

Before the
FEDERAL ELECTION COMMISSION

OFFICE OF GENERAL
COUNSEL

In the matter of:

Newton L. Gingrich; Callista Gingrich;) MUR No. 6518
Newt 2012, Inc, and Lisa Lisker, in her)
capacity as Treasurer of Newt 2012, Inc.;)
and Gingrich Productions, Inc.)

**RESPONSE OF NEWT GINGRICH, CALLISTA GINGRICH, NEWT 2012,
INC., LISA LISKER, AND GINGRICH PRODUCTIONS, INC. TO THE
COMPLAINT OF CITIZENS FOR RESPONSIBILITY AND ETHICS IN
WASHINGTON IN MUR NO. 6518**

FEBRUARY 9, 2012

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**RESPONSE OF NEWT GINGRICH, CALLISTA GINGRICH, NEWT 2012, INC., LISA
LISKER, AND GINGRICH PRODUCTIONS, INC. TO COMPLAINT**

The following response ("Response") is submitted on behalf of Speaker Newt Gingrich, Mrs. Callista Gingrich, Newt 2012, Inc., Ms. Lisa Lisker (in her capacity as Treasurer of Newt 2012, Inc.), and Gingrich Productions, Inc. (collectively, "Respondents" or the "Named Parties") with respect to the complaint filed by Citizens for Responsibility and Ethics in Washington ("CREW") and Ms. Melanie Sloan (MUR 6518, the "Complaint"). As discussed in great detail within this Response, the Complaint authored by CREW and Ms. Sloan against the Named Parties has no basis in either law or fact. Rather, the complainants merely assert that based upon information extrapolated from a small handful of media reports, there is a *possibility* that a violation of the Federal Election Campaign Act of 1971 (the "Act") *may* have occurred, and as such, the Commission should undertake an immediate investigation and enforcement action against the Named Parties. Nothing could be further from the truth.

Upon review of the information contained in this Response, it should be readily apparent to the Federal Election Commission ("FEC" or the "Commission") that the factual inferences contained within the Complaint are wrong, that no campaign finance violations have occurred, and that no further inquiry or investigation by the Commission is required. In light of these

conclusions and the lack of factual support for the Complaint at issue, the Commission should refrain from any further investigation associated with MUR 6518 and immediately dismiss the Complaint as it applies to all of the Named Parties. Moreover, because the allegations of the CREW Complaint, verified under oath as being accurate by Ms. Sloan, are so patently meritless on their face, the Named Parties respectfully request an Order from the Commission obligating CREW to reimburse the Named Parties such attorneys fees as they incurred in responding to the Complaint.

I. Introduction

Relying on nothing more than assumptions without factual foundation, CREW filed the present Complaint with the Commission alleging that the Named Parties may have violated the Act in several different fashions. Not coincidentally, the Complaint was filed less than two weeks before the Iowa Republican Caucuses – the first contest of the 2012 Republican primary election cycle and a contest in which Speaker Gingrich (one of the Named Parties) was a prominent candidate. From the complete lack of evidence proffered in support of the allegations against Speaker Gingrich and the other Named Parties in the Complaint, one can only conclude that CREW and Ms. Sloan filed this action as a political ploy designed to embarrass the Speaker during the primary campaign season rather than as a means through which to redress actual violations of the Act.

Even a cursory review of the allegations contained in the Complaint leads one to the conclusion that CREW's claims are wholly without merit. The Complaint is based entirely on unfounded assumptions, incomplete circumstantial evidence, and extrapolations from tangential media reports related to the campaign activities of Speaker Gingrich and Newt 2012, as well as the business activities of Mrs. Gingrich and Gingrich Productions. CREW posits that the Named

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Parties committed "direct and serious violations" of the Act by "using corporate funds to pay for a portion of the expenses of dual purpose events promoting the candidacy of Newt Gingrich", using corporate funds to "facilitate[e] the making of contributions" to Newt 2012, converting Newt 2012 campaign funds to personal use, and "failing to report a disbursement of \$42,000 to Newt Gingrich for the purchase of a mailing list." (Complaint, p. 7-8). The Complaint, however, provides no foundation for such assertions.

As is demonstrated fully below, each of the claims advanced by CREW is fundamentally false. At all times since Speaker Gingrich began exploring a run for the Republican presidential nomination, Newt 2012 (whether in its exploratory committee or principal campaign committee form), Ms. Lisker, and the Speaker have carefully respected the legal bounds set forth by the Act, FEC regulations, and relevant Commission advisory opinions. In much the same fashion, Mrs. Gingrich and Gingrich Productions have taken all relevant precautions to ensure that their independent business activities do not run afoul of the same rules and regulations. As such, any assertion that Gingrich Productions' corporate funds were wrongfully used to support Newt 2012, claim that campaign funds were converted to personal use, or declaration that the campaign failed to report its disbursements are altogether inaccurate. Consequently, there is no foundation upon which to initiate an investigation of the Named Parties and their activities, nor is there any reason to conclude that the Act, its implementing regulations, or any other laws have been violated.

II. Statement of Facts

Speaker Newt Gingrich is a former Member of Congress from the State of Georgia and the 58th Speaker of the U.S. House of Representatives. At present, Speaker Gingrich is also a widely-recognized Republican candidate for the office of President of the United States. On

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March 3, 2011, Speaker Gingrich announced his attention to "test the waters" for a potential 2012 presidential run. (See Exhibit #1 attached hereto). The following day, on March 4, 2011, Speaker Gingrich filed forms with the Internal Revenue Service to establish a Section 527 entity known as Newt Exploratory 2012, which allowed him to raise funds in support of his testing-the-waters activities. (See Exhibit #2 attached hereto).

During a portion of this exploratory period, Speaker Gingrich served as the Chief Executive Officer of Gingrich Holdings, Inc., a Georgia corporation. Shortly before becoming an official presidential candidate, however, Gingrich Holdings underwent a few notable structural changes. First and foremost, Mrs. Callista Gingrich replaced the Speaker as the new Chief Executive Officer of the company, which is reflected on Gingrich Productions' 2011 annual corporate registration statement. (See Exhibit #3 attached hereto). In addition, Gingrich Holdings filed an amendment to its Articles of Incorporation with the Office of the Secretary of State of Georgia that effectively changed the name of the corporation from Gingrich Holdings to Gingrich Productions, Inc. (See Exhibit #4 attached hereto). This amendment was submitted to the Secretary of State's Office on May 10, 2011. (Id.).

