

IN THE SUPREME COURT OF THE UNITED STATES

VICTORIA JACKSON GRAY ADAMS, et al.,
Appellants,

v.

FEDERAL ELECTION COMMISSION, et al.,
Appellees

PROPOSAL OF THE ADAMS APPELLANTS REGARDING BRIEFING

In response to the directive of this Court on June 5, 2003, the *Adams* appellants hereby submit their proposal regarding page limitations in briefs on the merits. The *Adams* appellants request that they be permitted to file a separate brief of the length provided for in the Court's Rules because the claims they raise are entirely distinct from those of any other appellant. The *Adams* appellants are the only parties who have challenged the increased "hard money" contribution limits of sections 304(a), 307, and 319 of the Bipartisan Campaign Finance Reform Act (BCRA). The *Adams* Appellants allege that these provisions violate the equal protection guarantee incorporated by the Due Process Clause of the Fifth Amendment to the United States Constitution. Because they are the only appellants to make this claim, the *Adams* appellants should be permitted (as they were in the District Court) to file a separate brief subject to the normal page limit in order to fully present their arguments to this Court.

The *Adams* appellants' positions on other important issues in these appeals also diverge from those of the other appellants.¹ Unlike the majority of appellants who were plaintiffs below, the *Adams* appellants do not oppose the BCRA's soft money restrictions. To the contrary, the *Adams* appellants believe that the soft money restrictions are constitutional, and the organizational appellants in the Adams group plan to file an *amicus* brief to that effect. Neither have the *Adams* appellants challenged the BCRA's electioneering provisions as unconstitutional. Compelling the *Adams* appellants to share a brief with other appellants would force the *Adams* appellants to be associated with legal theories with which they disagree, and would prejudice the *Adams* appellants in their ability to present their claims to this Court. For this reason, the Court should permit the *Adams* appellants to file their briefs separately, as did the court below.

Respectfully submitted,

DAVID A. WILSON
HALE AND DORR LLP
1455 Pennsylvania Avenue, NW, 10th Floor
Washington, DC 20004
(202) 942-8400

BONITA TENNERIELLO, *Counsel of Record*
JOHN C. BONIFAZ
LISA J. DANETZ
BRENDA WRIGHT
NATIONAL VOTING RIGHTS INSTITUTE
27 School Street
Suite 500
Boston, MA 02108
(617) 624-3900
Attorneys for Appellants

¹ All other appellant groups recognize that they have no positions or issues in common with the *Adams* appellants. The *Adams* appellants were not informed of—and did not participate in—a conference call on June 6, 2003 between other appellants who were plaintiffs below, referenced in the letter of the *Paul* appellants filed earlier today.

