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COMMISSION

2018 APR 27 PM 4:12

MARTHA M. TIERNEY

OFFICE: 720.242.7577

mtierney@tierneylawrence.com

April 26, 2018

Via E-Mail: CELA@fec.gov

Federal Election Commission
Office of Complaints Examination
and Legal Administration
Attn: Christal Dennis, Paralegal
1050 First Street, NW
Washington, DC 20463

Re: MUR 7361 – Stephany Rose Spaulding Response to Complaint

To Whom It May Concern:

I represent Stephany Rose Spaulding and am writing to respond to the complaint (MUR 7361) filed against her by Betty Field.

First, this response is timely pursuant to 11 C.F.R. §111.6 as Ms. Spaulding received a letter from the Federal Election Commission attaching the complaint from Betty Field and seeking a response. That letter was dated April 11, 2018.

Second, Ms. Spaulding denies the allegations in the complaint in their entirety. See attached Affidavit of Stephany Rose Spaulding at Exhibit 1.

BACKGROUND FACTS

Stephany Rose Spaulding is a Democratic candidate for the 5th Congressional District, State of Colorado. (Exhibit 1). The complaint was filed by Betty Field, who at the time was also a competing Democratic candidate for the 5th Congressional District, State of Colorado. (Complaint, Exhibit 1). Ms. Field is no longer a candidate for that office as she did not receive sufficient votes (more than 30%) at the congressional district assembly to be placed on the

225 E. 16TH AVENUE, SUITE 350, DENVER, COLORADO 80203

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Democratic Party primary ballot. See <https://www.coloradodems.org/results-from-democratic-assemblies-for-congressional-districts-1-2-3-4-and-5/>.

Ms. Field makes two separate allegations in her complaint. First, she alleges that “Ms. Spaulding laundered monies from a church in Illinois through her personal bank account, then dispersed it to family members and friends to donate back to her campaign.” In support of this allegation Ms. Fielding states that “this information became public knowledge after the resignation of many on her staff.” While Ms. Fielding includes several documents with her complaint, not one of the documents supports this allegation or is even related to this allegation. Ms. Field provides no information other than a bald assertion to support this allegation. Neither Ms. Spaulding nor her family members have received monies from a church in Illinois that were passed through to Stephany Rose for Congress (“Committee”). See attached Affidavits of Stephany Rose Spaulding, Rosemary Spaulding, Lawrence Spaulding, and Jason Christensen.

Second, Ms. Field alleges that “members of Rev. Spaulding’s campaign engaged in an inappropriate meeting with [her] campaign treasurer on July 13, 2017 resulting in the immediate termination of [her] treasurer.” This allegation does not state any sort of violation of campaign finance law. In addition, while Ms. Fielding includes several documents with her complaint, not one of the documents supports an allegation of a campaign finance violation arising out of a meeting with her treasurer. Ms. Field attaches a number of partial text messages which discuss a dispute between her and another person (her former treasurer?), but nothing in the texts suggest a violation of law or regulation. Ms. Spaulding denies that anyone acting at her direction, or on her or her campaign’s behalf with her advance knowledge or permission, met with Ms. Field’s former campaign treasurer on July 13, 2017.

LEGAL ANALYSIS

The Commission should take no action other than to dismiss the complaint. First, the Complaint should be dismissed because it fails to comply with the requirements of 52 U.S.C. 30109(a)(1) and 11 C.F.R. §111.4. The complaint does not contain a clear and concise recitation of the facts which describe a violation of a statute or regulation, nor is it accompanied by documentation supporting the facts alleged. 11 C.F.R. §111.4(3)-(4).

Second, the Complaint should be dismissed because it fails to state a credible claim for a violation of campaign finance law, and thus the Commission has no reason to believe that Ms. Spaulding violated a statute or regulation over which it has jurisdiction. 11 C.F.R. §111.9(b). Ms. Field has provided nothing other than vague assertions, with no evidence to support them. Ms. Spaulding, on the other hand, submits herewith sworn statements signed by herself, her treasurer, Jason Christensen, and her family members, Rosemary Spaulding and Lawrence Spaulding, clearly stating that the events that Ms. Field alleges occurred simply did not happen. As a result, Ms. Spaulding has demonstrated that the Commission should take no action and the Complaint should be dismissed. 11 C.F.R. §111.6(a).

Should you have any additional questions, please do not hesitate to contact me.

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Sincerely,

TIERNEY LAWRENCE LLC

A handwritten signature in black ink, appearing to read "Martha M. Tierney". The signature is fluid and cursive, with the first name "Martha" written in a larger, more prominent script than the last name "Tierney".

By: Martha M. Tierney

Enclosures

cc: Stephany Rose Spaulding

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AFFIDAVIT OF STEPHANY ROSE SPAULDING

CELA

I, Stephany Rose Spaulding, being first duly sworn an oath, state as follows:

1. I am over the age of eighteen years.
2. I have personal knowledge of the matters stated herein.
3. I am a candidate for the Fifth Congressional District, State of Colorado.
4. At the time she filed the Complaint, Betty Field was also a candidate for the Fifth Congressional District, State of Colorado.
5. I have read the complaint and exhibits filed by Betty Field against me (captioned MUR 7361) and I deny each and every allegation contained therein.
6. I did not, nor I have I ever "laundered money from a church in Illinois through [my] personal bank account, then dispersed it to family members and friends to donate back to [my] campaign."
7. I have accepted campaign contributions from family members for my campaign, however, none of those campaign contributions has been improperly passed through any other entity or person, including a church or myself.
8. To my knowledge, all campaign contributions that I or my candidate committee, Stephany Rose for Congress ("Committee"), have received have complied with all federal campaign finance laws and regulations, and have been properly and completely disclosed in the campaign finance reports that have been timely filed with the Federal Election Commission.
9. I deny that anyone acting at my direction, or on my or my campaign's behalf with my advance knowledge or permission, met with Ms. Field's former campaign treasurer on July 13, 2017.
10. I am not aware of any improper activity that would constitute any sort of campaign finance violation resulting from any meetings between members of my campaign and Ms. Field's former campaign treasurer.
11. Ms. Field attaches a number of unrelated exhibits to her complaint, none of which have any bearing on her unsupported allegation that my family members contributed to my campaign from money that came first from an unnamed Illinois church or from me.