The next day, Speaker Gingrich announced his formal intention to seek the Republican presidential nomination. As required under federal law, he subsequently submitted his FEC Form 2 Statement of Candidacy to the Commission on May 13, 2011. (See Exhibit #5 attached hereto). To support his presidential campaign efforts, Speaker Gingrich also created a Georgia non-profit corporate entity, known as Newt 2012, Inc., which was incorporated on May 11, 2011 and registered with the Office of the Secretary of State of Georgia on May 12, 2011. (See Exhibit #6 attached hereto). This entity, designed to function as the Speaker's principal

campaign committee, officially became such on May 13, 2011 when it filed a FEC Form 1 Statement of Organization with the Commission. (See Exhibit #7 attached hereto).

In its FEC Form 1, Newt 2012 (FEC committee identification #C00496497) named Ms. Lisa Liker as Treasurer and Custodian of Records for the campaign committee. (Id.). In that capacity, she has been primarily responsible for ensuring that Newt 2012 complies with the reporting and disclosure requirements of the Act and its associated regulations. (Declaration of Lisa Lisker, ¶2, attached hereto as Exhibit #8). Since that time, she has successfully overseen the filing of the committee's July 2011 and October 2011 quarterly FEC filings, as well as its 2011 year-end submission, all of which provide the Commission and the general public with complete and accurate records of Newt 2012's campaign receipts and disbursements. (Id. at ¶5-12). To assist with such filings, Newt 2012 and Ms. Lisker utilize "Crimson", a comprehensive campaign finance software produced by CMDI that is considered one of the most widely-used and widely-respected FEC compliance programs in the country. (Id. at ¶4). Likewise, when necessary, Ms. Lisker and Newt 2012 seek comprehensive legal support and guidance on federal record-keeping and disclosure requirements from the campaign committee's outside legal counsel. (Id.).

Since the time that Speaker Gingrich first announced his presidential candidacy, he has been vigorously campaigning across the United States. Likewise, Newt 2012 has been collecting individual donations from contributors around the country and making disbursements in support of the Speaker's campaign efforts. As part of this endeavor, Newt 2012 representatives and campaign staffers have attended innumerable events around the country promoting the policy ideas and message of Speaker Gingrich and raising money for his campaign. The Speaker and Mrs. Gingrich have also appeared at many, if not all, of these same events.

Throughout the Speaker's candidacy, Mrs. Gingrich has likewise pursued her role both as spouse of a presidential candidate and as CEO of Gingrich Productions, which is a multimedia production company focused on the development, production and promotion of historical and public policy documentaries, books, newsletters, audio books, photographic essays, speeches, and multimedia presentations authored by the Gingriches. (Declaration of Alicia Melvin, ¶2, attached hereto as Exhibit #9). In that position, Mrs. Gingrich has made numerous appearances around the country (often with Speaker Gingrich) to promote various materials produced by Gingrich Productions, including *Sweet Land of Liberty* (a children's book about U.S. history), *Nine Days that Changed the World* (a movie about Pope John Paul II's 1979 pilgrimage to Poland), and *A Nation Like No Other* (a book exploring the concept of American exceptionalism). At all times during these efforts, both Mrs. Gingrich and Speaker Gingrich have been careful to separate business activities conducted on behalf of Gingrich Productions and campaign activities associated with the Speaker's presidential run. (Id. at ¶5-9).

Specifics regarding this separation will be addressed in greater detail during the argument section of this Response, but it is nevertheless important to note that both Mrs. Gingrich, in her capacity as CEO of Gingrich Productions, and Speaker Gingrich, in his capacity as a presidential candidate, have taken all necessary precautions to ensure that they meet the requirements of the Act, FEC regulations, and all other federal laws governing the separation of campaign and private business activities. To make certain that they do not run afoul of such legal standards, both Speaker and Mrs. Gingrich have spent a considerable amount of time consulting with legal counsel and developing institutional frameworks designed to guard against the improper entanglement of Newt 2012 and Gingrich Productions activities. (Id. at ¶5). The overarching result of these efforts is a clear dedication on the part of both the Speaker's campaign and Mrs.

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Gingrich's company to adhere to the very laws that they are accused of violating in the CREW Complaint.

At all times since the announcement of Speaker Gingrich's presidential candidacy, both Newt 2012 and Gingrich Productions have worked tirelessly to create the necessary wall of separation between the business activities of Mrs. Gingrich's corporation and the political activities of the Speaker's campaign. (Id.). In all instances, this partition has been evidenced through separately-scheduled, separately-funded, and separately-staffed events involving the Speaker and Mrs. Gingrich. (Id. at ¶8). Under most circumstances, this fact is readily apparent and unassailable. In certain circumstances, however, the nature and timing of events sponsored by Newt 2012 and Gingrich Productions may have been such that they caused confusion on the part of CREW, Ms. Sloan, or the miscellaneous newspaper reporters cited in the Complaint. Such confusion regarding the independent nature of Newt 2012 and Gingrich Production events on the part of CREW does not provide a factual basis upon which to pursue an investigation against the Named Parties in this matter. In fact, despite assertions to the contrary by CREW, there is no evidence to support the conclusion that any impermissible "dual purpose events" or activities have been staged by Newt 2012 or Gingrich Productions during the course of Speaker Gingrich's presidential campaign. (Id. at ¶5-9).

In all situations where the Speaker and/or Mrs. Gingrich have appeared on behalf of Newt 2012 and Gingrich Productions in close succession in the same city or same general location, proper precautions have been taken to ensure compliance with federal law and FEC guidance. (Id. at ¶6-9). Specifically, both the campaign and the company have made certain that they are funding and staffing activities in an independent manner such that campaign resources are not used to generate personal income and such that corporate resources are not inadvertently

given as in-kind political contributions. (Id. at ¶8-9). To this end, where necessary, both Newt 2012 and Gingrich Productions have strictly followed Commission direction with regard to “mixed use” travel and expenditures. Indeed, in this context, both entities have sought and followed legal guidance aimed at preserving the proper separation between campaign and business activities under the Act and its accompanying regulations. From staffing decisions to institutional record keeping, both Newt 2012 and Gingrich Productions have made an affirmative effort to comply with the legal obligations demanded of both federal campaign committees and corporations by the Commission.

