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USA

# Court imposes punitive fee on socialists

- News from around the world -

Publication date: Monday 29 October 2012

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**In late July 2012 San Francisco Superior Court Judge Curtis E.A. Karnow imposed \$243,279.50 in punitive attorney fees against Socialist Action National Secretary Jeff Mackler and five other plaintiffs, who, two years earlier, had filed a law suit against the state of California challenging important provisions of Proposition 14, the new and infamous "Top Two" election law.**

Top Two, the product of a bipartisan vote in the California State Legislature, was in significant part aimed at banning minority parties and candidates from fully participating in the electoral process. The law bans write-in campaigns outright and forces candidates who are not "ballot qualified" and who run in a now mandated "open primary" to identify themselves as "no party preference" despite the fact that they are members of political parties.

Mackler, who ran an effective 2006 Socialist Action write-in campaign for the U.S. Senate, joined the lawsuit to defend these elementary democratic rights and to avert the forced designation of "no party preference" in anticipated future electoral efforts when he is well known as a national leader of Socialist Action. The five other plaintiffs in the suit were similarly members of a number of political parties that ran candidates in California. (...)

Needless to say, the chilling effect of this case could be considerable. Legally, the result not only undermines public policy but violates outright the protections afforded to public-interest plaintiffs under both federal and state law. Unless it is reversed, this unprecedented, unjust ruling could have sweeping consequences over a far broader range of issues and litigants than the underlying dispute (which addresses the merits of the Top Two Primary's enabling legislation).

*Full article in **Socialist Action** [Court imposes punitive fee on socialists](#).*