Further affiant sayeth naught.

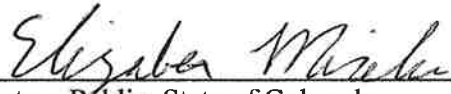

Stephany Rose Spaulding

STATE OF COLORADO)
COUNTY OF El Paso) ss.

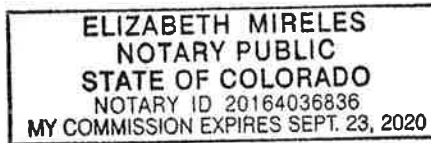
The foregoing instrument was acknowledged before me by Stephany Rose Spaulding in the County of El Paso State of Colorado, on the day of 2018.

Witness my hand and official seal.

My commission expires: Sept. 23, 2020


Notary Public, State of Colorado

[SEAL]



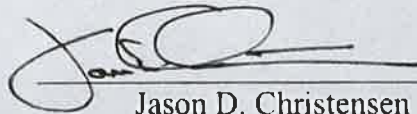
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2018 APR 27 PM 4:42
CELA
AFFIDAVIT OF JASON D. CHRISTENSEN

I, Jason D. Christensen, being first duly sworn an oath, state as follows:

1. I am over the age of eighteen years.
2. I have personal knowledge of the matters stated herein.
3. I am the treasurer for Stephany Rose for Congress ("Committee"), the candidate committee of Stephany Rose Spaulding, who is a candidate for the Fifth Congressional District, State of Colorado.
4. I am responsible for filing the Federal Election Commission reports for the Committee.
5. I have read the complaint and exhibits filed by Betty Field against the Committee (captioned MUR 7361). I am aware of no facts to support the allegations made therein.
6. All campaign contributions accepted by the Committee have complied with federal campaign finance laws and regulations, and have been properly and completely disclosed in the campaign finance reports that I have timely filed with the Federal Election Commission.

Further affiant sayeth naught.



Jason D. Christensen

26 APRIL 2018

STATE OF COLORADO)
) ss.
COUNTY OF Douglas)

The foregoing instrument was acknowledged before me by Jason D. Christensen in the County of Douglas, State of Colorado, on the 26th day of April 2018.

Witness my hand and official seal.

My commission expires: 11/26/2021

MYUNG HEE YUN
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20054044465
MY COMMISSION EXPIRES 11/16/2021


Notary Public, State of Colorado

[SEAL]

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AFFIDAVIT OF LAWRENCE SPAULDING 2018 APR 27 PM 4:42

I, Lawrence Spaulding, being first duly sworn an oath, state as follows:

CELA

1. I am over the age of eighteen years.
2. I have personal knowledge of the matters stated herein.
3. I reside at Chicago, IL. 60628.
4. I am the father of Stephany Rose Spaulding, a candidate for the Fifth Congressional District, State of Colorado.
5. I have read the complaint and exhibits (captioned MUR 7361) filed by Betty Field against Stephany Rose for Congress ("Committee").
6. I have made a lawful campaign contribution to the Committee from my own funds.
7. I have not made any campaign contributions to the Committee from any funds that were not my own.
8. I never received any funds from Stephany Rose Spaulding or a church in Illinois that were intended to be passed through to the Committee.

Further affiant sayeth naught.

Lawrence Spaulding
Lawrence Spaulding

STATE OF)
COUNTY OF COOK) ss.

The foregoing instrument was acknowledged before me by
LAWRENCE SPAULDING in the County of COOK, State of
ILLINOIS, on the 25TH day of APRIL 2018.

Witness my hand and official seal.

My commission expires: JAN. 5, 2020.

Ronald L. Walters
Notary Public

[SEAL]

Received 2018 Apr 27 4:12 PM
by C. Dennis

AFFIDAVIT OF ROSEMARY SPAULDING

I, Rosemary Spaulding, being first duly sworn an oath, state as follows:

1. I am over the age of eighteen years.
2. I have personal knowledge of the matters stated herein.
3. I reside at _____ Chicago, IL. 60628.
4. I am the mother of Stephany Rose Spaulding, a candidate for the Fifth Congressional District, State of Colorado.
5. I have read the complaint and exhibits (captioned MUR 7361) filed by Betty Field against Stephany Rose for Congress ("Committee").
6. I have made a lawful campaign contribution to the Committee from my own funds.
7. I have not made any campaign contributions to the Committee from any funds that were not my own.
8. I never received any funds from Stephany Rose Spaulding or a church in Illinois that were intended to be passed through to the Committee.

Further affiant sayeth naught.

Rosemary Spaulding
Rosemary Spaulding

STATE OF _____)
COUNTY OF COOK) ss.

The foregoing instrument was acknowledged before me by ROSEMARY SPAULDING in the County of COOK, State of ILLINOIS, on the 25th day of APRIL 2018.

Witness my hand and official seal.

My commission expires: JAN. 5, 2020.



Ronald L. Walters
Notary Public

[SEAL]