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Court Relies on Scholars' *Amici* Brief in Allowing Foreign Emoluments Case to Go Forward

May 1, 2019 | *Jeffrey M. Bayne*

On May 1, 2019, the U.S. District Court for the District of Columbia rejected the President's motion to dismiss a suit brought by members of Congress alleging that the President has violated the Foreign Emolument Clause of the Constitution. Spiegel attorneys Katharine Mapes and Jeffrey Bayne represented *amici curiae* Separation of Powers Scholars. The *amici brief*, which can be read at the link below, argued that adjudication of this case is consistent with the separation of powers set forth in the Constitution. The District Court cited to Separation of Powers Scholars' *amici* brief in rejecting the President's argument that the court should exercise "extreme equitable restraint" and decline to hear this case. The court agreed with *amici curiae* Separation of Powers Scholars that this case would not distract the President from his official duties, because compliance with the Foreign Emolument Clause is part of a President's official duties.

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