

UNITED STATES DISTRICT COURT  
DISTRICT OF COLUMBIA

CHRISTIAN CIVIC LEAGUE OF	)	
MAINE, INC.,	)	
	)	No. 1:06CV00614
Plaintiff,	)	
	)	
v.	)	
	)	
FEDERAL ELECTION COMMISSION	)	
	)	
Defendant.	)	

**DEFENDANT FEDERAL ELECTION COMMISSION'S  
FIRST SET OF REQUESTS FOR THE PRODUCTION OF DOCUMENTS TO  
PLAINTIFF CHRISTIAN CIVIC LEAGUE, INC.**

To: Christian Civic League of Maine, Inc.

c/o James Bopp, Jr., Esq.  
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Pursuant to Rule 34 of the Federal Rules of Civil Procedure defendant Federal Election Commission ("Commission") propounds the following requests for production of documents, to plaintiff Christian Civic League of Maine, Inc.

The Commission requests that the Christian Civic League of Maine, Inc. produce the documents specified below, in their entirety, for inspection and copying at the Office of the United States Attorney, 100 Middle Street, Portland, ME 04101. Pursuant to the Emergency

Motion for Expedited Discovery concurrently served herewith, the Commission requests that such production occur on April 12, 2006 at 9:00 a.m. All documents shall continue to be produced each day thereafter as may be necessary for the Commission to complete its examination and reproduction thereof. In lieu of production of the originals, clear and legible copies or duplicates of the documents sought may be produced at the Office of the United States Attorney, 100 Middle Street, Portland, ME 04101 on April 12, 2006 at 9:00 a.m. Copies or duplicates of the documents may also be delivered to counsel for the Commission at 999 E St. NW, Washington, DC 20463 on or before the above deadline provided that counsel for the Commission is notified by April 11, 2006 at 9:00 a.m. that production will occur in that manner.

### **INSTRUCTIONS**

In answering these requests for the production of documents, furnish all documents and other information specified below, however obtained, including hearsay, that are in your possession, custody, or control, or otherwise available to you, including documents and information appearing in your records.

If any subpoenaed document cannot be produced in full, produce it to the extent possible, specifying the reasons for your inability to produce the remainder and stating whatever information, knowledge, or belief you have concerning the portion not produced. When an approximation or estimate is stated, designate the approximation or estimate as such and identify and describe each method by which, and each source of information upon which, the approximation or estimate was made.

Should you claim a privilege or have another objection with respect to any document, communication, or item about which information is sought, describe such item in detail sufficient to provide justification for the claim or other objection. Each claim of privilege must

specify in detail all grounds upon which it rests, pursuant to Fed. R. Civ. P. 26(b)(5). No part of a request for the production of documents shall be left unanswered simply because an objection is interposed to another part of the request.

The following discovery requests are continuing in nature so as to require you to file supplementary responses or amendments during the course of this litigation if you obtain further or different information prior to or during the trial of this action. Include in any supplemental answers the date upon which such further or different information came to your attention.

### **DEFINITIONS**

For the purposes of this subpoena, including the instructions hereto, the terms listed below are defined as follows:

1. “Christian Civic League, Inc.” (“CCL”) shall mean the Christian Civic League, Inc., including all officers; employees, whether paid or unpaid; supervisors; volunteers; agents, consultants, or persons otherwise working on behalf of or at the request of the Christian Civic League, Inc.; co-workers; subordinates; and staff or in-house attorneys thereof.
2. “Communication” shall mean any transmittal of information, in written, oral, electronic, digital or any other form.
3. “Control” with respect to a document is synonymous in meaning and equal in scope to the usage of this term in Federal Rule of Civil Procedure 34 and 45.
4. “Document” is synonymous in meaning and equal in scope to the usage of this term in Fed. R. Civ. P. 34(a) and 45, except as otherwise specified in this paragraph. Each draft or non-identical paper or electronic document is a separate document within the meaning of this term.

5. “Person” shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity as defined in 2 U.S.C. § 431(11).

6. “Relate to” shall mean constitute, relate to, or refer to.

7. “You,” “your” and “their” shall mean the named person or entity to whom these requests are directed, including all predecessors, successors, employees, agents and attorneys thereof, as well as any other person controlled by you, including all entities of which you are an officer, director, partner or otherwise control or have the ability to control.

8. “And” as well as “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of this subpoena all responses that might otherwise be construed to be outside their scope.

9. Except where the subpoena states otherwise, any reference to the singular shall be construed as including the plural, any reference to the plural shall be construed as including the singular, and any reference to one gender shall be construed to include the other.

### **DOCUMENTS TO BE PRODUCED**

1. All documents related to “Crossroads,” the proposed broadcast advertisement attached as Exhibit A to the complaint including, but not limited to any contracts and correspondence relating to the airing of the proposed broadcast advertisement.

2. All documents from January 1, 2004 through the present related to CCL’s campaign for passage of the federal Marriage Protection Amendment.

3. Copies of each public communication by CCL from January 1, 2004 through the present that was part of a grassroots or legislative lobbying campaign and/or referred to a federal candidate. Public communications include, but are not limited to, broadcast advertising, print advertising, phone banks, direct mail, and mass email. Copies of each public communication

refers to scripts for phone banks and broadcast advertisements, audiotapes, videotapes, copies of print advertisements, copies of a sample letter or email, and the equivalent for any other form of public communication.

4. Copies of scripts and audiotapes or videotapes of all broadcast advertisements that CCL has run from January 1, 2004 through the present.

5. All documents that summarize CCL's receipts and disbursements from January 1, 2004 through the present.

6. Copies of all documents from January 1, 2004 through the present communicating support of or opposition to a federal candidate by CCL.

7. Copies of all documents communicating support of or opposition to United States Senator Olympia Snowe or one of her opponents.

8. All documents that support CCL's contention that it is not a qualified nonprofit corporation within the meaning of 11 C.F.R. 114.10.

9. All documents relating to consideration by CCL whether to form a federal, state or local political action committee or concerns about the "PAC compliance burdens" (Complaint ¶ 54) of federal, state or local political action committees.

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