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IN THE UNITED STATES DISTRICT COURT EASTERN DISTRICT OF VIRGINIA Richmond Division

THE HONORABLE RICK PERRY,)
Plaintiff,))
and)
THE HONORABLE NEWT GINGRICH, THE HONORABLE JON HUNTSMAN, JR., and THE HONORABLE RICK SANTORUM,) Civil Action No. 3:11-CV-856)))
Intervenors,)
v.)))
CHARLES JUDD, Member of the Virginia State Board of Elections, in his official capacity, <i>et al.</i> ,)))
Defendants.))

MOTION OF AMERICAN CIVIL LIBERTIES UNION OF VIRGINIA, INC., FOR LEAVE TO FILE AMICUS BRIEF

The American Civil Liberties Union of Virginia, Inc., by counsel, respectfully requests the Court for leave to file a brief *amicus curiae* in support of the plaintiffs' motion for a preliminary injunction. In support of this motion, *amicus* states as follows:

1. The American Civil Liberties Union of Virginia (ACLU of Virginia) is an affiliate of the American Civil Liberties Union, the nation's oldest organization dedicated to protecting civil liberties. Among the ACLU of Virginia's top priorities are the right to vote and the right to free speech, both of which are implicated by this case.

2. The ACLU of Virginia appears frequently in this Court and other federal and state courts in Virginia, both as *amicus* and as direct counsel, in cases affecting the civil and constitutional rights of Virginia residents.

3. Amicus seeks to file a brief in support of plaintiffs' motion for preliminary injunction on the following issue: Whether Virginia's residency requirement for circulators of petitions for a candidate's access to the primary ballot violates the First Amendment to the United States Constitution.

4. *Amicus* respectfully suggests that its expertise in the matter of First Amendment rights will be helpful to the Court in its consideration of the plaintiffs' request for a preliminary injunction.

For the foregoing reasons, *amicus* respectfully requests that the Court grant its motion for leave to file a brief *amicus curiae*.

Respectfully submitted,

AMERICAN CIVIL LIBERTIES UNION OF VIRGINIA, INC.

/s/

Rebecca K. Glenberg (VSB No. 44099)
American Civil Liberties Union of
Virginia Foundation, Inc.
530 E. Main Street, Suite 310
Richmond, Virginia 23219
(804) 644-8080
(804) 649-2733 (fax)
rglenberg@acluva.org

CERTIFICATE OF SERVICE

I hereby certify that on this 10th day of January, 2012, I filed a true and correct copy of the foregoing with the Clerk of Court using the CM/ECF system, which will automatically serve an electronic copy on the following:

Hugh McCoy Fain, III
Edward Everett Bagnell, Jr
Maurice Francis Mullins
Spotts Fain PC
411 E Franklin St
PO Box 1555
Richmond, VA 23218-1555
hfain@spottsfain.com
ebagnell@spottsfain.com
cmullins@spottsfain.com

James Edwin Trainor, III
Joseph Michael Nixon
Martin Douglas Beirne
Beirne Maynard & Parsons LLP
1300 Post Oak Blvd. 25th Fl
Houston, TX 77056
ttrainor@bmpllp.com
jnixon@bmpllp.com
mbeirne@bmpllp.com

Earle Duncan Getchell , Jr. Wesley Glenn Russell , Jr. Office of the Attorney General 900 E Main St Richmond, VA 23219 dgetchell@oag.state.va.us wrussell@oag.state.va.us

Charles Michael Sims LeClairRyan, PC PO Box 2499 Richmond, VA 23218-2499 charles.sims@leclairryan.com

John Christian Adams Election Law Center PLLC 300 N Washington St, Suite 405 Alexandria, VA 22314 adams@electionlawcenter.com

/s/

Rebecca K. Glenberg (VSB No. 44099)
American Civil Liberties Union of Virginia
Foundation, Inc.
530 E. Main St., Suite 310
Richmond, Virginia 23219
(804) 644-8080
(804) 649-2733 (fax)
rglenberg@acluva.org