

Leonard Leo's Dark Money Influence Network Is Working To Defund The Consumer Financial Protection Bureau Through The Supreme Court, Which Would Fulfill Leo's Goal Of Gutting The Administrative State Through His Captured Court

SUMMARY: In October 2023, the Supreme Court [plans to hear a case](#) filed by a [predatory payday lending group](#), **The Community Financial Services Association Of America (CFSA)**, that [challenges the constitutionality of the funding structure](#) of the Consumer Financial Protection Bureau (CFPB). **If the Court rules in favor of the CFSA, their decision could threaten the entire [existence](#) of the CFPB.” and poses a risk to the constitutionality of numerous other aspects of the administrative state** such as the Postal Service, the U.S. Mint, the Federal Deposit Insurance Corporation—and even threatens the funding of programs like Social Security and Medicaid. **Leonard Leo has [repeatedly](#) advocated [against](#) the administrative state**, claiming it has “[become a huge, glaring issue](#)” and worked to align the courts with the Trump administration’s [deregulatory positions](#) while helping to stack the Supreme Court with like-minded justices.

Leo-backed entities such as [The 85 Fund](#), [The Concord Fund](#), and DonorsTrust **collectively invested over \$9 million** into groups that filed amicus briefs supporting the CFSA in the case:

- **The Foundation For Government Accountability**, which received **\$5,281,600 million** from Leo’s network.
- **New Civil Liberties Alliance**, which received **\$2,055,500** from Leo’s network.
- **America’s Future**, which received **\$1 million** from Leo’s network.
- **Americans For Prosperity Foundation**, which received **\$737,400** from Leo’s network.
- **The Manhattan Institute For Policy Research**, which received **\$270,500** from Leo’s network.
- **Buckeye Institute**, which received **\$11,700** from Leo’s network.

In addition to financial ties to the amicus brief filers, Leo is also connected to other key players and institutions in the fight against the CFPB:

- The law firm **Jones Day** [filed the lawsuit against the CFPB](#) on behalf of the CFSA, and multiple Jones Day attorneys on the case have ties to Leonard Leo and his network. Additionally, Leo [began talks with](#) then-candidate Donald Trump in a Jones Day office on a process that would culminate in Leo providing Trump with a shortlist of Supreme Court nominees.
- Attorneys General, who received financial support from Leo, his allies, and his network in the 2022 election cycle, also [joined an amicus brief](#) supporting the CFSA. Signatories included **Idaho Attorney General Raúl Labrador, Iowa Attorney General Brenna Bird, Nebraska Attorney General Mike Hilgers, and Kentucky Attorney General David Cameron.**

A Payday Lending Industry Group’s Lawsuit Challenging The Funding Structure Of The Consumer Financial Protection Bureau Is Set To Be Heard By The Supreme Court In October 2023

A Group Of Payday Lenders Filed A Lawsuit Challenging The Constitutionality Of The CFPB’s Funding Structure.

April 2018: The Community Financial Services Association Of America Filed A Lawsuit In The Western District Of Texas Seeking To Invalidate The CFPB’s Final Payday Rule As Well As Its Funding Structure. “The Community Financial Services Association of America (CFSA) and the Consumer Service Alliance of Texas today filed a lawsuit in the U.S. District Court for the Western District of Texas, Austin Division, against the Consumer Financial Protection Bureau (CFPB or Bureau) seeking to invalidate the Bureau’s final rule on ‘Payday, Vehicle Title, and Certain High-Cost Installment Loans.’ The lawsuit alleges that the rule violates the Administrative Procedure Act (APA) because it exceeds the Bureau’s statutory authority and is arbitrary, capricious, and unsupported by substantial evidence. The lawsuit also argues that the CFPB’s structure is unconstitutional under the Constitution’s separation of powers because the agency’s powers are concentrated in a single, unchecked Director who is improperly insulated from both presidential supervision and congressional appropriation, and hence unaccountable to the American people.” [CFSA, [04/09/18](#)]

According To The Community Financial Services Association Of America’s 2021 Form 990, The Association Is Governed By 13 Directors From Across The Payday Lending Sector.

Name	CFSA Title	Company
Jessica Rustin	President	Purpose Financial
Andrea Andre	Vice President	CNG
Cullen Earnest	Secretary/Treasurer	Advance Financial
Mike Hodges	Director	Advance Financial
Ian A. MacKechnie	Director	Amscot Financial
Kirk Chartier	Director	Enova International
Brian Lynn	Director	LendingBear/Speedy Cash
Darrin Anderson	Director	QC Holdings
C. Dan Adams	Director	Integrity Funding/Capital Corporation
Kip Cashmore	Director	USA Cash Services
Denae Roth	Director	Purpose Financial
Vin Thomas	Director	PROG Holdings
Robert Zeitler	Director	PH Financial

[2021 Form 990, accessed [07/26/23](#)]

While The Lawsuit Was Rejected At The District Level, A Circuit Court Reversed The Decision And Ruled That CFPB’s Funding Structure Was Unconstitutional.

The Western District Of Texas “Reject[ed] All Of The Trade Groups’ Claims,” Including Those Seeking To Invalidate The Rule Due To The Unconstitutionality Of Its Funding Structure. “The district court granted summary judgment for the CFPB, rejecting all of the trade groups’ claims, including their arguments that the Consumer Financial Protection Act’s restriction on the CFPB Director’s removal (which the U.S. Supreme Court ruled was unconstitutional in *Seila Law*) rendered the Rule void ab initio and that the Rule was invalid because the CFPB’s funding mechanism violates the Appropriations Clause.” [Ballard Spahr, [10/20/22](#)]

October 19, 2022: A Three-Judge Panel Of The Fifth Circuit Court Of Appeals Ruled That The Consumer Financial Protection Bureau’s Funding Structure Was Unconstitutional, Overruling The District Decision. “A federal appeals court has ruled that the funding structure of the nation’s most powerful financial watchdog agency, the Consumer Financial Protection Bureau, is unconstitutional. In a case brought by a payday lending group, a three-judge panel of the 5th U.S. Circuit Court of Appeals threw out a CFPB regulation governing those high-interest-rate lenders and ruled that the way the bureau is funded, ‘violates the Constitution’s structural separation of powers.’” [NPR, [10/19/22](#)]

The Supreme Court Agreed To Hear The CFPB Case And Is Scheduled To Start Arguments On October 3, 2023.

