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**UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY**

**ILLINOIS OPPORTUNITY  
PROJECT,**

Plaintiff,

v.

**STEPHEN M. HOLDEN, ERIC H.  
JASO, and MARGUERITE T.  
SIMON,** in their official capacities as  
commissioners of the New Jersey  
Election Law Enforcement  
Commission,

Defendants.

Civil Action No. 19-cv-17912(BRM)

**CONSENT ORDER CONVERTING  
PRELIMINARY INJUNCTION  
INTO FINAL JUDGMENT  
PERMANENTLY ENJOINING  
ENFORCEMENT OF P.L. 2019, c.**

**124**

THIS MATTER having been brought before the Court by agreement of Mark R. Scirocco, Esq., counsel for Plaintiff Illinois Opportunity Project (“IOP”), and Gurbir S. Grewal, Attorney General of New Jersey, by Stuart M. Feinblatt, Assistant Attorney General, counsel for Defendants Stephen M. Holden, Eric H. Jaso, and Marguerite T. Simon, in their official capacities as commissioners of the New Jersey Election Law Enforcement Commission (“ELEC”) (together, “Defendants”); and it

appearing by the signatures affixed below that the parties agree; and for good cause shown; and

WHEREAS the New Jersey Legislature passed S150 on June 10, 2019, and the legislation was enacted as P.L. 2019, c.124 (“the Act”) on June 17, 2019, upon the signature of Governor Murphy (the term “the Act” does not include the pre-amendment provisions of Title 19, Chapter 44A of the New Jersey Statutes); and

WHEREAS the Act defines the term “independent expenditure committee” and imposes certain legal requirements on entities that qualify as independent expenditure committees; and

WHEREAS on September 11, 2019, IOP filed a Complaint against Defendants in the United States District Court, District of New Jersey, Docket No. 3:19-cv-17912-BRM-LHG, challenging the Act under the First and Fourteenth Amendments to the United States Constitution; and

WHEREAS the Court entered a Consent Order on October 23, 2019 preliminarily enjoining the enforcement of the Act insofar as it imposes any legal requirement on any “independent expenditure committee” (the “Preliminary Injunction” (ECF No. 17)); and

WHEREAS the parties hereto agree to the conversion of the Preliminary Injunction into a final judgment enjoining enforcement of the Act in accordance with the terms set forth herein and the parties further agree to bear their own legal fees and costs associated with this litigation; THEREFORE, IT IS on this 1<sup>st</sup> day of March 2020,

**ORDERED** that:

1. The Preliminary Injunction entered in this case on October 23, 2019, is hereby converted to a permanent injunction;
2. The Act is permanently enjoined insofar as it imposes any legal requirement on any “independent expenditure committee,” as defined in the Act, including IOP and its employees or agents;
3. Defendants, and any state officers acting in concert with Defendants or under Defendants’ direction or authority, shall not take any action to enforce, or direct the enforcement of, the Act against any “independent

expenditure committee” as defined in the Act, including IOP and its employees and agents, in any respect;

4. IOP and its employees and agents shall not be required to take any action related to the Act;
5. Defendants, and any state officers acting in concert with Defendants or under Defendants’ direction or authority, shall not seek to hold any “independent expenditure committee,” including IOP and its employees or agents, liable for any alleged noncompliance with the Act; and
6. Nothing in this consent order prevents further action by the Legislature or ELEC to enact, promulgate and enforce future legislation and regulations on the subjects addressed by or related to the Act; similarly, nothing in this consent order prevents or bars IOP from seeking relief from any future legislation and regulations as it sees fit; and
7. The parties hereto shall bear their own legal fees and costs.



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HON. BRIAN R. MARTINOTTI  
UNITED STATES DISTRICT JUDGE

We hereby consent to the form, content, and entry of this Order.

GURBIR S. GREWAL  
ATTORNEY GENERAL OF NEW JERSEY

By: /s/ Stuart M. Feinblatt  
Stuart M. Feinblatt  
Assistant Attorney General  
Attorney for Defendants

DATED: 2/25/2020

By: /s/ Mark R. Scirocco  
Mark R. Scirocco, Esq.  
Attorneys for Plaintiff  
Illinois Opportunity Project

DATED: 2/25/2020