILLIAM M. MCGUFFAGE, Chairman of)
the Illinois State Board of Elections;)
JESSE R. SMART, Vice Chairman of the)
Illinois State Board of Elections;)
HAROLD D. BYERS, Member of the)
Illinois State Board of Elections;)
BETTY J. COFFRIN, Member of the)
Illinois State Board of Elections;)
ERNEST L. GOWEN, Member of the)
Illinois State Board of Elections;)
JUDITH C. RICE, Member of the)
Illinois State Board of Elections;)
BRYAN A. SCHNEIDER, Member of the)
Illinois State Board of Elections;)
CHARLES W. SCHOLZ, Member of the)
Illinois State Board of Elections, all in)
their official capacities,)
)
Defendants.)

**DECLARATION OF MARCENA W. LOVE IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Marcena W. Love declares as follows:

1. I am an Illinois resident and a registered voter in Illinois.

2. I am the founder and one of the two original incorporators of Personal PAC, and Chair Emeritus of Personal PAC, which is an Illinois not-for-profit corporation and a bipartisan, statewide political action committee (PAC), dedicated to preserving reproductive rights and family planning services in Illinois and to electing pro-choice candidates to state and local office.

3. Sections 5/9-2(d) and 5/9-8.5(d) of the Illinois Election Code have constrained Personal PAC's ability to raise and spend funds for so-called "independent expenditures." But for the prohibitions contained in those two sections, Personal PAC would immediately: (a) create a segregated, independent-expenditure-only account; (b) establish one or more additional independent-expenditure-only PACs; or (c) become a PAC that exclusively makes independent expenditures, unconstrained by contribution and expenditure limits. Sections 5/9-2(d) and 5/9-8.5(d) of the Election Code have chilled Personal PAC from pursuing these paths.

4. If Personal PAC, or its newly created independent-expenditure-only account or PAC, were not subject to the contribution caps imposed by 5/9-8.5(d) of the Election Code, Personal PAC would solicit and raise funds in excess of those caps, immediately, in the current election cycle, in order to influence the outcome of the March primaries, and also in future election cycles. Personal PAC would segregate these monies by creating an independent-expenditure-only account or additional PAC and use the money, starting immediately, solely to make

independent expenditures to advocate the election of candidates who are pro-choice and supportive of family planning services, and to defeat candidates who are not.

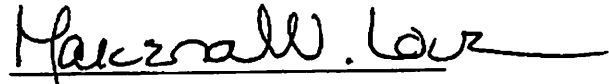
5. I, and others, are ready, willing and able to donate, and would immediately donate, more than \$10,000 to Personal PAC, or to any account or additional PAC that Personal PAC would establish for the sole purpose of making independent expenditures, but for the prohibitions contained in Sections 5/9-2(d) and 5/9-8.5(d) of the Election Code. I would donate immediately, in the current election cycle, in order to influence the outcome of the March primaries.

6. Further, if, for reasons either logistical or legal, Personal PAC itself were not able to receive contributions for independent expenditures above the current limits, then I am ready, willing, and able to establish and maintain one or more independent-expenditure-only PACs myself, for the purpose of soliciting and receiving contributions in excess of current limits and using them solely to make independent expenditures to elect pro-choice candidates. However, as I understand it, I am prevented from doing so by Sections 5-9/2(d) and 5/-9-8.5(d) of the Election Code.

7. I believe that by supporting Personal PAC and making contributions to it, I and other like-minded individuals are able to amplify our voices, produce advertisements that we do not have the means to produce alone, and speak more loudly and influence election outcomes more profoundly, than if we were limited to speaking individually instead. We could amplify our voices even more if Personal

PAC could accept individual contributions in excess of \$10,000, solely for the purpose of making independent expenditures.