February 27, 2023: The Supreme Court Agreed To Take Up The Case Regarding The Constitutionality Of The CFPB’s Funding Structure After A “Panel Of Three Trump Appointees On The Fifth Circuit Court Of Appeals Ruled [In October 2022] That The Agency’s Funding Is Unconstitutional.” “The Supreme Court agreed on Monday to take up a case that could threaten the existence of the Consumer Financial Protection Bureau and potentially the status of numerous other federal agencies, including the Federal Reserve. A panel of three Trump appointees on the Fifth Circuit Court of Appeals ruled last fall that the agency’s funding is unconstitutional because the CFPB gets its money from the Federal Reserve, which in turn is funded by bank fees.” [NPR, [02/27/23](#)]

The Supreme Court Scheduled Arguments For *Consumer Financial Protection Bureau v. Community Financial Services Association of America, Limited* On October 3, 2023.

Docket No.	Op. Below	Argument	Opinion	Vote	Author	Term
22-448	5th Cir.	Oct 3, 2023	TBD	TBD	TBD	OT 2023

[SCOTUSlog, [Accessed 8/08/23](#)]

If The Court Rules In Favor Of The Payday Lenders, Their Decision Threatens To Undermine Administrative State—A Cause That Leonard Leo Has Stated He Supports

If The Court Rules In Favor Of The Payday Lenders, Their Decision Could Threaten Key Fixtures Of The Administrative State Including The Postal Service, The Mint, The Federal Deposit Insurance Corporation—And Even The Funding Of Programs Like Social Security And Medicaid.

The CFSA's Case Challenging The CFPB Comes In The Long Line Of Attempts To Strike Down Or Undermine Various Parts Of The Administrative State. “Conservatives who have long opposed the modern administrative state have previously challenged laws that declared heads of agencies can only be fired for cause. In recent years, the Supreme Court has agreed and struck down many of those provisions. The court has held that administrative agencies are essentially creatures of the Executive Branch, so the president has to be able to fire at-will and not just for cause.” [NPR, [2/27/23](#)]

If The Court Rules In Favor Of The Payday Lenders, Their Decision Could Threaten The Funding Of The Postal Service, The Mint, The Federal Deposit Insurance Corporation—And Even The Funding Of Programs Like Social Security And Medicaid.

“The CFPB is not the only agency funded this way. The Federal Reserve itself is funded not by Congress but by banking fees. The U.S. Postal Service, the U.S. Mint, and the Federal Deposit Insurance Corp., which protects bank depositors, and more, are also not funded by annual congressional appropriations. In its brief to the Supreme Court, the Biden administration noted that even programs like Social Security and Medicare are paid for by mandatory spending, not annual appropriations.” [NPR, [2/27/23](#)]

Leonard Leo Has Repeatedly Advocated Against The Administrative State.

2018, Leo: “Deregulation Is One Of The Trump Administration's Highest Priorities...”

“Deregulation is one of the Trump administration's highest priorities, so you can expect many of the Cabinet departments and agencies to be launching their own agendas in that area this year,” said Leonard Leo, executive vice president of the Federalist Society, a conservative group devoted to limited government. “Expect many of those agencies and departments to be proposing new rules, or proposing to revoke old rules. That is the next step in this deregulatory revolution.” [Politico, [01/25/18](#)]

- **2018, Opinion Headline, Leonard Leo: “The New Supreme Court Will Take On The Administrative State.”** [Washington Examiner opinion, [11/9/18](#)]
- **2018, *New York Times* Headline: “Trump's New Judicial Litmus Test: Shrinking 'the Administrative State.’”** [[3/27/18](#)]

Speaking At An Event, Leo Predicted The “Administrative Or Regulatory State Will Be ‘A Very Big Issue’ For The Court In The Coming Years.” “Speaking at the Washington

Examiner's Sea Island Summit on Friday, President Trump's top private adviser on Supreme Court appointments suggested that the administrative or regulatory state will be 'a very big issue' for the court in the coming years. According to Leonard Leo, the critical question for the Supreme Court will be: 'What kind of constraints do we want to place on regulators.' And Leo was clear that he believes Trump's two confirmed justices, Neil Gorsuch and Brett Kavanaugh, will push back against government regulators who undertake an overly expansive view of delegated powers. To paraphrase Leo, just because regulators say the statute says X, doesn't mean the court has to roll over and accept it." [Washington Examiner, Opinion, [11/9/18](#)]

Leo: "The Administrative State Is 75 Years Old...It's Become A Huge, Glaring Issue." "If it is successful, the Trump administration could come closer than any Republican White House has to achieving a goal conservatives have longed for since the New Deal: curtailing the reach of a federal government they say has grown far too large and invasive. 'It's the next step in the national debate about the proper role of the courts,' said Leonard Leo, a prominent conservative lawyer who is advising the administration on its judicial picks. 'The administrative state is 75 years old,' Mr. Leo continued. 'It's become a huge, glaring issue.'" [New York Times, [3/27/18](#)]

CNN: "Leonard Leo Made Clear That They Wanted Nominees With A Focus On The So Called Administrative State. They Want The Judiciary To Step In And Limit The Power Of Federal Agencies." "And perhaps most importantly to the people responsible for their nomination, they delivered on a sleeper issue that has at times been below the public's radar. Trump, then-White House counsel Don McGahn, Republicans on the Hill and the Federalist Society's Leonard Leo made clear that they wanted nominees with a focus on the so called administrative state. They want the judiciary to step in and limit the power of federal agencies." [CNN, [6/28/19](#)]

Leonard Leo Has Played A Key Role Supporting The Nominations Of Every Sitting Conservative Supreme Court Justice

Leonard Leo Has Played A Key Role Supporting The Nominations Of Every Sitting Conservative Supreme Court Justice.

Leo Has Played A Key Role In The Nominations Of All The Conservative Justices Currently Sitting On The Supreme Court. "For nearly three decades, Leo has helped and led campaigns in support of the Supreme Court nominations of all the conservative judges now on the high court — John G. Roberts Jr., Samuel A. Alito, Neil M. Gorsuch, Brett M. Kavanaugh and Amy Coney Barrett." [Washington Post, [5/5/23](#)]

Leo Uses The 85 Fund, The Concord Fund, And DonorsTrust To Shuffle Money Throughout His Network

The 85 Fund Is One Of Leonard Leo's Main Dark Money Engines, Distributing More Than \$116 Million Since 2019.