Included among these obligations in the campaign context is the obligation to accurately report disbursements made by the committee during a particular reporting period. In the present Complaint, CREW wrongfully suggests that Newt 2012 and Ms. Lisker failed to report a campaign disbursement of \$42,000 to Speaker Gingrich for the purpose of purchasing his personal mailing list. Nothing could be further from the truth. In fact, Exhibit 1 of the Complaint itself clearly indicates that Newt 2012 disclosed its purchase of the mailing list from Speaker Gingrich on its second quarter FEC disclosure filing. (Complaint, Exhibit 1). CREW attempts to confuse the matter by referencing second-hand quotes from a *Washington Post* article, but the fact remains that Newt 2012 and Ms. Lisker openly reported the disbursement at issue. (Lisker Declaration at ¶12). This Response will provide more detail regarding the timing of the disclosure in the Argument section below, but it is nevertheless important for the Commission to recognize that there is no verifiable evidence to support the notion that Newt 2012 and Ms. Lisker failed to report such a campaign disbursement.

Undoubtedly recognizing the overall weakness of this argument, CREW and Ms. Sloan also posit an alternative narrative in the Complaint regarding the mailing list at issue – that the

list itself was not actually Speaker Gingrich's property, but rather the property of Gingrich Productions, at the time of its purchase. Rather than offer any affirmative evidence to support such an accusation, CREW instead rests its allegation upon the ridiculous contention that the Speaker's failure to reference the list on his U.S. Office of Government Ethics ("OGE") Executive Branch Personnel Public Financial Disclosure Report ("Financial Disclosure") indicates that the list was instead owned by Gingrich Productions. (Complaint, p. 5 & 8). This Response will tackle the absurdity of such logic in the Argument section below, but it remains important to note that there is absolutely no basis in fact for the claim that the mailing list referenced by CREW was the property of Gingrich Productions. (Melvin Declaration at ¶10-11). In fact, to make such an assertion not only constitutes a clear abuse of the FEC complaint process, but it also ignores the incontrovertible fact that the mailing list bought by Newt 2012 was indeed the personal property of Speaker Gingrich.

III. Argument

A. Gingrich Productions Did NOT Use Corporate Funds to Pay for a Portion of the Expenses of Dual Purpose Events Promoting the Candidacy of Speaker Gingrich.

As the Commission and the Respondents are well aware, both the Act and FEC regulations prohibit corporations from making contributions in connection with any federal election. 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2(a). As is noted in the language of the CREW Complaint, this prohibition is defined to include "the provision of any goods or services without charge or at a charge that is less than the usual and normal charge for such goods and services." (Complaint, p. 6). Thus, when corporate goods or services are provided for free or at a discount to a candidate or political committee for an election-related purpose, it is considered a prohibited corporate contribution under the Act. The Commission has confirmed this fact time and again in

various Advisory Opinions, including AOs 1982-16, 1980-109, 1978-60, and 1976-50. For the purposes of this proscription, federal regulations broadly characterize goods and services to include such items as “[s]equities, facilities, equipment, supplies, personnel, advertising services, membership lists, and mailing lists.” 11 C.F.R. § 100.52(d)(1).

In light of the above prohibition, CREW alleges in “COUNT I” of its Complaint that Gingrich Productions used “corporate funds to pay for a portion of the expenses of dual purpose events promoting the candidacy of Newt Gingrich while also promoting the sale of books by Newt Gingrich and by collecting the email addresses of people attending the dual purpose events for the purpose of soliciting contributions to Newt 2012, Inc., in the future.” (Complaint, p. 7). In support of this contention, the Complaint asserts that Gingrich Productions organized dual purpose political and business events that “involved [corporate] expenditures for facilities, equipment, supplies, personnel and advertising services.” (Complaint, p. 7). Likewise, CREW claims that such expenditures by Gingrich Productions “allowed the campaign committee to take advantage of the expenses borne” by the corporate entity. (Complaint, p. 7). Based upon the totality of circumstances detailed in these particular accusations, CREW contends that Gingrich Productions actively violated both 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2(a). These claims are false.

In support of its allegations against Gingrich Productions, however, CREW can offer little more than baseless assertions and innuendo. In fact, the only evidence presented by CREW to corroborate the accusations levied in the Complaint are two newspaper articles published by *The Washington Post* and *The New York Times*. (See Complaint, Exhibits 10 & 11). Both articles, as should be readily apparent to the Commission, do absolutely nothing to bolster the

merit of CREW's claims. Rather, both pieces of journalism do more to undermine CREW's allegations than to authenticate them.

Consider first, for example, Amy Gardner's December 8, 2011 piece in *The Washington Post* entitled "Gingrich's Book-Selling Efforts Test Law". Misleading title aside, this article falls well short of what the Commission typically considers persuasive evidence in support of a complaint. CREW actively "cherry picks" the most "damaging" portions of Ms. Gardner's piece in its Complaint and still manages to cite only three inconclusive sentences that purportedly substantiate its allegations. Nothing in those sentences, however, indicate that Newt 2012 or Gingrich Productions have engaged in any behavior that runs afoul of 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2(a). In fact, the article contains zero references to any corporate expenditures made by Gingrich Productions on behalf of Newt 2012 and likewise makes it abundantly clear that the conduct characterized in the piece is perfectly legal. Ms. Gardner goes so far as to explicitly assert this point when she opines, "[t]here is agreement that Gingrich is following the law."

In much the same way, Trip Gabriel's December 8, 2011 piece in *The New York Times* entitled "Gingrich, Ahead in Polls, Is Still Selling Books" falls well short of compelling evidence in support of the Complaint. CREW cites one sentence in Mr. Gabriel's article for the express purpose of insinuating that there may be some degree of confusion among individuals attending Gingrich Productions and Newt 2012 taking place at common times in common or nearby venues. Specifically, Gabriel contends that "although some buyers are under the impression that sales of their books, like T-shirts or coffee mugs, support the campaign, the proceeds go to the Gingrishes personally, even as the campaign is scrambling to pay off debt and raise enough money to run an ambitious national operation." Nothing in this sentence, or anywhere else in

Mr. Gabriel's article, establishes or even mildly supports the assertion that Newt 2012 and Gingrich Productions have engaged in prohibited behavior under either 2 U.S.C. § 441b(a) or 11 C.F.R. § 114.2(a). In fact, the content of the article itself makes it abundantly clear that the conduct described in this *New York Times* article is completely within the bounds of federal law. The author confirms this point quite plainly when he writes, “[c]ampaign finance experts said that promoting a book for personal profit while running for office was within the law.”

In sum, these articles lend absolutely no support to the misleading claims levied by CREW and provide no basis for a Commission inquiry into potential violations of 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2(a). At best, they are tangential “exhibits” that do more to undermine the legitimacy of CREW’s allegations than to bolster them, and at worst, they provide clear and convincing evidence of the baseless and inappropriate nature of the present Complaint (particularly “COUNT I” and “COUNT II”). Characterization of the exhibits as such is due in large part to the manner in which both articles confirm the facts presented by the Named Parties in this Response.

