

ARGUED JANUARY 7, 2014

DECIDED APRIL 14, 2014

No. 13-5252

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

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NATIONAL ASSOCIATION OF MANUFACTURERS et al.,

*Petitioners,*

v.

U.S. SECURITIES AND EXCHANGE COMMISSION,

*Respondent,*

and

AMNESTY INTERNATIONAL OF THE USA, INC. and AMNESTY  
INTERNATIONAL LIMITED,*Intervenors.*

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On Appeal from the United States District Court  
for the District of Columbia

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**NOTICE AND REPRESENTATION OF CONSENT BY ALL PARTIES  
FOR GLOBAL WITNESS LIMITED AND FREE SPEECH FOR PEOPLE  
TO FILE *AMICI CURIAE* BRIEF**

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## CORPORATE DISCLOSURE STATEMENT

Pursuant to Federal Rule of Appellate Procedure 26.1 and D.C. Circuit Rules 26.1 and 29(b), Global Witness Limited and Free Speech for People, Inc., respectively, state that:

1. Global Witness Limited (“Global Witness”) is a nongovernmental, not-for-profit organization founded in 1993 which investigates and campaigns to prevent natural resource-related conflict, corruption and the associated environmental and human rights abuses. For over a decade Global Witness has carried out extensive research on the minerals trade in the eastern Democratic Republic of the Congo; it has a team of experts who typically spend four months in the region each year. Global Witness regularly publishes the results of its research in reports on the role of tin, tantalum, tungsten and gold originating in the African Great Lakes region in worldwide supply chains.

Global Witness was a strong supporter of Congressional enactment of Section 1502 and was closely involved in the subsequent rulemaking process. It also participated in the drafting and now participates in the implementation of the Organization for Economic Cooperation and Development Due Diligence Guidance that is incorporated in the SEC rule. Section 1502 reports aid Global Witness in monitoring the quality of companies’ due diligence efforts. Global Witness also owns stock in several issuers subject to Section 1502 reporting requirements.

2. Global Witness has no parent corporation and no publicly held corporation owns 10% or more of the stock of Global Witness.

3. Free Speech For People, Inc. (“Free Speech For People”) is a national non-partisan, non-profit organization that works to restore republican democracy to the people, including through legal advocacy under the First Amendment. Free Speech For People’s

thousands of supporters around the country engage in education and non-partisan advocacy to encourage and support effective government of, by, and for the American people. Free Speech For People has a particular history arguing in defense of public laws against corporate First Amendment challenges, having filed amicus briefs to the United States Supreme Court in *Conestoga Wood Specialties Corp. v. Burwell*, 134 S. Ct. 2751 (2014) and *American Tradition Partnership, Inc. v. Bullock*, 132 S. Ct. 2490 (2012), and the Montana Supreme Court in *Western Tradition Partnership v. Attorney General*, 271 P.3d 1 (Mont. 2011), *rev. sub nom. Am. Tradition P'ship, supra*.

4. Free Speech for People has no parent corporation and no publicly held corporation owns 10% or more of the stock of Free Speech For People.

**NOTICE AND REPRESENTATION OF CONSENT TO FILE BRIEF AS AMICI  
CURIAE**

Pursuant to D.C. Circuit Rule 29(b) and Section Rule IX(A)(4) of this Court's Handbook of Practice and Internal Procedure, Global Witness and Free Speech For People hereby notify the Court of their intent to file a brief as *amici curiae* in support of Respondent and responsive to the Court's November 18, 2014 order. Pursuant to Circuit Rule 29(d), Global Witness and Free Speech For People intend to join in a single brief. All parties have consented to the filing of an *amici curiae* brief by Global Witness and Free Speech For People.

Dated: December 1, 2014

Respectfully submitted,

/s/ David Hunter Smith

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**CERTIFICATE OF SERVICE**

I hereby certify that on December 1, 2014, I electronically filed the foregoing *Notice and Representation of Consent by all Parties for Global Witness Limited and Free Speech for People, Inc. to File an Amicus Curiae Brief* with the Clerk of the Court for the United States Court of Appeals for the District of Columbia Circuit by using the Court's appellate Case Management/Electronic Case Files (CM/ECF) system. Participants in this case who are registered CM/ECF will receive service of this filing by the Court's CM/ECF system.

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