

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLUMBIA**

TRUE THE VOTE, INC.)	
)	
Plaintiff,)	
)	
v.)	Civil Action No. 1:13-cv-00734-RBW
)	
UNITED STATES OF AMERICA, <i>et al.</i> ,)	
)	
Defendants.)	
)	

SUPPLEMENT TO MOTION TO DISMISS COUNTS I, II, IV AND V

The United States, on behalf of itself, the Internal Revenue Service, and the Service employees named in their official capacities, moved on September 20, 2013, to dismiss the claims raised in Counts I, II, IV and V of Plaintiff’s First Amended Complaint. (Doc. 54.) The federal defendants reported in that motion that, since Plaintiff filed this action, the Service had determined, with the concurrence of the United States Department of Justice, to grant Plaintiff’s application for tax-exempt status and that the Service was in the process of issuing a favorable determination letter. As a result, the federal defendants argued that Plaintiff’s claims for a determination of its tax status (Count I), for declaratory and injunctive relief under the First Amendment (Count II) and for judicial review under the APA (Count V) would be moot.

By letter dated September 26, 2013, the Service granted Plaintiff’s application for tax–exempt status. The claims raised in Counts I, II and V now are officially moot for the reasons given in the motion to dismiss. Those claims, along with the claim in Count IV for damages for alleged unauthorized inspection of return information, should be dismissed for all the reasons stated in the motion to dismiss.

DATED: September 26, 2013

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on September 26, 2013, I caused the Supplement to Motion to Dismiss Counts I, II, IV, and V in the above-captioned matter to be filed with the United States District Court for the District of Columbia via the Court's CM/ECF system.

/s/ Grover Hartt, III
GROVER HARTT, III