

Venue for a Suit
Against the Federal Election Commission
Hispanic Leadership Fund v. Federal Election
Commission (John A. Jarvey, S.D. Iowa 4:12-cv-339)

The Hispanic Leadership Fund filed a federal complaint in the Southern District of Iowa on July 30, 2012, to seek the court’s blessing of proposed advertisements that the Fund wanted to air, including during the presidential election period beginning on August 4, expressing concern that an advisory issued to another group on June 13 suggested that the Federal Election Commission might not approve the Fund’s advertisements.¹ With its complaint, the Fund filed a motion for a preliminary and a permanent injunction.²

The court originally assigned the case to Senior Judge Harold D. Victor, but he withdrew from the case, so the court assigned it to Judge John A. Jarvey, who, on August 2, set the case for hearing on August 8.³ On August 6, the Commission moved to transfer the case to the Eastern District of Virginia or the District of the District of Columbia.⁴

On the day after the hearing, Judge Jarvey dismissed the complaint for improper venue.⁵

All of the Defendant’s activities took place in . . . Washington D.C. The Defendant’s activities have little or no connection with Iowa. It certainly cannot be said that a “substantial part” of *any* activities giving rise to this cause of action, let alone the Defendants activities, occurred in Iowa. The only connection to Iowa is the Plaintiff’s desire to broadcast the advertisements at issue.⁶

1. **Complaint**, Hispanic Leadership Fund v. Federal Election Comm’n, No. 4:12-cv-339 (S.D. Iowa July 30, 2012), D.E. 1.

2. **Motion**, *id.* (July 30, 2012), D.E. 2.

3. **Docket Sheet**, *id.* (July 30, 2012); *see Minutes*, *id.* (Aug. 8, 2012), D.E. 24.

4. **Transfer Motion**, *id.* (Aug. 6, 2012), D.E. 16.

5. **Opinion**, *id.* (Aug. 9, 2012), D.E. 26.

6. *Id.* at 4.