

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

CENTRO DE PERIODISMO INVESTIGATIVO,

Plaintiff,

v.

Civil No. 17-1743 (JAG)

FINANCIAL OVERSIGHT AND MANAGEMENT
BOARD FOR PUERTO RICO,

Defendant.

**MOTION OF THE REPORTERS COMMITTEE FOR FREEDOM OF THE PRESS
FOR LEAVE TO FILE AN *AMICUS* BRIEF IN SUPPORT OF PLAINTIFF'S
OPPOSITION TO DEFENDANT'S MOTION TO DISMISS**

The Reporters Committee for Freedom of the Press (“Reporters Committee”) hereby requests permission to submit the attached *amicus* brief (Exhibit A) in support of Plaintiff’s opposition to Defendant’s motion to dismiss. (Dkt. No. 25.) A proposed order is attached as Exhibit B. The Reporters Committee is an unincorporated nonprofit association of reporters and editors dedicated to safeguarding the First Amendment rights and freedom of information interests of the news media and the public. The Reporters Committee has provided assistance, guidance, and research in First Amendment and freedom of information litigation since 1970.

The Reporters Committee has informed all parties to this matter of its intent to submit the attached *amicus* brief. Plaintiff has consented to its filing. Defendant does not object, provided that the Court grants Defendant the opportunity to file a reply brief within 14 days after the filing of this *amicus* brief, responding to both the Reporters Committee’s *amicus* brief and Plaintiff’s opposition to Defendant’s motion to dismiss. The Reporters Committee and Plaintiff do not oppose Defendant’s request to file such a reply brief within this timeframe.

A federal district court has inherent authority to consider submissions from *amicus curiae* in connection with proceedings pending before it. *See Bayshore Ford Trucks Sales, Inc. v. Ford Motor Co.*, 471 F.3d 1233, 1249 n.34 (11th Cir. 2006). “District courts frequently welcome *amicus* briefs from non-parties concerning legal issues that have potential ramifications beyond the parties directly involved or if the *amicus* has ‘unique information or perspective that can help the court beyond the help that the lawyers for the parties are able to provide.’” *NGV Gaming, Ltd. v. Upstream Point Molate, LLC*, 355 F. Supp. 2d 1061, 1067 (N.D. Cal. 2005) (citations omitted).

The Reporters Committee submits the attached brief to aid the Court in interpreting how the relevant federal statute here, the Puerto Rico Oversight, Management, and Economic

Stability Act, 48 U.S.C. § 2101, *et seq.*, interacts with Puerto Rico's constitutional and statutory rights of access to government records and information. This *amicus* brief also provides the Reporters Committee's unique perspective on the broad impact the Court's ruling on this matter could have to the citizens of Puerto Rico, beyond just the investigative journalists at the Centro de Periodismo Investigativo. The Reporters Committee therefore respectfully requests leave to file the attached *amicus* brief.

Dated: October 16, 2017

Respectfully submitted,

/s/ Tomás A. Román-Santos

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CERTIFICATE OF SERVICE

I hereby certify that I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

Dated: October 16, 2017

By: /s/ Tomás A. Román-Santos
Tomás A. Román-Santos
Counsel for Amicus Curiae