

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

JUDICIAL WATCH, INC., et al.,

Plaintiffs,

v.

THE ILLINOIS STATE BOARD OF
ELECTIONS, et al.,

Defendants.

Civil Action No. 1:24-cv-01867

Judge Sara L. Ellis

**PLAINTIFFS' NOTICE OF SUPPLEMENTAL
AUTHORITY IN OPPOSITION TO MOTION TO DISMISS**

Plaintiffs Judicial Watch, Inc. (“Judicial Watch”), Illinois Family Action (“IFA”), Breakthrough Ideas (“BI”), and Carol J. Davis, respectfully submit this notice of supplemental authority in opposition to the pending motion to dismiss filed by Defendants Illinois State Board of Elections and its Executive Director Bernadette Matthews (“Defendants”). ECF 41.

In *Repub. Nat’l Comm. v. Wetzel*, Nos. 1:24cv25-LG-RPM, 1:24cv37-LG-RP, 2024 U.S. Dist. LEXIS 132777 (S.D. Miss. July 28, 2024) (attached as Exhibit 1), the district court determined, in the context of a motion for summary judgment, that costs inflicted on plaintiff political parties by a challenged ballot receipt law conferred Article III standing both “in the form of economic loss and diversion of resources.” *Id.* at *16. It found these injuries to be concrete, particular, “not ‘generalized grievances,’” and imminent. *Id.* And it also found harm to a party’s “mission to secure votes for its candidates.” *Id.* at *17. Accordingly, it concluded that “[t]he injuries alleged by the political parties—economic injury as well as diversion of resources—in this case are specific to each party, such that these parties have shown they have a direct stake in the

outcome of this lawsuit.” *Id.* (citation omitted).

The complaint here alleges that Plaintiffs IFA and BI are political actors who rely on Illinois’ voter rolls to engage in basic political activities like identifying and contacting voters to assist favored candidates “by volunteering, organizing, contributing, and voting” and by conducting “get-out-the-vote efforts.” ECF 1 ¶¶ 93-96. They endure real losses because these rolls are not accurate. *Id.* ¶ 97. Plaintiffs have argued that these losses confer standing, both as traditional economic injuries, and on account of a resulting diversion of institutional resources. ECF 49 at 10 (point I.A), 14 (point I.B). The recent decision clearly supports both kinds of organizational standing. *See Wetzel*, 2024 U.S. Dist. LEXIS 132777, at *12-17.

For the reasons set forth here and in their opposition brief, Plaintiffs respectfully request that the motion to dismiss be denied.

July 31, 2024

/s/ Eric W. Lee

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