

COMMONWEALTH OF MASSACHUSETTS

SUFFOLK, SS.

SUPERIOR COURT DEPARTMENT
TRIAL COURT OF THE COMMONWEALTH
CIVIL ACTION NO. 15-0494E

1A AUTO, INC. and
126 SELF STORAGE, INC.,

Plaintiffs,

v.

MICHAEL SULLIVAN, Director,
Office of Campaign and Political Finance,

Defendant.

PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT

Plaintiffs respectfully move this Court for a summary judgment pursuant to Mass. R. Civ. P. 56(c), declaring G.L. c. 55, § 8 unconstitutional and unenforceable and permanently enjoining Defendant from enforcing the challenged statute. Plaintiffs respectfully request that this Court grant their Motion for Summary Judgment because there are no disputed issues of material fact and because Plaintiffs are entitled to judgment as a matter of law for the reasons stated in the accompanying Memorandum in Support, Statement of Undisputed Material Facts, and the pleadings filed to date.

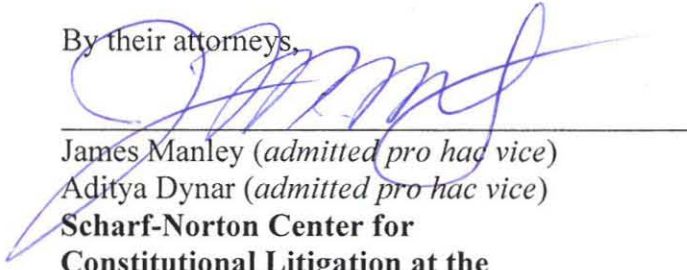
The undisputed evidence shows that the contribution ban fails to serve the only government interest that could justify it: preventing *quid pro quo* corruption. Moreover, even if the ban served that interest, it goes too far in restricting fundamental freedoms, ignoring the equal protection clause of the Fourteenth Amendment and Article 1 of the Massachusetts Declaration of Rights, as well as the free speech and association clauses of the First Amendment and Articles 16 and 19 of the Declaration of Rights.

WHEREFORE, Plaintiffs respectfully ask this Court to declare G.L. c. 55, § 8 unconstitutional and enjoin Defendant from enforcing G.L. c. 55, § 8 to the extent that it prohibits Plaintiffs from contributing to political candidates, PACs, or party committees.

Respectfully submitted,

1A AUTO, INC. and 126 SELF STORAGE, INC.,

By their attorneys,



James Manley (*admitted pro hac vice*)

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September 22nd, 2016

CERTIFICATE OF SERVICE

I, James Manley, hereby certify that on this 22nd day of September, 2016, a true and accurate copy of the foregoing Motion for Summary Judgment was served via electronic mail and regular, first-class United States mail, postage prepaid upon the following:

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