Leo Founded The 85 Fund (FKA Judicial Education Project) As Part Of His "Extensive Network Of Organizations That Seek To Influence Policy, The President's Picks For The Judiciary And The Larger Conservative Movement." "Leonard Leo's The 85 Fund received the money through the DonorsTrust, a donor-advised nonprofit group that funnels money from

often wealthy conservative financiers to other organizations, according to a DonorsTrust 990 tax filing first seen by CNBC. The 85 Fund is part of Leo’s extensive network of organizations that seek to influence policy, the president’s picks for the judiciary and the larger conservative movement. Leo, who is the co-chairman of the Federalist Society, was a key outside advisor for Trump when the then-president chose Brett Kavanaugh and Neil Gorsuch for slots on the Supreme Court.” [CNBC, [11/18/21](#)]

The 85 Fund Distributed Over \$116 Million In Grants Since 2019.

Year	Amount Distributed
2019	\$2,096,500
2020	\$34,361,291
2021	\$79,729,148
TOTAL	\$116,186,939

The Concord Fund (FKA Judicial Crisis Network) Is The Linchpin Of Leo’s Influence Campaign, A Publicly Facing Dark Money Group Which Funnels Millions To Advance Leo’s Vision Of The American Legal System.

Judicial Crisis Network Emerged From A Dinner Party Leonard Leo Attended With Neil Corkery And Late Justice Antonin Scalia And Was Created To Ensure George W. Bush Nominated The Preferred SCOTUS Candidates Of Leo’s Network. “After the 2004 election, the Judicial Crisis Network (JCN) was conceived at a small dinner party Leo attended with Neil Corkery and others. Justice Antonin Scalia was a guest. Launched as the Judicial Confirmation Network, it was created in anticipation of the Supreme Court vacancies that George W. Bush ultimately filled with Justices John Roberts and Samuel Alito.” [Senate Judiciary Hearing Testimony, [3/10/21](#)]

The Concord Fund/Judicial Crisis Network Is The “Public Face” Of Leo’s Secretive Network Of Dark Money Groups Spending Millions to Confirm Conservative Supreme Court Picks. “Judicial Crisis Network, a ‘dark money’ group that operates as the preeminent vehicle for deep-pocketed donors to funnel millions of dollars to support or oppose judicial nominees in Supreme Court confirmation fights, has served as the public face of the network while a web of secretive groups operate behind the scenes.” [Open Secrets, [1/2/20](#)]

- **Concord Fund/The Judicial Crisis Network Is The Sister 501(c)(4) Of 501(c)(3) Group The 85 Fund** “New tax returns reviewed by CRP reveal that Judicial Education Project, JCN’s sister 501(c)(3) nonprofit organization, also paid an additional \$1.3 million to BH Group LLC last year. Judicial Education Fund keeps its donors anonymous but CRP tracked the bulk of the group’s recent funding to DonorsTrust, which accounted for more than 99 percent of its money last year. Like JCN, the Judicial Education Fund has also been funded by Wellspring in prior years. A public records request revealed that Leo and another Federalist Society vice president have also been involved in a nonprofit called the BH Fund.” [Open Secrets, [11/28/18](#)]

As Of 2015, A Judicial Crisis Network Form Showed The Organization Had “No Employees Or Volunteers” And “Almost All Of Its Money” Came From Two Donors, Both Of Whom Were Undisclosed. “This form shows that the Judicial Crisis Network lists that it has no employees or volunteers. In a document provided at the request of The New York Times, it also shows that almost all of its money—or perhaps all of it—came from just two donors, which the group declined to name. Federal law does not require non profits to disclose the names of their donors. Neil Corkery is listed as the treasurer of the Judicial Crisis Network.” [Fair Fight, accessed [02/25/22](#)]

- **The Form Was From 2015.** [The New York Times, [03/19/17](#)]

DonorsTrust, The “Dark Money ATM Of The Right,” Has Received Nearly Over \$130 Million From Leo-Connected Groups Since 2019.

DonorsTrust Is An Influential Right-Wing Donor Group Non-Profit Dubbed The “Dark Money ATM Of The Right.” “They all have one thing in common: They received anonymous funding funneled through a single conservative dark money behemoth. That’s the news in the latest IRS filing from DonorsTrust—a conservative, Koch-aligned nonprofit which does not need to reveal the names of its donors and has been called the ‘dark money ATM of the right.’” [The Daily Beast, [11/22/21](#)]

- **DonorsTrust Acts As “A Go-Between” For Wealthy Donors To Anonymously Give Donations To Largely “Right-Leaning, Libertarian, And Free-Market Advocates.”** “The DonorsTrust primarily funds right-leaning, libertarian, and free-market advocates. It describes itself as ‘a charitable savings account’—a go-between that allows wealthy donors to deposit money in lump sums, where it gets invested at tax-free growth. They can later direct contributions at any time while remaining anonymous.” [The Daily Beast, [11/22/21](#)]

Leo-Affiliated Groups Gave DonorsTrust \$130,568,846 From 2019 To 2021.

Year	Leo-Affiliated Group	Amount
2019	Judicial Crisis Network (AKA The Concord Fund)	\$400,000
2020	85 Fund	\$12,482,846
2020	Rule Of Law Trust	\$5,793,000
2020	Marble Freedom Trust	\$41,100,000
2021	85 Fund	\$71,145,000
TOTAL		\$130,920,846

- **Leo Founded The 85 Fund (FKA Judicial Education Project) As Part Of His “Extensive Network Of Organizations That Seek To Influence Policy, The President’s Picks For The Judiciary And The Larger Conservative Movement.”**

“Leonard Leo’s The 85 Fund received the money through the DonorsTrust, a donor-advised nonprofit group that funnels money from often wealthy conservative financiers to other organizations, according to a DonorsTrust 990 tax filing first seen by CNBC. The 85 Fund is part of Leo’s extensive network of organizations that seek to influence policy, the president’s picks for the judiciary and the larger conservative movement. Leo, who is the co-chairman of the Federalist Society, was a key outside advisor for Trump when the then-president chose Brett Kavanaugh and Neil Gorsuch for slots on the Supreme Court.” [CNBC, [11/18/21](#)]

