

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

NorCal Tea Party Patriots,

Plaintiff,

v.

Case No. 1:13cv341

Internal Revenue Service, *et al.*,

Judge Michael R. Barrett

Defendants.

ORDER

This matter is before the Court upon Judicial Watch, Inc.'s Motion for Leave to File an Amicus Curiae Brief in Support of Plaintiffs' Requests to Unseal the Depositions of Lois Lerner and Hill Paz and Corporate Disclosure Statement. (Doc. 407). Defendants Lois Lerner and Holly Paz have filed a Response (Doc. 411); and Judicial Watch filed a Reply (Doc. 412).

The Sixth Circuit has explained: "Classical participation as an amicus to brief and argue as a friend of the court was, and continues to be, a privilege within 'the sound discretion of the courts.'" *United States v. State of Mich.*, 940 F.2d 143, 165 (6th Cir. 1991) (quoting *Northern Sec. Co. v. United States*, 191 U.S. 555, 24 S.Ct. 119, 48 L.Ed. 299 (1903)). Participation depends upon a finding that the proffered information of amicus is timely, useful, or otherwise necessary to the administration of justice. *Id.* (citing *Leigh v. Engle*, 535 F. Supp. 418, 420 (N.D. Ill. 1982)).

Upon review of Judicial Watch's Motion, the Court concludes the amicus curiae brief tendered by Judicial Watch meets this standard. Therefore, Judicial Watch's Motion (Doc. 407) is **GRANTED**. Accordingly, Judicial Watch is **ORDERED** to

electronically file its Amicus Curiae Brief within **seven (7) days** of entry of this Order. To the extent Defendants Lois Lerner and Holly Paz intend to respond to Judicial Watch's amicus curiae brief beyond what has already been provided to the Court, Defendants Lois Lerner and Holly Paz will be permitted to make that presentation at the hearing on this matter on August 9, 2018.

IT IS SO ORDERED.

/s/ Michael R. Barrett
Michael R. Barrett
United States District Judge