As is clearly corroborated by Ms. Gardner’s *Washington Post* piece, both Newt 2012 and Gingrich Productions have taken all necessary and proper precautions to prevent direct or indirect violations of 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2(a) by seeking and following comprehensive legal advice related to the separation of campaign and business conduct. As discussed in the Statement of Facts section of this Response and confirmed by Ms. Gardner, this legal advice came in the form of “a set of detailed protocols governing how Gingrich Productions ... interacts with the campaign.”¹ These protocols clearly recommend that Newt 2012 and Gingrich Productions fund, staff, and implement their political and business activities

¹ Gardner, “Gingrich’s Book-Selling Efforts Test Law,” *The Washington Post*.

in an independent manner such that campaign resources are not used to generate personal income and such that corporate resources are not inadvertently given as in-kind political contributions. Since Speaker Gingrich's decision to seek the Republican presidential nomination, these protocols have been in place and respected by all Newt 2012 and Gingrich Productions personnel. (Melvin Declaration at ¶5). The result of such precautions has been an operational framework that respects federal law and regulations as well as FEC guidance regarding "mixed use" travel and activities.²

In light of this organizational framework and the legal protocols associated with it, there is absolutely no doubt that Gingrich Productions did not organize dual purpose political and business events³ involving inappropriate corporate expenditures on behalf of Newt 2012. As such, it is also readily apparent that Newt 2012 did not inappropriately "take advantage" of expenses born by Gingrich Productions during such events. In fact, at no point in time since the creation of these two separate and independent entities has either violated federal law or otherwise made inappropriate expenditures on behalf of the other. All business activities travel, and other expenses associated with the sale and promotion of Gingrich Productions products

² The legality of the operational frameworks employed by both Newt 2012 and Gingrich Productions are clearly substantiated in the content of Mr. Gabriel's *New York Times* piece. At various points throughout the article, the author makes readily clear that the activities and conduct of both entities are separate and "within the law." Specifically, Mr. Gabriel confirms that the "book signings are run by Gingrich Productions" and that only campaign aides are responsible for conducting political activities. At no point in the context of the piece does the author or any other individuals quoted insinuate or suggest that Gingrich Productions is providing services to Newt 2012 in a manner that would qualify as an in-kind contribution.

³ On p. 7 of the Complaint, CREW references Advisory Opinion 1982-16 in an attempt to convey the notion that the Commission should draw into question the activities of Gingrich Productions and Newt 2012 because the FEC has condemned "dual purpose event[s] for fundraising and the promotion of a candidate's book because the publisher's payment of the cost of the event would constitute a prohibited corporate contribution by the publisher to the candidate." The commentary provided by the FEC in that AO is clearly inapplicable to the instant case. Not only does the current matter not involve a situation in which a corporation funded a campaign event without reimbursement, but it also does not entail actively coordinated "dual purpose" events funded by a single entity to the benefit of another. To suggest otherwise ignores the circumstances on the ground and the fact that all Newt 2012 and Gingrich Productions events were separately planned and funded for independent purposes. (Melvin Declaration at ¶5-9).

have been borne by Gingrich Productions. (*Id.* at ¶8-9). Likewise, all political activities, travel, and other expenses associated with the presidential campaign of Speaker Gingrich have been borne by Newt 2012. Any assertions to the contrary are completely without factual support or foundation.

In sum, given that “COUNT I” of the CREW Complaint has no evidentiary or logical foundation, the Commission should consider it wholly meritless and cause it to be summarily dismissed. CREW is attempting to dirty the reputations of Newt 2012 and Gingrich Productions by insinuating that they are openly violating 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2(a) through their day-to-day campaign and business operations. As is clear from the facts presented in this Response, nothing could be further from the truth. Both Newt 2012 and Gingrich Productions operate fully within the bounds of federal campaign finance law and FEC regulations, and CREW cannot provide one scintilla of evidence to the contrary. In fact, CREW cannot even provide evidence in support of its claims that does not actively bolster the defenses put forth in this Response. Accordingly, this Commission should discharge COUNT I without further investigation and refrain from lending any credence to this political attack masquerading as a claim.

B. Gingrich Productions Did NOT Facilitate the Making of Contributions to Speaker Gingrich by Using Corporate Funds to Pay for the Collection of Its Customers’ E-Mail Addresses or by Selling Books for the Purpose of Soliciting Donations to Newt 2012.

Respondents have always recognized that, in the same way that the Act and FEC regulations prohibit corporations from making direct contributions to federal candidates, they also prohibit corporations from making financial donations that indirectly assist or benefit individuals seeking federal office. As noted in the language of the CREW Complaint, this exclusion specifically applies to corporate activities that “facilitat[e] the making of

contributions" to political campaigns. 11 C.F.R. § 114.2(f). In this context, facilitation is defined to include "using corporate ... resources or facilities to engage in fundraising activities in connection with any federal election." 11 C.F.R. § 114.2(f)(1). Within the confines of these regulations, many different types of activities are considered to qualify as facilitation, including utilizing a list of corporate customers to solicit contributions to a federal candidate without first providing advance payment for the fair market value of the list. 11 C.F.R. § 114.2(f)(2)(i)(C).

In light of the above prohibitions, CREW alleges in "COUNT II" of the Complaint, without the benefit of any factual support whatsoever, that Gingrich Productions "authorized the use of corporate funds to pay for the collection of email addresses of [its] customers at dual events promoting the candidacy of Newt Gingrich." (Complaint, p. 8). CREW likewise asserts (without foundation) that Gingrich Productions authorized the use of corporate funds to pay for "the sale of books ... for the purpose of soliciting contributions to Newt 2012, Inc. in the future." (Complaint, p. 8). In addition to these interconnected claims, the Complaint concludes that Speaker Gingrich and/or Mrs. Gingrich, in their leadership capacities with Gingrich Productions must have "authorized the transfer of a mailing list owned by Gingrich Productions, Inc. to Newt 2012, Inc." (Complaint, p. 8). Based upon the totality of these assumptions, CREW concludes that Gingrich Productions (and perhaps Speaker Gingrich and/or Mrs. Gingrich) must have actively violated 11 C.F.R. § 114.2(f).