- **Judicial Crisis Network Is the “Public” Face Of Leo’s Secretive Network Of Dark Money Groups Spending Millions to Confirm Conservative Supreme Court Picks.** “Judicial Crisis Network, a ‘dark money’ group that operates as the preeminent vehicle for deep-pocketed donors to funnel millions of dollars to support or oppose judicial nominees in Supreme Court confirmation fights, has served as the public face of the network while a web of secretive groups operate behind the scenes.” [Open Secrets, [1/2/20](#)]
- **Rule Of Law Trust Was Founded By Leo Associate Neil Corkery In 2018.** “As Wellspring was being closed down, Neil Corkery created this group in 2018. 32 Leo is listed as its only trustee, and almost all its known expenses are related to BH Group reimbursements, another Leo group.” [Senate Judiciary Committee Testimony, [3/10/21](#)]
 - **Leo Is The Sole Trustee Of The Rule Of Law Trust.** “In other words, it appears that a firm partly owned by the sole trustee of RLT paid all of RLT’s expenses, including \$1.8 million in consulting payments to two former Federalist Society associates who now work at a consulting firm founded by the trustee, and then RLT reimbursed that firm for the expenses.” [Citizens For Ethics In Washington, [10/23/20](#)]
- **Marble Freedom Trust Was Founded By Leo Following An Unprecedented \$1.6 Billion Contribution From A Single Donor.** “A deep-pocketed nonprofit organization founded by the conservative activist Leonard A. Leo gave away \$182.7 million in a year’s time, a new tax filing shows, demonstrating how aggressively it has worked behind the scenes to prop up other groups and causes on the right. The organization, Marble Freedom Trust, was formed in 2020 and was funded by a gift of more than \$1.6 billion — an extraordinary windfall that resulted from a single donor’s contribution of 100 percent of a company’s shares before the company was sold, leaving Marble with the proceeds of the sale, The New York Times reported last year.” [New York Times, [5/12/23](#)]

Organizations That Filed Amicus Briefs Supporting The Payday Lenders In CFPB Case Received Over \$9 Million From Leo’s Network Since 2020

The Foundation For Government Accountability Has Received Nearly \$5.3 Million From DonorsTrust And The 85 Fund Since 2020.

The Foundation For Government Accountability Filed An Amicus Brief In *Consumer Financial Protection Bureau v. Community Financial Services Association of America, Limited* In Support Of The Respondents.

No. 22-448

IN THE
Supreme Court of the United States

CONSUMER FINANCIAL PROTECTION BUREAU,
 ET AL., *Petitioners*,

v.

COMMUNITY FINANCIAL SERVICES ASSOCIATION OF
 AMERICA, LIMITED, ET AL., *Respondents*.

ON WRIT OF CERTIORARI BEFORE JUDGMENT TO THE
 UNITED STATES COURTS OF APPEALS FOR THE FIFTH
 CIRCUIT

**BRIEF OF *AMICUS CURIAE* THE FOUNDATION
 FOR GOVERNMENT ACCOUNTABILITY IN
 SUPPORT OF RESPONDENTS**

[Supreme Court Amicus Brief, [08/09/23](#)]

The Foundation For Government Accountability Received \$5,281,600 From The 85 Fund, And DonorsTrust Since 2020.

Year	Donor	Grantee	Amount
2020	The 85 Fund	Foundation For Government Accountability	\$2,000,000
2020	DonorsTrust	Foundation For Government Accountability	\$600,500
2021	DonorsTrust	Foundation For Government Accountability	\$2,681,100
TOTAL			\$5,281,600

The New Civil Liberties Alliance Has Received Over \$2,000,000 From Leo’s Network Since 2021.

The New Civil Liberties Alliance Filed An Amicus Brief In *Consumer Financial Protection Bureau v. Community Financial Services Association of America, Limited* In Support Of The Respondents.

No. 22-448

IN THE
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CONSUMER FINANCIAL PROTECTION BUREAU, *et al.*,
Petitioners,

v.

COMMUNITY FINANCIAL SERVICES ASSOCIATION
OF AMERICA, LIMITED, *et al.*,
Respondents.

On Writ of Certiorari to
the United States Court of Appeals
for the Fifth Circuit

BRIEF *AMICUS CURIAE* OF
THE NEW CIVIL LIBERTIES ALLIANCE,
THE BUCKEYE INSTITUTE,
THE MANHATTAN INSTITUTE FOR POLICY RESEARCH,
AND LAW OFFICES OF CRYSTAL MORONEY, P.C.
IN SUPPORT OF RESPONDENTS

[Supreme Court Amicus Brief, [08/09/23](#)]

The New Civil Liberties Alliance Received \$2,055,500 From DonorsTrust And, The 85 Fund Since 2020.

Year	Donor	Grantee	Amount
2020	The 85 Fund	New Civil Liberties Alliance	\$1,000,000
2020	DonorsTrust	New Civil Liberties Alliance	\$50,000
2021	DonorsTrust	New Civil Liberties Alliance	\$1,005,500
TOTAL			\$2,055,500

America’s Future Has Received \$1,000,000 From DonorsTrust Since 2021.

America’s Future Filed An Amicus Brief In *Consumer Financial Protection Bureau v. Community Financial Services Association of America, Limited* In Support Of The Respondents.

No. 22-448

IN THE
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Petitioners,

v.

COMMUNITY FINANCIAL SERVICES ASSOCIATION OF
AMERICA, LIMITED, *ET AL.*, *Respondents.*

On Writ of Certiorari
to the United States Court of Appeals
for the Fifth Circuit

**Brief *Amicus Curiae* of
America’s Future, U.S. Constitutional Rights
Legal Defense Fund, and Conservative Legal
Defense and Education Fund
in Support of Respondents**

[Supreme Court Amicus Brief, [08/09/23](#)]

America’s Future Has Received \$1,000,000 From DonorsTrust Since 2021.

