

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA

Richmond Division

MCCAIN-PALIN 2008, INC.,

Plaintiff,

and

UNITED STATES OF AMERICA,

Plaintiff,

Civil Action Number 3:08cv709

v.

JEAN CUNNINGHAM, *et al.*,

Defendants.

ORDER

This matter is before the Court on the putative intervenor-plaintiff's motion to intervene, the defendants' motion to dismiss plaintiff McCain-Palin, and the putative intervenor-plaintiff's motion for a preliminary injunction and temporary restraining order.

Pursuant to Federal Rule of Civil Procedure 24(b)(2), the Court GRANTS the United States' unopposed timely motion to intervene.

For the reasons stated from the bench, the Court GRANTS the defendants' motion to dismiss plaintiff McCain-Palin and DENIES McCain-Palin's request to remain in the suit as a permissive intervenor under Federal Rule of Civil Procedure 24(b)(1). The Court's November 4, 2008 Order continues in effect, but is amended insofar as permitting the United States to receive any information made available to presidential campaigns under said Order.

For the reasons stated from the bench, the Court DENIES the plaintiff United States' motion for a preliminary injunction and temporary restraining order.

The plaintiff United States shall have until December 1, 2008 to respond to the defendants' motion to dismiss its complaint. The defendants shall have until December 3, 2008 to reply to the plaintiff's response. A hearing on the motion to dismiss is scheduled for 2:30 p.m. on December 8, 2008.

It is so ORDERED.

Let the Clerk send a copy of this Order to all counsel of record.

November 17, 2008

DATE

/s/

RICHARD L. WILLIAMS
SENIOR UNITED STATES DISTRICT JUDGE