Just as with COUNT I of the Complaint, CREW can offer little more than baseless accusations and innuendo in support of this claim. In fact, the only discernible pieces of evidence CREW puts forth to corroborate the conclusions reached in COUNT II are the same newspaper articles addressed in the previous subsection of this Response. Both these journalistic pieces, as discussed above, fall well short of the standard necessary to justify further

investigation by the Commission. In fact, although relied upon as exhibits by CREW, both Ms. Gardner's article in *The Washington Post* and Mr. Gabriel's piece in *The New York Times* do more to undermine CREW's allegations than to authenticate them. As a result, COUNT II simply cannot survive scrutiny.

Given the previous analysis of CREW Exhibits 10 and 11 provided by this Response, it should be readily apparent that they provide no factual or evidentiary basis to support a Commission investigation or a viable campaign finance law violation. As such, this Subsection will not spend a great deal of time reiterating their content for the Commission or responding to their inherent flaws. Rather, this portion of the Response will focus on briefly refuting the inaccurate conclusions, taken from these articles, that make up the basis of COUNT II. Before doing so however, it is important for the FEC to note that the basic analytical principles and defenses offered against COUNT I in this Response equally apply to COUNT II of the Complaint and are hereby incorporated by reference.

This Response chooses to reassert the arguments it provided in Subsection A above because the allegations levied by CREW in COUNT II of the Complaint are essentially an imaginative reformulation of the baseless accusations posed in COUNT I. In COUNT I, CREW alleges that the corporate resources of Gingrich Productions were used to directly fund “dual purpose” events supporting Newt 2012 and the presidential candidacy of Speaker Gingrich. In COUNT II, the Complaint simply repackages this same unjustifiable charge to allege that Gingrich Productions utilized its corporate resources to indirectly benefit Newt 2012 and Speaker Gingrich. No matter how well (or poorly) adorned, a meritless claim is still a meritless claim.

Nowhere within the Complaint or its attached exhibits does CREW provide the Commission with any factual support for the claim that Gingrich Productions, Newt 2012, or any of the other Named Parties violated 11 C.F.R. § 114.2(f). As clearly articulated within the language of this regulation and its subparts, federal law prohibits corporations from “facilitating” the making of political contributions to campaigns by using corporate resources to engage in fundraising activities in connection with a federal election. At no point since Speaker Gingrich’s decision to campaign for President has Gingrich Productions utilized its corporate resources to “engage in fundraising activities” for Newt 2012 or to otherwise facilitate the making of political contributions in violation of 11 C.F.R. § 114.2(f). (Melvin Declaration at ¶9). Likewise, in that same time frame, no other Named Parties have authorized or instructed Gingrich Productions to utilize its corporate resources in a similar manner. As previously established in this response, Gingrich Productions explicitly guards against the direct or indirect provision of corporate resources to political campaigns and has done nothing in this instance to pay for the collection of e-mail addresses or the sale of books for the purpose of soliciting future contributions to Newt 2012. (Id. at ¶5-9).

Despite these facts, CREW insists that Gingrich Productions is involved in some nefarious scheme of expressly funding “dual purpose” events to facilitate fundraising for Speaker Gingrich’s presidential campaign. In support of these proclamations, CREW relies again on the same three sentences of *Washington Post* journalism that purportedly corroborate COUNT I of the Complaint. As with COUNT I, these sentences provide no basis for further investigation. Specifically, they proclaim the following:

“In that Naples ballroom, assistants from the campaign and the business mingled to manage the crowd and the candidate. . . . The extent to which Gingrich Productions helps Gingrich for President – and vice versa – is obvious on the road. The Gingrishes collect

signatures of people waiting to have their books signed, and those names are funneled into his political mailing list."

The most one can surmise from these sentences is that on a singular day in Naples, Florida, representatives of both Gingrich Productions and Newt 2012 were operating in close proximity to support the independent operations to which they were assigned. Newt 2012 representatives were overseeing a campaign event paid for by the campaign and were actively seeking to gather signatures and contact information from individuals in attendance. Likewise, Gingrich Productions representatives were overseeing a subsequent book signing event paid for by the company and were actively seeking to sell its products. There is absolutely no indication from these particular newspaper references or any of the other "evidence" submitted by CREW that individuals from either entity were overstepping the legal bounds of the Act, federal regulations, or other FEC guidance. To suggest otherwise is to invent facts and to imagine violations where there are none.

In this instance, it appears that CREW feels comfortable engaging in that exact type of conduct. COUNT II takes a sentence asserting that "the Gingriches collect signatures of people waiting to have their books signed" and turns it into an accusation that Gingrich Productions used corporate funds to pay for the gathering of signatures and the sale of books with the express purpose of utilizing such activities to facilitate political contributions to Newt 2012 in the future. As should be readily apparent to the Commission, this assumes false premise on top of false premise. No such activity has ever taken place at the behest of Speaker or Mrs. Gingrich, nor has Gingrich Productions ever utilized its resources to facilitate the making of past, present or future political contributions to any federal candidate. (Melvin Declaration at ¶9).

Gingrich Productions is in the business of selling and promoting books, movies, and other multimedia products that have been created or developed by Speaker and Mrs. Gingrich.

Succeeding in this business necessarily requires that both Speaker and Mrs. Gingrich participate in events marketing and selling these products. (Id. at ¶2-3). As such, it is both logical and legal for Gingrich Productions to schedule, organize, and fund book-signings and other promotional events around the country involving the Speaker and his wife. (Id. at ¶3-6). Doing so, however, unavoidably involves holding Gingrich Production events in locations in close proximity such that it is possible for the Gingriches to attend. In light of Speaker Gingrich's ongoing presidential campaign and given the nature of the couple's everyday schedules, this typically requires Gingrich Productions to conduct its promotional activities near locations where the campaign is holding political events. (Id.).

As the Commission is well aware, this is by no means either a new phenomenon or in any way improper. Businesses and vendors of all stripes often conduct sales operations at or near the sites of political campaign rallies. This is especially the case with regard to presidential campaign events. Such rallies draw large crowds of interested citizens that businesses hope to convert to consumers. As such, it appears rather odd to contend that the mere proximate coexistence of business operations and political operations in various settings infers violations of the Act and its accompanying regulations. This is even more odd considering the number of past presidential candidates who have participated in the exact same type of "dual" political rallies and book signings without ever drawing the ire of CREW or coming close to running afoul of campaign finance laws. CREW's own exhibit even indicates that former 2012 presidential candidates Herman Cain and Representative Michelle Bachmann engaged in such conduct while pursuing the Republican presidential nomination, yet there is no sign that CREW considers their actions to be improper facilitation. (See Complaint, Exhibit 11). And there is a simple reason

why this is the case – because such conduct does not in any way constitute a 11 C.F.R. § 114.2(f) violation.

