

IN THE SUPREME COURT OF OHIO

MOSS, *ET AL.*, :  
CONTESTORS, : CASE No. 04-2088  
-v- : ORIGINAL ACTION TO CONTEST ELECTION  
BUSH, *ET AL.*, :  
CONTESTEES. :

MOTION ON BEHALF OF UNITED STATES SENATOR RUSSELL FEINGOLD (WISCONSIN) AND UNITED STATES REPRESENTATIVES WILLIAM LACY CLAY (MISSOURI), BARNEY FRANK (MASSACHUSETTS), DENNIS KUCINICH (OHIO), SHEILA JACKSON LEE (TEXAS), ZOE LOFGREN (CALIFORNIA), JIM McDERMOTT (WASHINGTON), MARTY MEEHAN (MASSACHUSETTS), JERROLD NADLER (NEW YORK), JAMES OBERSTAR (MINNESOTA), DONALD PAYNE (NEW JERSEY), LINDA SANCHEZ (CALIFORNIA), ADAM SCHIFF (CALIFORNIA), ROBERT SCOTT (VIRGINIA), CHRIS VAN HOLLEN (MARYLAND), MAXINE WATERS (CALIFORNIA), ROBERT WEXLER (FLORIDA), AND LYNN WOOLSEY (CALIFORNIA) FOR LEAVE TO JOIN AS *AMICI CURIAE* IN THE MEMORANDUM OF UNITED STATES REPRESENTATIVE JOHN CONYERS, JR., AS *AMICUS CURIAE* IN OPPOSITION TO MOTION OF SECRETARY OF STATE BLACKWELL AND OHIO'S TWENTY ELECTORS FOR SANCTIONS PURSUANT TO CIV. R. 11 AND S. CT. PRAC. R. XIV, §5

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FILED  
FEB 14 2005  
MARCIA J. MENGEL, CLERK  
SUPREME COURT OF OHIO

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**MOTION ON BEHALF OF PROPOSED *AMICI CURIAE* FOR LEAVE TO JOIN  
AS *AMICI CURIAE* IN THE MEMORANDUM OF UNITED STATES  
REPRESENTATIVE JOHN CONYERS, JR., AS *AMICUS CURIAE*  
IN OPPOSITION TO MOTION OF SECRETARY OF STATE BLACKWELL AND  
OHIO'S TWENTY ELECTORS FOR SANCTIONS PURSUANT TO CIV. R. 11  
AND S. CT. PRAC. R. XIV, §5**

Pursuant to Rules X and XIV of the Rules of Practice of the Supreme Court of Ohio and pursuant to Ohio Rule of Civil Procedure 7, United States Senator Russell Feingold (Wisconsin) and United States Representatives William Lacy Clay (Missouri), Barney Frank (Massachusetts), Dennis Kucinich (Ohio), Sheila Jackson Lee (Texas), Zoe Lofgren (California), Jim McDermott (Washington), Marty Meehan (Massachusetts), Jerrold Nadler (New York), James Oberstar (Minnesota), Donald Payne (New Jersey), Linda Sanchez (California), Adam Schiff (California), Robert Scott (Virginia), Chris Van Hollen (Maryland), Maxine Waters (California), Robert Wexler (Florida), and Lynn Woolsey (California) respectfully move through counsel for leave to join as *Amici Curiae* in the Memorandum of United States Representative John Conyers, Jr., as *Amicus Curiae* in Opposition to Motion of Secretary of State Blackwell and Ohio's Twenty Presidential Electors for Sanctions Pursuant to Civ. R. 11 and S. Ct. Prac. R. XIV, §5 filed contemporaneously herewith on February 14, 2005.

**MEMORANDUM IN SUPPORT**

When Representative Conyers timely filed his request for leave to file a memorandum as *Amicus Curiae*, he also moved for "leave of court to have additional *amici* join in the filing of the *amicus* brief." When the Court granted leave to Representative Conyers, to file his *amicus* memorandum in support of contestors' counsel on the issue of sanctions, the Court did not explicitly address the issue of whether additional *amici* could join in the memorandum. One

United States Senator and seventeen additional Members of the House of Representatives request that they be allowed to appear as *Amici Curiae* for the purpose of joining by reference in the already authorized *Amicus* Memorandum. These proposed *Amici Curiae* share the interest of Representative Conyers in fair elections free of irregularities and improprieties.

In the interests of judicial efficiency and economy, as well as preservation of resources, the proposed *Amici Curiae* merely request that the Court order that the records of the Court reflect that the proposed *Amici Curiae* be listed as joining in and endorsing the Memorandum of United States Representative John Conyers, Jr., as *Amicus Curiae* in Opposition to Motion of Secretary of State Blackwell and Ohio's Twenty Presidential Electors for Sanctions Pursuant to Civ. R. 11 and S. Ct. Prac. R. XIV, §5 being filed contemporaneously herewith on February 14, 2005.

Respectfully submitted,



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## CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing was served upon the persons listed below by delivering a copy at the addresses indicated below this 14th day of February, 2005.

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