8. I declare under penalty of perjury that the foregoing statements are true and correct. 28 U.S.C. § 1746.


Marcena W. Love

Dated: 2/13/12

EXHIBIT C

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

PERSONAL PAC, an Illinois not for profit corporation, MARCENA W. LOVE, GRACE ALLEN NEWTON,)	
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Plaintiffs,)	Judge Marvin E. Aspen
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WILLIAM M. MCGUFFAGE, Chairman of the Illinois State Board of Elections; JESSE R. SMART, Vice Chairman of the Illinois State Board of Elections; HAROLD D. BYERS, Member of the Illinois State Board of Elections; BETTY J. COFFRIN, Member of the Illinois State Board of Elections; ERNEST L. GOWEN, Member of the Illinois State Board of Elections; JUDITH C. RICE, Member of the Illinois State Board of Elections; BRYAN A. SCHNEIDER, Member of the Illinois State Board of Elections; CHARLES W. SCHOLZ, Member of the Illinois State Board of Elections, all in their official capacities,)	
)	
Defendants.)	

**DECLARATION OF GRACE ALLEN NEWTON IN SUPPORT OF
PLAINTIFFS' MOTION FOR PRELIMINARY INJUNCTION**

Grace Allen Newton declares as follows:

1. I am an Illinois resident and a registered voter in Illinois.
2. I am a member of the Board of Directors, the Executive Committee of the Board of Directors, and a former Chairperson of the Board of Directors of

Personal PAC. Personal PAC is an Illinois not-for-profit corporation and a bipartisan, statewide political action committee (PAC), dedicated to preserving reproductive rights and family planning services in Illinois and to electing pro-choice candidates to state and local office.

3. Sections 5/9-2(d) and 5/9-8.5(d) of the Illinois Election Code have constrained Personal PAC's ability to raise and spend funds for so-called "independent expenditures." But for the prohibitions contained in those two sections, Personal PAC would immediately: (a) create a segregated, independent-expenditure-only account; (b) establish one or more additional independent-expenditure-only PACs; or (c) become a PAC that exclusively makes independent expenditures, unconstrained by contribution and expenditure limits. Sections 5/9-2(d) and 5/9-8.5(d) of the Election Code have chilled Personal PAC from pursuing these paths.

4. If Personal PAC, or its newly created independent-expenditure-only account or PAC, were not subject to the contribution caps imposed by 5/9-8.5(d) of the Election Code, Personal PAC would solicit and raise funds in excess of those caps, immediately, in the current election cycle, in order to influence the outcome of the March primaries, and also in future election cycles. Personal PAC would segregate these monies by creating an independent-expenditure-only account or additional PAC and use the money, starting immediately, solely to make independent expenditures to advocate the election of candidates who are pro-choice and supportive of family planning services, and to defeat candidates who are not.

5. I, and others, are ready, willing and able to donate, and would immediately donate, more than \$10,000 to Personal PAC, or to any account or additional PAC that Personal PAC would establish for the sole purpose of making independent expenditures, but for the prohibitions contained in Sections 5/9-2(d) and 5/9-8.5(d) of the Election Code. I would donate immediately, in the current election cycle, in order to influence the outcome of the March primaries.

6. In 2011, I donated \$10,000 to Personal PAC, which is the maximum amount permissible under the Illinois Election Code. I wanted to donate in excess of \$10,000; however, as I understand it, I was prevented from doing so by Section 5/9-8.5(d) of the Election Code.

7. Further, if, for reasons either logistical or legal, Personal PAC itself were not able to receive contributions for independent expenditures above the current limits, then I am ready, willing, and able to establish and maintain one or more independent-expenditure-only PACs myself, for the purpose of soliciting and receiving contributions in excess of current limits and using them solely to make independent expenditures to elect pro-choice candidates. However, as I understand it, I am prevented from doing so by Sections 5-9/2(d) and 5/-9-8.5(d) of the Election Code.

8. I believe that by supporting Personal PAC and making contributions to it, I and other like-minded individuals are able to amplify our voices, produce advertisements that we do not have the means to produce alone, and speak more loudly and influence election outcomes more profoundly, than if we were limited to

speaking individually instead. We could amplify our voices even more if Personal PAC could accept individual contributions in excess of \$10,000, solely for the purpose of making independent expenditures.

9. I declare under penalty of perjury that the foregoing statements are true and correct. 28 U.S.C. § 1746.



Grace Allen Newton

Dated: 2/13/12