So long as a corporation funds its own activities and does not directly or indirectly engage in fundraising activities or provide resources that facilitate the making of financial contributions to a political campaign, there can be no infringement of 11 C.F.R. § 114.2(f). The regulation does not prohibit corporations and campaigns from operating in close proximity to one another, nor does it ban federal candidates from participating in business activities unaffiliated with their campaign committees. In fact, the facilitation regulation and other components of federal campaign finance law explicitly contemplate the sort of “mixed use” activities conducted by Speaker Gingrich and other federal candidates around the country each year. See AO 2002-05 *et al.* Provided candidates adhere to FEC guidance and ensure that their affiliated campaign and business entities properly segregate event costs in such “mixed use” settings, there should be no opportunity for the inadvertent “facilitation” of campaign contributions.

This is precisely why Newt 2012 and Gingrich Productions implemented the independent protocols as discussed in the previous subsection of this Response – to ensure that both parties do not unintentionally facilitate or otherwise aid in the activities of the other during the sort of closely-scheduled events discussed above. These protocols clearly require that Newt 2012 and Gingrich Productions fund, staff, and implement their political and business activities in an independent manner such that campaign resources are not used to generate personal income and such that corporate resources are not inadvertently given as in-kind political contributions or used to facilitate campaign contributions. (Melvin Declaration at ¶5-9). Since Speaker Gingrich’s decision to seek the Republican presidential nomination, these protocols have been in

place and respected by all Newt 2012 and Gingrich Productions personnel. (*Id.*). All business activities, travel, and other expenses associated with the sale and promotion of Gingrich Productions products have been borne by Gingrich Productions. (*Id.* at ¶8). Likewise, all political activities, travel, and other expenses associated with the presidential campaign of Speaker Gingrich have been borne by Newt 2012. Any assertions to the contrary are completely without factual support or foundation.

Given the above facts and the lack of evidentiary support put forth by CREW, it is clear that “COUNT II” of the Complaint is wholly without merit and should be summarily dismissed by the Commission. Through pure innuendo and baseless accusations, CREW is attempting to portray Gingrich Productions as a corporate entity dedicated to using its resources for the inappropriate purpose of facilitating present and future contributions to Newt 2012. As is clear from the facts presented in this Response, however, nothing could be further from the truth. Gingrich Productions operates fully within the bounds of federal campaign finance law and FEC regulations, and has done nothing to run afoul of the legal requirements of 11 C.F.R. § 114.2(f). Likewise, Newt 2012 has done nothing as a campaign to encourage or aid any of the sorts of improper activities alleged by CREW. The second-hand commentary and feeble evidentiary support offered by CREW is woefully insufficient to justify either the claims in COUNT II or any further investigation on the part of the FEC. Accordingly, this Commission should immediately discharge COUNT II of the Complaint without further inquiry.

C. Speaker Gingrich Did NOT Accept Payment of \$42,000 from Newt 2012 for the Use of a Mailing List Belonging to Gingrich Productions.

Respondents are well aware that both the Act and FEC regulations directly prohibit the conversion of federal campaign funds by any individual to personal use. As the Commission has recognized, the legal framework governing this prohibition is primarily set forth in 2 U.S.C. §

439a(b)(1), 11 C.F.R. § 113.1(g), and 11 C.F.R. § 113.2(e). This framework characterizes a wide range of expenses as examples of improper “personal use”, including utilization of campaign funds for private food items, household supplies, candidate clothing, personal mortgages or utilities, private investment, non-campaign-related entertainment, and inappropriate dues or fees.⁴ Other expenditures, however, are explicitly considered non-personal in nature, including charitable donations, the transfer of campaign assets to a third party at fair market value, and various campaign salaries.⁵ Those not falling into either of above categories are typically assessed on a case-by-case basis to determine whether or not the expenses at issue are ones that would exist “irrespective of” a candidate’s campaign or duties as a federal officeholder. If so, then they are typically considered improper personal expenses. If not, then they are typically classified as a non-personal expense that can be paid from campaign funds. Commonly accepted case-by-case expenses include campaign meal, travel, vehicle and legal expenses.⁶

In light of the above legal standards, CREW alleges in “COUNT III” of its Complaint that Speaker Gingrich “accepted payment of \$42,000 in campaign funds from Newt 2012, Inc. for the use of a mailing list that belonged to Gingrich Productions.” (Complaint, p. 8). Through this accusation, CREW is insinuating that the Speaker’s campaign committee wrongfully paid a sizable sum of money to him for the purchase of a direct mail list that was not his actual property. As a result, CREW is contending that both Newt 2012 and the Speaker improperly

⁴ See, e.g., 11 C.F.R. § 113.1(g)(1)(i)(A); 11 C.F.R. § 113.1(g)(1)(i)(D); 11 C.F.R. § 113.1(g)(1)(i)(E); AO 2011-05; AO 2009-08; 11 C.F.R. § 113.1(g)(1)(i)(F); and AO 1995-26.

⁵ See 11 C.F.R. § 113.1(g)(2); AO 2005-06; AO 1997-01; AO 1996-40; AO 1994-20; 11 C.F.R. § 113.1(g)(3); and 11 C.F.R. § 113.1(g)(1)(i)(I).

⁶ See 11 C.F.R. § 113.1(g)(1)(ii)(B); 11 C.F.R. § 113.1(g)(1)(ii)(C); AO 2002-05; AO 2000-37; AO 1996-19; 11 C.F.R. § 113.1(g)(1)(ii)(D); AO 2001-03;

converted federal political contributions to “personal use” in violation of 2 U.S.C. § 439a(b)(1), 11 C.F.R. § 113.1(g), and 11 C.F.R. § 113.2(e).

Based upon a proper examination of the facts at issue in this matter, it is readily apparent that the substance of this CREW claim is entirely false. Newt 2012 did not wrongfully convert federal campaign contributions to a \$42,000 “personal use” payment for Speaker Gingrich, nor did the Speaker improperly accept such a payment from his campaign committee for a mailing list that was the property of Gingrich Productions. In fact, such assertions in COUNT III are wholly without merit and readily refutable. As will be established below, the mailing list referenced by CREW in its Complaint and purchased by Newt 2012 in the second quarter of 2011 did not in any way come from Gingrich Productions and was solely the personal property of Speaker Gingrich. In fact, at no point in time prior to or after the list’s sale to Newt 2012 did Gingrich Production ever own, possess, or have access to the Speaker’s mailing list. (Melvin Declaration at ¶11). The two lists are simply not the same. (Id.). Subsequently, it is patently inaccurate for CREW to assert that the \$42,000 paid to Speaker Gingrich in exchange for his mailing list was an improper “personal use” of campaign funds. To the contrary, this payment was nothing more than a proper “campaign-related expense” in accordance with 2 U.S.C. § 439a(a) and 11 C.F.R. § 113.2. Newt 2012 paid fair market value compensation to the owner of a valuable mailing list, and as such, made a perfectly acceptable operating expenditure in connection with the federal campaign of Speaker Gingrich.

