

DOSTER LAW OFFICES, PLLC

2145 Commons Parkway
Okemos, MI 48864

Eric E. Doster
Email: eric@ericdoster.com

(517) 483-2296 (main)
(517) 977-0147 (direct)
www.ericdoster.com

January 13, 2015

Ms. Krista Roche
Assistant Director, Alternative Dispute Resolution
Federal Election Commission
999 E. Street, NW
Washington, DC 20463

By Email Transmission
KRoche@fec.gov

**RE: PURE PAC (Committee ID Number C00549139); ADR 737;
Resolution**

Dear Ms. Roche:

This letter is a follow-up to our previous email and telephone communications to resolve the above-referenced matter.

The issue involved in this matter relates to three expenditures reported by PURE PAC on its 2013 year-end report. These expenditures, paid to the Sterling Corporation, were: \$12,264.22 on September 25, 2013; \$8,160.00 on October 10, 2013; and \$8037.50 on November 18, 2013. These expenditures were previously characterized by PURE PAC as being for "production" or "media placement".

The expenditures in question should have been reported as being made to the Sterling Corporation for the purpose of "general consulting" and thus were not made for the purpose of any public communication and were not subject to the 48-hour reporting requirement. Please see the attached affidavit from Jeff Timmer, who was a partner for the Sterling Corporation at the time of the expenditures in question. If PURE PAC had originally indicated that these payments were for "general consulting", ADR 737 would never have been opened.

It should be noted that PURE PAC did report all public communications in 2013 within the required 48-hour period. In this regard, PURE PAC reported \$65,000.00 on September 19, 2013; \$38,378.00 on October 15, 2013, and \$19,099.00 on November 19, 2013. Significantly, the public was fully advised of the three television advertisements sponsored by PURE PAC as a result of PURE PAC's 48-hour reports. The public was informed that PURE PAC paid for the advertisements that appeared on television and how much PURE PAC spent on the advertisements in the 48-hour reports filed with the FEC by PURE PAC in 2013.

Ms. Krista Roche
January 13, 2014
Page 2 of 2

Accordingly, the only issue here is whether PURE PAC should also have aggregated the \$28,461.72 (\$12,264.22 on September 25, 2013; \$8,160.00 on October 10, 2013; and \$8037.50 on November 18, 2013) general consulting expenditures in question into the public dissemination amounts already reported within the required 48-hour period.

Put another way, there was no failure by PURE PAC to report within 48 hours that 1) advertisements had appeared opposing a federal candidate and 2) how much was paid to disseminate those advertisements to the public. A separate general consulting fee paid to the Sterling Corporation was not reported because it did not result in a public communication. Again, the public was fully informed (within the required 48-hour period) that PURE PAC sponsored the three television advertisements in question in 2013.

Under the circumstances, and after review of the attached Affidavit of Jeff Timmer, this matter should be resolved without penalty, and requiring PURE PAC to amend its reports to indicate "general consulting" with respect to the three expenditures in question.

Thank you for your consideration of this matter.

Sincerely,

DOSTER LAW OFFICES, PLLC



Eric Doster

ED/lek
Enclosure

<https://dosterlawofficespllc.sharepoint.com/Shared Documents/PURE PAC/PEC ADR737 ltr to K. Roche.docx>