



Written by [Bob Adelman](#) on May 26, 2013

Lawsuit to be Filed Against IRS to Stop Targeting of Tea Party Groups

Following Lois Lerner's Fifth Amendment plea on May 23 before the House Oversight Committee, Jay Sekulow of the American Center for Law & Justice (ACLJ) [announced](#) that he is going to file a lawsuit against the Internal Revenue Service in order to stop the targeting of Tea Party groups and in the process of discovery determine where the targeting orders originated.



The time line of those orders and some of the IRS officials involved are already known. Lerner's Fifth Amendment plea only heightens the suspicion that those targeting orders came from higher up, probably much higher up. Wrote Sekulow:

We now know through her own testimony and from the [Inspector General's report](#) that Lerner was briefed about this unlawful targeting scheme in June 2011. But nine months later, beginning in March 2012, she sent cover letters to many of our clients, demanding additional information.

At the time Lerner was reporting directly to Sarah Hall Ingram, who in turn reported directly to IRS Commissioner Douglas Shulman. Ingram now runs the IRS's ObamaCare enforcement department, while Shulman conveniently retired from the IRS last December, just in time to miss the unfolding of the scandal that was taking place on his watch. Shulman also was the one who [denied any wrongdoing](#) back in March 2012 when he said "there is absolutely no targeting" of Tea Party or other patriotic groups filing for tax-exempt status. He's also the one who told Senator John Cornyn (R-Texas) earlier this month that "I am certainly not responsible for making a list that had inappropriate criteria on it," referring to [the BOLO \(Be On the Look Out\) spreadsheet](#) that the Inspector General revealed in his report.

Another link leading to Lerner was Cindy Thomas, who directed the activities of at least six IRS agents assigned to target Tea Party groups for special attention. Thomas reported to Holly Paz, who reported to Lerner.

One of those agents, Joseph Herr, [sent a letter to the Ohio Liberty Council](#) on January 26, 2012 that asked the BOLO "list" of intrusive questions and contained two pages of additional requested information supposedly needed to consider the group's request for tax-exempt status that was filed 18 months earlier. The letter, which required compliance within 20 days, asked for:

1. A print out of the Ohio Liberty Council's website.
2. A list of all other social media outlets with print outs.
3. A narrative description of all activities since June 30, 2010, including who conducts the activities and their qualifications, when and where the activities were conducted, how significant each activity is in relation to the total activities of the group, how many participated at each event, how were participants selected, the fee schedule, if any, of the event, and a description of how the



activity furthered your exempt purpose.

4. A description of the “associate group members” (the 70 or so local Tea Party groups in Ohio that are affiliated with the Ohio Liberty Council), how the Ohio Liberty Council solicits their membership, what questions they are asked as potential members, what the selection criteria for approval are, whether or not membership is limited to groups that are already exempt under section 501 (c) (4), and the names, Employer Identification numbers, and addresses of all the associate group members.

5. A detailed narrative of every public event “conducted or planned” by the Ohio Liberty Council, including copies of all speeches delivered at these events.

6. A detailed narrative of every candidate forum ever conducted by the Ohio Liberty Council, including copies of all handouts distributed.

7. A detailed narrative of every attempt by the Ohio Liberty council “to influence the outcome of specific legislation,” including copies of “all communications, pamphlets, advertisements, and other materials distributed by the organization regarding the legislation,” as well as copies of all television, radio, or internet ads.

8. Copies of all written communication between the Ohio Liberty Council and members of any legislative body.

Sekulow said last week that he is planning to file the suit this week and is adding additional plaintiffs to the suit, noting: “We ... believe that suing the IRS is the only way this unlawful abuse will stop, and the only way we will find out the role of Lois Lerner and others in this widening scandal.”

What is also likely to come out during the discovery process as this suit proceeds is that those targeting orders came directly from the White House, perhaps even from the president himself. If that is the case, then Sekulow’s lawsuit could be one of the hinges that opens the door to the possibility of impeachment of the president, or at least his early retirement. Big doors sometimes swing on such little hinges.

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