Year	Donor	Grantee	Amount
2021	DonorsTrust	America’s Future Inc.	\$1,000,000

- **America’s Future Inc Published A Press Release Stating That They Filed An Amicus Brief In the CFPB Case.** “On Monday, July 13, 2023, America’s Future filed an [Amicus brief](#) with the Supreme Court of the United States (SCOTUS) in *Consumer Financial Protection Bureau, et al. v Community Financial Services Association of America, Limited, et al.*, SCOTUS Dkt. No. 22-448. The case focuses on the emboldened regulatory and administrative agencies running afoul of America’s prized Separation of Powers principles.” [America’s Future, accessed [7/13/23](#)]

The Americans For Prosperity Foundation Has Received Nearly \$740,000 From DonorsTrust Since 2021.

The Americans For Prosperity Foundation Filed An Amicus Brief In *Consumer Financial Protection Bureau v. Community Financial Services Association of America, Limited* In Support Of The Respondents.

No. 22-448

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**BRIEF OF AMICUS CURIAE
 AMERICANS FOR PROSPERITY FOUNDATION
 IN SUPPORT OF RESPONDENTS**

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[Supreme Court Amicus Brief, [08/09/23](#)]

The Americans For Prosperity Foundation Received \$737,400 From DonorsTrust Since 2020.

Year	Donor	Grantee	Amount
2020	DonorsTrust	Americans for Prosperity Foundation	\$661,300
2021	DonorsTrust	Americans for Prosperity Foundation	\$76,100
TOTAL			\$737,400

The Manhattan Institute For Policy Research Has Received Over \$270,000 From DonorsTrust Since 2021.

The Manhattan Institute For Policy Research Filed An Amicus Brief In *Consumer Financial Protection Bureau v. Community Financial Services Association of America, Limited* In Support Of The Respondents.

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BRIEF *AMICUS CURIAE* OF
THE NEW CIVIL LIBERTIES ALLIANCE,
THE BUCKEYE INSTITUTE,
THE MANHATTAN INSTITUTE FOR POLICY RESEARCH,
AND LAW OFFICES OF CRYSTAL MORONEY, P.C.
IN SUPPORT OF RESPONDENTS

[Supreme Court Amicus Brief, [08/09/23](#)]

The Manhattan Institute For Policy Research Has Received \$270,500 From DonorsTrust Since 2021.

Year	Donor	Grantee	Amount
2021	DonorsTrust	Manhattan Institute for Policy Research	\$270,500

The Buckeye Institute Has Received Over \$11,000 From DonorsTrust Since 2020.

The Buckeye Institute Filed An Amicus Brief In *Consumer Financial Protection Bureau v. Community Financial Services Association of America, Limited* In Support Of The Respondents.

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THE MANHATTAN INSTITUTE FOR POLICY RESEARCH,
AND LAW OFFICES OF CRYSTAL MORONEY, P.C.
IN SUPPORT OF RESPONDENTS

[Supreme Court Amicus Brief, [08/09/23](#)]

The Buckeye Institute Has Received \$11,700 From DonorsTrust Since 2020.

Year	Donor	Grantee	Amount
2020	DonorsTrust	Buckeye Institute	\$11,700

The Law Firm Jones Day, Which Facilitated The Meeting That Culminated In Leo Giving Trump A List Of Prospective SCOTUS Nominees, Filed The Lawsuit Against The CFPB On Behalf Of Group Of Payday Lenders; The Attorneys Arguing The Case Are Linked To Leo’s Federalist Society And His Allies

Jones Day, Which Hosted The First Meeting That Culminated In Leo Giving Trump A List Of Potential Supreme Court Nominees In 2016, Is Representing The The Community Financial Services Association of America.

Jones Day Filed The Lawsuit Against The Consumer Financial Protection Bureau On Behalf Of The Community Financial Services Association Of America And The Consumer Services Alliance Of Texas. “Jones Day filed suit on behalf of the Community Financial

Services Association of America and the Consumer Service Alliance of Texas in this matter.”
[Jones Day, [10/19/22](#)]

In 2016, Leo And Then-Presidential Candidate Donald Trump Met In A Jones Day Office, And Leo Later Provided Trump With A Shortlist Of Prospective Supreme Court Nominees Which Included Brett Kavanaugh And Neil Gorsuch. “In March 2016, Leo met with Trump and Federalist Society member Donald McGahn at the Washington law firm Jones Day, just as Trump was beginning to prevail in his quest to be the Republican nominee, Leo told The Post. [...] Leo later gave the president a list of possible Supreme Court nominees. Trump released the list during the primary campaign, a gesture that helped him win the support of skeptical mainstream Republicans. Gorsuch and Kavanaugh were added to the list later.” [Washington Post, [3/21/19](#)]

The Counsel Of Record For The Community Financial Services Association of America, Noel J. Francisco, Is A Federalist Society Member Tied To Leo Allies Brett Kavanaugh And Antonin Scalia.

Noel Francisco Is The Counsel Of Record For The Community Financial Services Association of America.

NOEL J. FRANCISCO
Counsel of Record
CHRISTIAN G. VERGONIS
HASHIM M. MOOPAN
YAAKOV M. ROTH
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(202) 879-3939
njfrancisco@jonesday.com

[SCOTUS, *Brief In Opposition*, [01/13/23](#)]

Francisco Is A Member Of The Federalist Society, An Organization Which Is Seen As A Key Lynchpin In Leo’s Network

Francisco Is A Federalist Society Member And Is A Partner At Jones Day.



Hon. Noel J. Francisco

Partner-in-Charge
Washington, Jones Day

[Federalist Society, [Accessed 8/09/23](#)]

Leo Was The Long-Time Executive Vice President Of The Federalist Society, But That Title Belied His Influence Over The Group. “At the center of the network is Leonard Leo of the Federalist Society, the association of legal professionals that has been the pipeline for nearly all of Trump’s judicial nominees. (Leo is on leave from the Federalist Society to personally assist Trump in picking a replacement for Justice Anthony Kennedy.) His formal title is executive vice president, but that role belies Leo’s influence.” [The Daily Beast, [7/24/18](#)]

Leonard Leo’s Power In Washington Stems From His Central Role Within The Federalist Society’s Vast Network And The Relationships, Information, And Linkages His Role Grants Him. “Most of the money went toward supporting the chapter programs and staging conferences — in other words, tending to the network and the idea factory. “What makes Leonard Leo so consequential is not because he’s so smart or whatever, it’s that he’s sitting at the center of an enormous network,” [...] “He has lots of information, and that information isn’t just his; it’s that those things bubble up through those relationships ... spreading through all these people who know each other, and they develop reputations and linkages, which then have lots of other consequences.” [Washington Post, [1/02/19](#)]

Francisco Clerked For Justice Antonin Scalia, Who Was A Close Friend Of Leo’s

Francisco Clerked For Justice Antonin Scalia.