Despite the incontrovertible nature of these facts, the Complaint attempts to portray Newt 2012’s purchase of the mailing list from Speaker Gingrich as a sham payment designed to personally enrich the Speaker at the expense of his political contributors. The ludicrous nature of such an accusation is quickly exposed upon examination of the “evidence” provided by CREW

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in support of COUNT III. The only documentation set forth by CREW in support of its allegation of improper conversion of campaign funds to “personal use” is a copy of Speaker Gingrich’s Executive Branch Personnel Public Financial Disclosure Report from July 14, 2011. (Complaint, Exhibit 8). Because the Speaker’s submitted disclosure report does not specifically enumerate his personal mailing list as an asset on its Schedule A, CREW asserts that “there is no evidence to support the claim that Newt Gingrich personally owned the mailing list that was sold to Newt 2012, Inc. at some point during the second quarter of 2011.” (Id. and Complaint, p. 5). This statement is not only factually wrong, but it also fundamentally mischaracterizes the type of data required to be presented in an executive branch disclosure report.

Given the requirements of the disclosure report forms themselves, it should not at all be surprising that the Speaker’s personal mailing list was not disclosed on the report’s “Assets and Income” Schedule A form. This is because Schedule A only compels reporting individuals to disclose “assets held for investment or the production of income which had a fair market value exceeding \$1,000 at the close of the reporting period, or which generated more than \$200 in income during the reporting period.” (Complaint, Exhibit 8). In light of these standards, there was no reason for Speaker Gingrich to disclose the personal mailing list on Schedule A. This is due to the fact that at the time of the report’s filing, the Speaker neither held his personal mailing list for the direct purpose of financial investment or the production of income, nor had he actually received any compensation for granting Newt 2012 access to it. Thus, it is foolhardy to consider the omission of the mailing list from Speaker Gingrich’s disclosure report a meaningful piece of evidence supporting the notion that he did not personally own the list. At most, the

exclusion of the mailing list from Speaker Gingrich's disclosure report reveals that he had not yet received any payment from Newt 2012 for access to his personal contacts.⁷

The proper timing of that disclosure is an issue that will be discussed in greater detail within the next subsection of this Response, but based upon the evidence put forth by CREW there is absolutely no reason to conclude that the omission of the mailing list from the Speaker's disclosure report is dispositive evidence that he did not personally own the list. Speaker Gingrich's financial report represented an accurate reflection of his personal assets and income at the time of the report's filing based upon the best financial information available to the Speaker and based upon the disclosure parameters articulated by the U.S. Office of Government Ethics. Given the data available and the nature of those guidelines, the Speaker was not required to disclose a personal mailing list as an asset on his financial report's Schedule A form.

Regardless of this fact, however, the omission of the Speaker's personal mailing list from his executive branch financial disclosure should not compel the unfounded conclusion offered by CREW in COUNT III of the Complaint – that the Speaker's mailing list was actually owned by Gingrich Productions. CREW's assertion in paragraph 21 of the Complaint has no foundation in fact and borders on the absurd. CREW contends that because Speaker Gingrich did not disclose personal ownership of a mailing list on his executive branch financial disclosure, he did not actually own such a list. And as a result, CREW proclaims, any such list that was in turn sold to Newt 2012 was actually the property of Gingrich Productions.

This deduction is at best illogical and at worst patently ridiculous. Even if one assumes for a moment that a lack of disclosure on the Speaker's financial reports demands the conclusion

⁷ Speaker Gingrich and Newt 2012 agreed on the fair-market sale of his personal mailing list in the second quarter of 2011, but the campaign was unable to make any payment to the Speaker until the fourth quarter of 2011, following the submission of his executive branch disclosure report. The timing of this payment and Newt 2012's disclosure of it on the campaign's FEC filing will be discussed in the following subsection of this Response.

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that he did not own the mailing list at issue (which it does not), such a determination does not compel one to infer that such mailing list is automatically the property of Gingrich Productions. The absurdity of this narrative and the complete lack of evidence presented in the Complaint to support this argument only goes to show how far CREW will go to assassinate the character of elected officials who do not share their political beliefs.

The truth remains that COUNT III of the Complaint is wholly without merit and based entirely on false accusations. Regardless of CREW's claims to the contrary, it is an indisputable fact that the mailing list negotiated for sale by Speaker Gingrich to Newt 2012 in the second quarter of 2011 was his own personal property and not the property of Gingrich Productions. (Melvin Declaration at ¶11-12). The Speaker, through his Counsel in this Response, directly warrants that the mailing list in question in the Complaint was indeed his own private property and not the property of any other entity. Additionally, Alicia Melvin, Chief Operating Officer of Gingrich Productions, has directly corroborated the fact that her company had no ownership rights over the contract list purchased by Newt 2012. (Id. at ¶12). She verifies this fact in her attached declaration, which proclaims the following:

"Gingrich Productions has never sold, attempted to sell, or negotiated to sell to Newt 2012, Inc. or any other federal campaign committees registered with the Federal Election Commission any contact lists or mailing lists. . . . [T]o the extent Newt 2012 purchased a contact list or mailing list during the second quarter of 2011, such a list did not originate from Gingrich Productions and could not have been the property of Gingrich Productions." (Id.).

Based upon these affirmations, the Commission should have no difficulty in concluding that the mailing list at issue in COUNT III of the Complaint was solely the property of Speaker Gingrich (and not Gingrich Productions) upon its sale to Newt 2012.

In sum, given that COUNT III of the Complaint has no evidentiary or logical foundation, the Commission should consider it wholly meritless and cause it to be summarily dismissed.

