

PLAINTIFFS' SUMMARY JUDGMENT EXHIBIT 4

Declaration of Plaintiff John Hagelin

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

JOHN HAGELIN <i>et al.</i> ,)	
)	
Plaintiffs,)	
)	
v.)	Civil Action No. 1:04-cv-00731 (HHK)
)	Judge Henry H. Kennedy, Jr.
FEDERAL ELECTION COMMISSION,)	
)	
Defendant.)	
)	

**DECLARATION OF JOHN HAGELIN
IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, John Hagelin, hereby declare as follows:

I ran for President in 2000 as the candidate of the Natural Law Party. I was pictured and identified by party affiliation, name and candidacy in the CPD's face-book.

My decision not to run for President in 2004 is based in significant part on the partisan way that the CPD has conducted the presidential debates. I could not compete fairly with the two major parties' candidates because the CPD's effective monopoly on running the presidential debates, and the resulting exclusion of third party and independent candidates from the debates, would put me at a significant disadvantage.

3. I plan to remain politically active. As part of my political advocacy, and I want to inform others about the CPD's partisan conduct, and the detrimental effect it has had on my political prospects and the prospects of other third party and independent candidates. I wish to persuade others that because the CPD is a partisan organization, it has wrongly received and used corporate donations to run the debates, helping the Democratic and Republican candidates and harming myself and other third party and independent

candidates. In order to do this, I need an accurate reporting of contributions the CPD has received and used to sponsor the debates. However, I do not have access to this information, because the FEC has not required the CPD to register as a political committee and disclose its receipts and expenditures

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information and belief.

This day of June, 2004.


John Hagelin

PLAINTIFFS' SUMMARY JUDGMENT EXHIBIT 5

Declaration of Plaintiff Ralph Nader

continued partisan control and conduct of the presidential debates by the CPD will substantially diminish my ability to compete with the Democratic and Republican candidates for President.

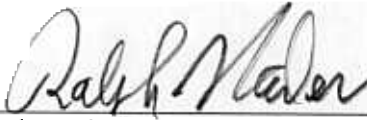
4. I wish to persuade others that the CPD, as a partisan organization, has inappropriately received corporate donations for the sponsorship of the debates, to the benefit of the Democratic and Republican candidates for President and Vice-President and the detriment of third-party and independent candidates. In order to publicize and campaign on this issue, I need accurate reporting of corporate and union contributions received by the CPD and used to sponsor the debates. I cannot obtain this information, and, therefore, my candidacy and campaign are adversely affected due to the FEC's failure to require the CPD to register as a political committee and disclose these contributions and expenditures.

5. The Federal Election Commission and its staff made no attempt to contact me regarding any of the defenses proffered by the CPD in response to my and the other plaintiffs' complaint filed with the FEC, including the CPD's claims that I had expressed an intention to disrupt the debates. I would have responded that I had no such intention and that I never intended to communicate, nor did communicate any such intention. My remark on "NBC News' Meet the Press" on October 1, 2000 that "Maybe I'll crawl up on stage there" was made in obvious jest, and was taken that way by the host and the audience; it evoked laughter on the set. The next day on "Larry King Live" I said that I wished to be in the debate audience and that I could not be on the stage.

Y

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information and belief.

This *9th* day of June, 2004.



Ralph Nader


PLAINTIFFS' SUMMARY JUDGMENT EXHIBIT 6

Declaration of Plaintiff Patrick Buchanan

other candidates. In order to completely inform my public audience about this, I need to have an accurate account of contributions that the CPD has received and used to sponsor the debates. This information is not available to me because the FEC has not required CPD to register as a political committee and disclose its contributions and expenditures.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information and belief.

This ^{2nd} ✓ day of June, 2004.


Patrick Buchanan

PLAINTIFFS' SUMMARY JUDGMENT EXHIBIT 7

Declaration of Plaintiff Howard Phillips

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

JOHN HAGELIN *et al.*,

))
Plaintiffs,

v.

Civil Action No. 1:04-cv-00731 (HHK)
Judge Henry H. Kennedy, Jr.

FEDERAL ELECTION COMMISSION,

))
Defendant.))

**DECLARATION OF HOWARD PHILLIPS
IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**


I, Howard Phillips, hereby declare as follows:

- 1 I was the Constitution Party candidate for President in 2000. The CPD's face-book included my name, photograph, and party affiliation.
- 2 I am not a candidate in the 2004 elections. However, I intend to support the nominee of the Constitution Party. That nominee is currently expected to be Michael A. Peroutka.
- 3 I expect that the CPD's partisan conduct of the presidential debates, and the exclusion of third-party and independent candidates from the debates, will place the Constitution Party's nominee at a substantial disadvantage in comparison with the Republican and Democratic parties' candidates. The major party candidates will gain access to millions of viewers through the debates. In contrast, the Constitution Party's candidate is nearly certain to be denied this opportunity.
- 4 I will continue to be engaged in politics. It is particularly important to me to persuade others that the CPD's conduct of the debates is partisan and unfairly advantages

the major party candidates. I wish to demonstrate to others that the CPD is using millions of dollars in corporate contributions to the benefit of the major party candidates and the expense of all others. In order to do this effectively, I require an accounting of the donations the CPD has received and used to sponsor the debates. I do not have access to this information because of the FEC's failure to require the CPD to register as a political committee and disclose its receipts and expenditures.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information and belief.