**NOEL J.
FRANCISCO**
Partner-in-Charge Washington

[Jones Day, accessed [07/25/23](#)]

Leonard Leo Was Close Friends With Scalia. “Leo was a close friend of Antonin Scalia, who instilled in him an affinity for the judicial philosophies known as originalism and textualism.” [New Yorker, [4/17/17](#)]

Francisco Worked On The 2000 Election Recount Effort Alongside Brett Kavanaugh—An Effort That Was Supported By The Federalist Society

Francisco Served On George W. Bush’s Legal Team For The 2000 Recount. “Noel Francisco, Donald Trump’s pick to serve as U.S. solicitor general, poses with Oswego High School Class of 2013 officers Leah Weiss and Matt DiFabio. Francisco delivered the 2013 commencement address at the high school. [...] He clerked for the late Supreme Court Justice Antonin Scalia, whose bobblehead figure is kept as a reminder on Francisco’s desk. His career took off four years out of law school when he was part of the legal team that worked on the Florida recount for George W. Bush in the 2000 presidential election.” [Syracuse.com, [3/10/17](#)]

- **Supreme Court Justice Brett Kavanaugh Also Worked On The 2000 Recount Effort.** “He helped defend Jeb Bush’s school voucher plan in the Florida courts and then worked on George W. Bush’s legal team during the 2000 recount. Then he got a job in the White House Counsel’s Office under Alberto Gonzales, helping pick Bush’s judicial nominees. From there, he was promoted to staff secretary, which gave him more direct access to the president and control of the paper flow into the Oval Office.” [Washington Post, [7/10/18](#)]

The Federalist Society Played A Prominent Role In The 2000 Presidential Election Recount. “In a new Washington ritual, President Bush has repeatedly drawn from the Federalist Society for cabinet members, senior aides and judges. And perhaps to deflect what many conservatives call unfair attacks by liberals, the nominees have repeatedly claimed to know little about the group’s beliefs. [...] But much of the influence, and most of the intrigue, flows from an informal social network, which members use to advance one another’s causes and careers. Openly and behind the scenes, members have played prominent roles in the most pitched political battles in recent years, including the impeachment of President Bill Clinton and the Florida recount fracas in 2000 that led to the election of Mr. Bush.” [New York Times, [8/01/05](#)]

Francisco Served As The Solicitor General For The Trump Administration

Francisco Served As The Solicitor General Under The Trump Administration From 2017 To 2020. “Noel Francisco served as the 47th Solicitor General of the United States, from 2017 to 2020. He represents clients in a broad array of civil and criminal litigation, challenges to federal and state laws and regulations, and government investigations and enforcement actions.” [Jones Day, accessed [07/25/23](#)]

Other Lawyers For The Community Financial Services Association of America Are Members Or Contributors To The Federalist Society.

The Other Lawyers Representing The Community Financial Services Association of America Are Hashim M. Mooppan, Yaakov M. Roth, Christian Vergonis, And Brinton Lucas.

NOEL J. FRANCISCO
Counsel of Record
CHRISTIAN G. VERGONIS
HASHIM M. MOOPPAN
YAAKOV M. ROTH
BRINTON LUCAS
JONES DAY
51 Louisiana Ave., NW
Washington, DC 20001
(202) 879-3939
njfrancisco@jonesday.com

[SCOTUS, *Brief In Opposition*, [01/13/23](#)]

Hashim M. Mooppan Is A Federalist Society Member And A Former Law Clerk For Antonin Scalia.

“Hashim Mooppan is an experienced appellate litigator and legal strategist. A former clerk to Justice Antonin Scalia, Mr. Mooppan is a partner in the Issues & Appeals practice at Jones Day, and he previously served in leadership positions in the two premier appellate offices in the U.S. Department of Justice (DOJ), as Counselor to the Solicitor General and Deputy Assistant Attorney General for the Civil Appellate Staff. Mr. Mooppan has argued four cases in the U.S. Supreme Court and dozens more in the lower federal courts, including nine en banc arguments in six different circuit courts of appeals.” [Federalist Society, Accessed [8/09/23](#)]

- **Leonard Leo Was Close Friends With Scalia.** “Leo was a close friend of Antonin Scalia, who instilled in him an affinity for the judicial philosophies known as originalism and textualism.” [New Yorker, [4/17/17](#)]

Yaakov M. Roth Is A Federalist Society Member.



Yaakov
(Jacob) M.
Roth

Jones Day, Partner

[Federalist Society, Accessed [8/09/23](#)]

Christian G. Vergonis Has Contributed To The Federalist Society.

 Christian G. Vergonis

Christian
G.
Vergonis

[Federalist Society, Accessed [8/09/23](#)]

Brinton Lucas Has Contributed To The Federalist Society.

[Home](#) > [Contributors](#) > [G. Brinton Lucas](#)

 G. Brinton Lucas

G. Brinton
Lucas

[Federalist Society, Accessed [8/09/23](#)]

- **Lucas Clerked For Justice Clarence Thomas.**

Law Clerk to: Justice
Clarence Thomas, U.S.
Supreme Court (2014-2015)
and Judge J. Harvie
Wilkinson III, U.S. Court of
Appeals, Fourth Circuit
(2011-2012)

[Jones Day, accessed [07/25/23](#)]

- **Leo And Thomas Are Longtime Friends And Have Regularly Discussed Religion Together, Drawing “Parallels Between How The Church Grew And How To Build A Body Of Conservative Jurisprudence.”** "Leo, a Catholic like the justice, first met him when he was clerking on the District of Columbia Circuit. Thomas, then a judge on that court, became a mentor. The justice has spent time at Leo's New England vacation home, is godfather to one of his children and has supported him through hardships, including the death of his 14-year-old daughter from spina bifida. The two men often

discussed religion — Thomas once recommended he read “A History of Christianity” by Paul Johnson — and Leo says Justice Thomas saw parallels between how the church grew and how to build a body of conservative jurisprudence.” [New York Times, [2/22/22](#)]

Attorneys General That Filed An Amicus Brief In Support Of The Community Financial Services Association of America Received Money From Leo And His Allies During The 2022 Election Cycle

In 2022, Leonard Leo Gave \$2,000 To Idaho Attorney General Raúl Labrador, Who Joined An Amicus Brief In Support Of The Community Financial Services Association of America.

