

**09-559 DOE #1 V. REED**

DECISION BELOW:586 F.3d 671

LOWER COURT CASE NUMBER: 09-35818, 09-35826, 09-35863

**QUESTIONS PRESENTED:**

The district court granted a preliminary injunction protecting against public disclosure, as opposed to private disclosure to the government only, of those signing a petition to put a referendum on the ballot ("petition signers"). The Ninth Circuit reversed, concluding that the district court based its decision on an incorrect conclusion of law when it determined that public disclosure of petition signers is subject to, and failed, strict scrutiny. The questions presented are:

1. Whether the First Amendment right to privacy in political speech, association, and belief requires strict scrutiny when a state compels public release of identifying information about petition signers.
2. Whether compelled public disclosure of identifying information about petition signers is narrowly tailored to a compelling interest, and whether Petitioners met all the elements required for a preliminary injunction.

CERT. GRANTED 1/15/2010

EXPEDITED BRIEFING SCHEDULE.