This ⁷ day of June, 2004.



Howard Phillips

PLAINTIFFS' SUMMARY JUDGMENT EXHIBIT 8

Declaration of Plaintiff Ben Mansky

**UNITED STATES DISTRICT COURT
DISTRICT OF COLUMBIA**

JOHN HAGELIN *et al.*,

))
Plaintiffs,))

v.

FEDERAL ELECTION COMMISSION,

))
Defendant.))

Civil Action No. 1:04-cv-00731 (HHK)
Judge Henry H. Kennedy, Jr.

**DECLARATION OF BEN MANSKI
IN SUPPORT OF PLAINTIFFS' MOTION FOR SUMMARY JUDGMENT**

I, Ben Manski, hereby declare as follows:


1. I am Co-Chair of the Green Party of the United States ("Green Party"). As such, I am authorized to speak on behalf of the Green Party for purposes of this lawsuit.
2. The Green Party fielded candidates for the offices of President and Vice President in the 2000 elections and is currently preparing to field or support candidates for those offices in the 2004 elections.
3. The Green Party was identified along with its candidates who were named and pictured in the CPD's face-book.
4. The Green Party will hold its presidential nominating convention in Milwaukee, Wisconsin, on June 23-28, 2004. However, if the CPD is permitted to continue to run the presidential debates in a partisan manner, the candidates that the Green Party nominates or otherwise supports for President and Vice President in 2004 will be greatly disadvantaged. The CPD's partisan nature, history of partisan conduct, and continuing partisan activity virtually guarantee that any non-major party candidate that the Green

Party nominates or otherwise supports will be excluded from the debates. Because the presidential debates are a central feature of the United States' presidential electoral process, the major parties' candidates will gain a tremendous advantage in public exposure through the debates, while all other candidates will have diminished prospects if and when they are excluded.

5 Two important parts of the Green Party's agenda are ending the political dominance of the Republican and Democratic parties and exposing the influence of corporations in the electoral process. To this end, the Green Party wants to campaign on and persuade its members and the electorate that the major parties are unfairly controlling the presidential debates through the CPD, and that the CPD is using massive unlawful corporate contributions to benefit the major parties through the debates. In order to engage in this campaigning and public advocacy, the Green Party needs an accurate accounting of the contributions received by the CPD and spent by the CPD to run the debates. Due to the FEC's failure to require the CPD to register as a political committee and report its expenditures and contributions, this information is not available to the Green Party.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information and belief.

This 7 day of June, 2004.


Ben Manski

PLAINTIFFS' SUMMARY JUDGMENT EXHIBIT 9

Declaration of Plaintiff James Clymer

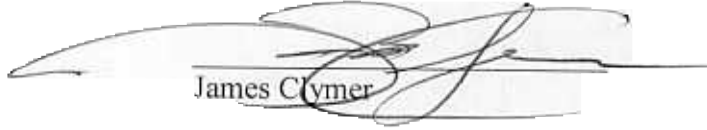
The Constitution Party has already secured ballot access in 18 states for the 2004 elections and has completed or nearly completed the ballot access process in at least four other states.

5. The Constitution Party expects that its candidates for President and Vice President in 2004 will suffer a competitive disadvantage if the CPD is permitted to continue its partisan control of the presidential and vice presidential debates. The CPD's past and present conduct of the debates virtually guarantees that the Constitution Party's candidates, like other third party candidates, will be excluded from the debates. Participating in these debates gives the major party candidates a huge advantage because they are able to reach millions of viewers with their messages, while all other candidates are practically certain to suffer from exclusion.

6. The Constitution Party wishes to campaign on and publicly disclose to its members and the electorate that the CPD has wrongly used millions of dollars in corporate and labor union contributions to benefit the Democratic and Republican parties, at the expense of the Constitution Party and other third parties. To this end, the Constitution Party needs accurate information regarding the contributions that the CPD has received and expenditures it has made to sponsor the debates. However, the Constitution Party cannot obtain such information because the FEC has not required the CPD to register as a political committee and report its contributions and expenditures accordingly. Thus, the Party, its campaign and candidates, and its members are being harmed by the FEC.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information and belief.

This ~~4th~~ day of June, 2004.


James Clymer

PLAINTIFFS' SUMMARY JUDGMENT EXHIBIT 10

Declaration of Plaintiff Winona LaDuke

helping the major parties and their candidates while harming all others. Therefore, I need an accurate reporting of contributions the CPD has received and used to sponsor the debates. However, I do not have access to this information, because the FEC has not required require the CPD to register as a political committee and disclose its receipts and expenditures.

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that the foregoing is true and correct to the best of my knowledge, information and belief.

This 10 day of June, 2004


Winona LaDuke