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FOR IMMEDIATE RELEASE

PUBLIC RECORDS AND LOBBYING LAW ENFORCEMENT LAWSUIT  
FILED AGAINST N.C. SECRETARY OF STATE

The North Carolina Institute for Constitutional Law (NCICL) brings this action to challenge the denial by the State of North Carolina, the North Carolina Department of the Secretary of State, and Secretary of State Elaine F. Marshall, in her official capacity (Defendants) of NCICL's request for public records and for information pertaining to a lobbying law violation complaint filed by NCICL.

In May of 2008, Spirit AeroSystems, Inc. ("Spirit Aero") was induced to locate a manufacturing plant at the North Carolina Global TransPark in Kinston, North Carolina with "economic development incentives" from public funds and a commitment for a manufacturing facility worth approximately \$100 million dollars to be leased to them for a nominal sum.

NCICL requested copies of all documents relating to lobbyist activity for or on behalf of Spirit Aero in connection with the solicitation and negotiation of economic development incentive activity with North Carolina government officials and office holders. The Lobbying Compliance Division Director of the North Carolina Department of the Secretary of State replied repeatedly that the Secretary of State had no filings related to Spirit Aero, whether protected as an economic development initiative or not. NCICL also asked whether the Lobbying Compliance Division takes action if a principal or lobbyist fails to register lobbying activity. NCICL was advised that that the Lobbying Compliance Division opens an investigation pursuant to Article 6 of the Lobbying Act in the event of a complaint that a principal or lobbyist fails to register. NCICL subsequently submitted a formal complaint to the Secretary of State. The Department of the Secretary of State has refused to provide any information about the status of NCICL's complaint or any action taken by the Department in regard to it.

"This is a lawsuit that simply should not be necessary," said NCICL's Executive Director Robert Orr. "However, the purpose of stronger lobbying laws and government transparency is being completely thwarted by the State's position. The press and the public have a right to know when lobbying law violations take place and what action government officials take or don't take to enforce these laws."

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If you would like more information on this topic, please call Elizabeth Lincicome at 919-838-5313 or email at [lincicome@ncicl.org](mailto:lincicome@ncicl.org).