Idaho Attorney General Raúl Labrador Joined An Amicus Brief In Support Of The Community Financial Services Association of America.

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**BRIEF OF AMICI CURIAE STATE OF
WEST VIRGINIA AND 26 OTHER STATES
IN SUPPORT OF RESPONDENTS**
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RAÚL LABRADOR
Attorney General
State of Idaho

[Supreme Court Amicus Brief, [7/07/23](#)]

Leonard Leo Contributed \$2,082.03 To Raúl Labrador In February 2022 During The GOP Primary For Idaho Attorney General.

2/21/2022	Primary	Leonard Leo, 6231 Nelway Drive, McLean, VA, 22101	\$2,082.03	\$2,082.03
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[Idaho Secretary of State, Raúl Labrador Campaign Financial Disclosure Report, [3/9/22](#)]

In 2022, Leonard Leo And CRC Advisors President Jonathan Bunch Collectively Gave More Than \$3,600 To Iowa Attorney General Brenna Bird, Who Joined An Amicus Brief In Support Of The Community Financial Services Association of America...

Iowa Attorney General Brenna Bird Joined An Amicus Brief In Support Of The Community Financial Services Association of America.

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**BRIEF OF AMICI CURIAE STATE OF
WEST VIRGINIA AND 26 OTHER STATES
IN SUPPORT OF RESPONDENTS**
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BRENNA BIRD
 Attorney General
 State of Iowa

[Supreme Court Amicus Brief, [7/07/23](#)]

Leonard Leo Contributed \$1,041 To Brenna Bird In February 2022. “

02/21/2022	Check # N/A	Leo, Leonard 7433 Ridge Oak Court McLean, VA 22101	None	\$1,041.02	
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[Iowa Ethics and Campaign Disclosure Board, Bird for Iowa, [5/18/22](#)]

Jonathan Bunch Contributed \$2,602 To Brenna Bird In September 2022.

09/07/2022		Bunch, Jonathan PO Box 11338 McLean, VA 22102	None	\$2,602.54	
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[Iowa Ethics and Campaign Disclosure Board, Bird for Iowa, [10/19/22](#)]

...Leo’s Dark Money Network Has Also Contributed Over \$17.5 Million To The Republican Attorneys General Association, Which Poured Millions Into Brenna Bird’s Campaign For Iowa Attorney General.

Leo’s Judicial Crisis Network, Later Rebranded As The Concord Fund Has Contributed Over \$17.5 Million To RAGA

The Judicial Crisis Network Is The “Public Face” Of Leo’s Web Of Nonprofits. “At the crux of that network is Leonard Leo, Trump’s top outside judicial adviser and a longtime executive at the Federalist Society who helped shepherd Trump’s Supreme Court picks through the confirmation process. Leo holds leadership positions with multiple groups in the network. Judicial Crisis Network, a ‘dark money’ group that operates as the preeminent vehicle for deep-pocketed donors to funnel millions of dollars to support or oppose judicial nominees in Supreme Court confirmation fights, has served as the public face of the network while a web of secretive groups operate behind the scenes.” [Open Secrets, [1/2/20](#)]

- **In 2019 Judicial Crisis Network “Rebranded” As The Concord Fund While Maintaining A Sub-Entity With The Judicial Crisis Name.** “The Judicial Crisis Network also rebranded in recent months, changing its name in December 2019 to The Concord Fund. The Fund then registered Judicial Crisis Network, its old name, as an alias.” [Open Secrets, [5/27/20](#)]

Leo’s Judicial Crisis Network/The Concord Fund Contributed Over \$17.5 Million To RAGA Since 2014.

Entity Name	Amount Given To RAGA	Year
Concord Fund	\$4,000,000	2022
Concord Fund	\$2,500,350	2021

Concord Fund	\$3,000,000	2020
Judicial Crisis Network	\$1,000,000	2019
Judicial Crisis Network	\$5,900,000	2018 Election Cycle (Open Secrets)
Judicial Crisis Network	\$2,145,000	2016 Election Cycle (Open Secrets)
Judicial Crisis Network	\$1,000,000	2014 Election Cycle (Open Secrets)
TOTAL	\$17,545,350	

The Republican Attorneys General Association’s Associated Super PAC Spent \$2 Million Supporting Brenna Bird’s Campaign For Iowa Attorney General

The RAGA Action Fund Is A Super PAC Affiliated With The Republican Attorneys General Association. “The Republican Attorneys General Association became more active politically on Thursday when it registered a new Super PAC, RAGA Action Fund, with the Federal Election Commission.” [Roll Call, [4/6/14](#)]

The RAGA Action Fund Contributed \$2 Million Directly To Brenna Bird While She Was Running For Iowa Attorney General In 2022.

