

Refusal to Accept a Minor Candidate's Campaign Ads

Sloan v. Hearst Media Co.

(Paul J. Barbadoro, D.N.H. 1:16-cv-52)

At 3:48 p.m. on the day of the 2016 presidential primary election in New Hampshire, a candidate filed a pro se federal complaint in the District of New Hampshire against a television station and a national party chair challenging the station's refusal to air his paid ads and challenging his exclusion from television debates.¹ With his complaint, the candidate filed a motion for a temporary restraining order.²

Judge Paul J. Barbadoro denied the motion that day for failure to comply with the requirements of Federal Rule of Civil Procedure 65(b)(1).³

On April 28, Magistrate Judge Andrea K. Johnstone evaluated the complaint and recommended dismissal of the case.⁴ Considering the candidate's May 26 objections,⁵ Judge Barbadoro approved the recommendation on May 31.⁶ An appeal is pending.⁷

1. Complaint, *Sloan v. Hearst Media Co.*, No. 1:16-cv-52 (D.N.H. Feb. 9, 2016), D.E. 1.

2. Temporary Restraining Order Motion, *id.* (Feb. 9, 2016), D.E. 2.

3. Order, *id.* (Feb. 9, 2016), D.E. 4.

4. Report and Recommendation, *id.* (Apr. 28, 2016), D.E. 5, 2016 WL 3063847.

5. Objections, *id.* (May 26, 2016), D.E. 6.

6. Order, *id.* (May 31, 2016), D.E. 7, 2016 WL 3077873.

7. Docket Sheet, *Sloan v. Hearst Television, Inc.*, No. 16-1885 (1st Cir. July 7, 2016) (noting that the appellee brief was filed on August 29, 2016).