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NEWS RELEASE

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FOR IMMEDIATE RELEASE

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Supreme Court orders compliance with preliminary injunction in case concerning campaign contributions related to pending propositions

San Francisco—Acting on a petition filed late Friday, November 2, the California Supreme Court today unanimously ordered Americans for Responsible Leadership, an Arizona nonprofit corporation, that has recently made a sizable campaign contribution to a California political action committee, to comply with a trial court order directing the nonprofit corporation to provide information to the Fair Political Practices Commission (FPPC) pending the nonprofit corporation's appeal of the trial court order. (*Fair Political Practices Commission v. Americans for Responsible Leadership*, S206407.) The court's order allows an audit by the FPPC to proceed expeditiously, permitting the Commission to determine whether Americans for Responsible Leadership has complied with the Fair Political Practices Act by disclosing the identities of its donors and other information prior to the Tuesday election.

In this case, the FPPC filed an application for preliminary injunction in the Sacramento Superior Court to compel Americans for Responsible Leadership to produce documents the Commission sought in connection with its audit of an \$11 million donation made less than three weeks ago to the Small Business Action Committee PAC, No on 30/Yes on 32. The trial court issued a preliminary injunction on October 31, 2012, and Americans for Responsible Leadership appealed. Challenging the conclusion that the filing of the appeal stayed the trial court's injunction, the FPPC sought an order permitting the injunction to take effect while the appeal is pending. On November 2, 2012, the Court of Appeal, Third District, denied the FPPC's emergency petition for writ of mandate or other appropriate relief. On Friday evening, November 2, 2012, the FPPC filed a petition in the California Supreme Court, asking the court to lift the stay pending appeal so that the Commission can obtain the requested documents prior to the November 6, 2012, election. The Supreme Court sought and received — yesterday and today — expedited briefing from both parties.

The court's order, filed today at 3:00 following a telephone conference by the justices, vacated the stay and directed Americans for Responsible Leadership to comply with the Commission's audit request by 4:00 today.

A copy of the order is attached.

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