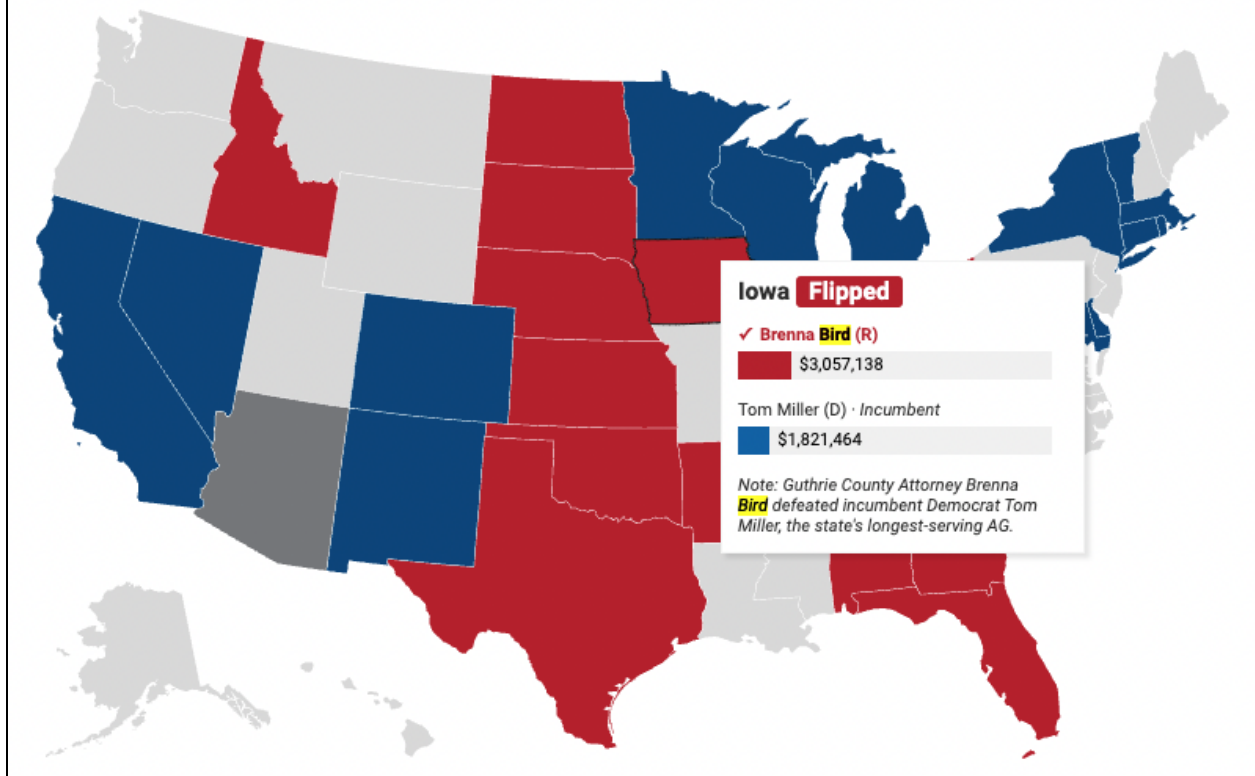
Spender	Recipient	Disbursement date ▼	Amount	–
RAGA ACTION FUND	BIRD FOR IOWA	10/14/2022	\$800,000.00	+
RAGA ACTION FUND	BIRD FOR IOWA	09/01/2022	\$1,000,000.00	+
RAGA ACTION FUND	BIRD FOR IOWA	05/27/2022	\$200,000.00	+

[Federal Election Commission, accessed [2/9/23](#)]

The RAGA Action Fund’s Contributions Accounted For More Than 65% Of All Contributions To Brenna Bird’s Campaign Committee.

2022 State Attorney General Elections

Candidates running for attorney general raised more than **\$161 million** in 2022, making this election year the third most expensive on record, adjusted for inflation.



[OpenSecrets, [11/15/22](#)]

In 2022, Leonard Leo Contributed \$5,000 To Nebraska Attorney General Mike Hilgers, Who Joined An Amicus Brief In Support Of The Community Financial Services Association of America.

Nebraska Attorney General Mike Hilgers Joined An Amicus Brief In Support Of The Community Financial Services Association of America.

BRIEF OF *AMICI CURIAE* STATE OF
WEST VIRGINIA AND 26 OTHER STATES
IN SUPPORT OF RESPONDENTS

MICHAEL T. HILGERS
Attorney General
State of Nebraska

[Supreme Court Amicus Brief, [7/07/23](#)]

Leonard Leo Collectively Contributed \$5,000 To The Friends Of Mike Hilgers PAC In February And March 2022.

Contributor or Source	City, State	Transaction/Contribution Type	Description	Amount	Date	Filer/Recipient
LEONARD LEO	MCLEAN, VA	Monetary		\$2,500.00	2/28/2022	FRIENDS OF MIKE HILGERS
LEONARD LEO	MCLEAN, VA	Monetary		\$2,500.00	3/21/2022	FRIENDS OF MIKE HILGERS

[Nebraska Accountability and Disclosure Commission, accessed [2/7/23](#)]

In 2022, Close Leo Associate Jonathan Bunch Made A \$2,000 Contribution To Kentucky Attorney General Daniel Cameron’s Gubernatorial Campaign Committee; Cameron Joined An Amicus Brief In Support Of The Community Financial Services Association of America.

Kentucky Attorney General David Cameron Joined An Amicus Brief In Support Of The Community Financial Services Association of America.

**BRIEF OF AMICI CURIAE STATE OF
WEST VIRGINIA AND 26 OTHER STATES
IN SUPPORT OF RESPONDENTS**

MICHAEL T. HILGERS
Attorney General
State of Nebraska

[Supreme Court Amicus Brief, [7/07/23](#)]

Jonathan Bunch Contributed \$2,000 To Daniel Cameron’s Campaign In September 2022.

Amount	Date	Made To	Contributor Name	Report Name	Occupation	Contribution Type	Contribution Mode	Street	City
\$2,000.00	9/30/2022	Daniel Cameron	Jonathan Bunch	Quarterly	President	Individual	Direct	P.O. Box 11338	McLean

[Kentucky Registry of Election Finance, accessed [2/7/23](#)]

In 2020, Leonard Leo Stepped Down From The Federalist Society To Launch CRC Advisors, The Successor Of CRC Strategies. “Leonard Leo, executive vice president of the Federalist Society, a conservative legal group, is stepping aside from his daily duties at the organization to launch a consulting firm that will fund conservative causes. The new firm, called CRC Advisors, is being billed as a “full-service conservative public affairs powerhouse.” Leo will be chairman of CRC Advisors, which springs from an existing conservative public relations firm called CRC Strategies.” [ABA Journal, [1/8/20](#)]

Jonathan Bunch Joined PR Firm CRC Advisors When Leonard Leo Took Over In 2020. “Leo became chairman of the newly branded CRC Advisors, Mueller’s public relations firm. Bunch joined him.” [NBC News, [11/01/20](#)]

- **Jonathan Bunch Is CRC Advisors’ Current President.**

Title	Director	Name
Chief Executive Officer	Yes	GREGORY MUELLER
CHAIRMAN	Yes	LEONARD LEO
President	Yes	JONATHAN BUNCH

[Virginia State Corporation Commission, CRC Advisors, accessed [8/09/23](#)]

Bunch Was Leo's "Right Hand Man" At The Federalist Society. "After Kavanaugh was confirmed, supporters gathered in the Senate's Mansfield Room for a private reception, Politico reported. Leo, Marx and Jonathan Bunch, Leo's right-hand man at the Federalist Society, were there." [NBC News, [11/01/20](#)]

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