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CREW is falsely attacking Newt 2012 by claiming that it is openly converting federal contributions to improper "personal use" payments in violation of 2 U.S.C. § 439a(b)(1), 11 C.F.R. § 113.1(g), and 11 C.F.R. § 113.2(e). Likewise, CREW is attempting to sully the reputation of Speaker Gingrich by insinuating that he has both utilized campaign funds for personal use and failed to properly disclose personal assets on his executive branch financial disclosure. As is clear from the facts presented in this Response, nothing could be further from the truth. In agreeing to the sale of Speaker Gingrich's personal mailing list to Newt 2012, both entities were operating fully within the bounds of federal campaign finance law and pertinent FEC regulations, and CREW cannot provide one scintilla of evidence to the contrary. In fact, CREW cannot even provide evidence that contains a logical narrative in support of its allegations. Accordingly, this Commission should discharge COUNT III without further investigation.

D. Newt 2012 and Ms. Lisker Did NOT Fail to Report a Disbursement of \$42,000 to Speaker Gingrich for the Purchase of a Mailing List.

As the Commission is well aware, both the Act and FEC regulations require the principal campaign committee of a candidate for federal office to report all receipts and disbursements. 2 U.S.C. § 434(b)(4) and 11 C.F.R. § 104.9. Such receipts and disbursements are required to be disclosed through periodic filings with the Commission until such time as the committee has retired any debts, filed a termination report, and received notification from the FEC that the committee's termination report has been accepted. 11 C.F.R. § 102.3(b) & 11 C.F.R. 104.1(a). Presidential campaign committees, such as Newt 2012, are required to file such disclosure reports according to the schedule set forth in 11 C.F.R. § 104.5(b). With regard to these disclosure requirements, a principal campaign committee's treasurer is responsible for signing and filing timely, complete and accurate reports and statements with the Commission. 11 C.F.R.

104.14(d). Likewise, the treasurer is responsible for monitoring contributions to ensure committee compliance with the limits and prohibitions of campaign finance law, as well as keeping the required records for all committee receipts and disbursements. *See* 11 C.F.R. § 103.3(b); 11 C.F.R. § 110.1(k)(3); 11 C.F.R. § 102.9(c); and 11 C.F.R. § 104.14(b). With regard to all of these obligations, campaign committees and their treasurers must make their “best efforts” to obtain, maintain, and ultimately report all information required by law with respect to campaign receipts and disbursements. *See* 11 C.F.R. § 102.9(d) & 11 C.F.R. § 104.7(a).

In light of the above legal standards, CREW alleges in “COUNT IV” of its Complaint that Newt 2012 and Ms. Lisker, in her official capacity as Treasurer of Newt 2012, “fail[ed] to report a disbursement of \$42,000 to Newt Gingrich for the purchase of a mailing list.” In turn, CREW contends that both Newt 2012 and Ms. Lisker failed to meet their affirmative disclosure obligations to the FEC in violation of 2 U.S.C. § 434(b)(4) and 11 C.F.R. § 104.9. In light of the available evidence, this claim is wholly inaccurate as it relates to both of the accused parties and as such, should be summarily dismissed by the Commission without further investigation.

In support of the allegations associated with COUNT IV of the Complaint, CREW strangely provides two pieces of evidence that both fail to verify the claim that Newt 2012 and Ms. Lisker attempted to avoid disclosure of the campaign’s mailing list disbursement to Speaker Gingrich. The first of these evidentiary items (Complaint Exhibit 1) is a partial selection of pages from Newt 2012’s quarterly FEC campaign committee filing submitted on July 15, 2011. The second (Complaint Exhibit 9) is a newspaper article written by Dan Eggen at *The Washington Post* that quotes campaign spokesman R.C. Hammond discussing various items associated with Newt 2012’s payment of Speaker Gingrich for his personal mailing list.⁸ Neither

⁸ Dan Eggen, “Gingrich Fighting Massive Debt Racked Up In Campaign’s Extravagant Early Days,” *The Washington Post*, December 6, 2011.

exhibit supports the contention that Newt 2012 and/or Ms. Lisker committed violations of 2 U.S.C. § 434(b)(4) and 11 C.F.R. § 104.9.

Upon brief examination, it should be readily apparent to the Commission that Complaint Exhibit 1 provides clear evidence of the fact that Newt 2012 agreed to purchase Speaker Gingrich's personal mailing list during the second quarter of 2011 for the fair market value of \$47,005. (Complaint, Exhibit 1). This decision is reflected on p. 689 of the 699-page FEC submission as a debt or obligation owed to Speaker Gingrich. On its own, this piece of evidence does little more than confirm the Named Parties' factual contentions regarding COUNT III – that the mailing list at issue in the Complaint was indeed the property of Speaker Gingrich and not Gingrich Productions. Likewise, this piece of CREW "evidence" does more to substantiate the diligence of Newt 2012 and Ms. Lisker with regard to disclosure than to draw into question whether they used their best efforts to comply with 2 U.S.C. § 434(b)(4) and 11 C.F.R. § 104.9. Nevertheless, CREW seems content to argue that Complaint Exhibit 1, when taken in conjunction with Mr. Eggen's article (Complaint Exhibit 9), provides affirmative proof of the allegation that Newt 2012 and Ms. Lisker's failed to meet their FEC disclosure obligations.

To this end, when referencing Mr. Eggen's article, CREW focuses the Commission on comments purportedly attributed to campaign spokesman R.C. Hammond that indicate that the actual payment for Speaker Gingrich's mailing list "was not [properly] reported on the campaign committee's October 15th Quarterly Report." (Complaint, p. 5). Those attributed statements appear to indicate that Newt 2012 repaid the debt associated with Speaker Gingrich's mailing list during the third quarter of 2011, but did not disclose this payment during the same FEC filing period. In addition to this claim, Mr. Eggen goes on to assert that Mr. Hammond admitted that the failure to report in the third quarter "might have been an oversight." (Complaint, Exhibit 9).

Accepting these statements as accurate and reflecting on the debt disclosure contained in Complaint Exhibit 1, CREW believes that there is ample evidence to pursue an investigation into Newt 2012 and Ms. Lisker for failing to meet their disclosure obligations. This is simply not the case. Newt 2012 did not disclose a mailing-list disbursement to Speaker Gingrich in the third quarter of 2011 because the payment for the list did not take place within the third quarter.

As can be readily ascertained through examination of Newt 2012's year-end FEC financial disclosure, the campaign committee did not repay the debt it owed for the purchase of Speaker Gingrich's personal mailing list until the fourth quarter of 2011. (See Exhibit #10 attached hereto; Lisker Declaration at ¶12). This fact is clearly reflected in the disbursement data contained in Newt 2012's latest quarterly filing, which indicates that the Speaker received a total payment of \$47,005 on December 23, 2011 for the use of his personal mailing list. (*Id.*). As discussed previously, this amount reflects the true market value of such a personal contact list in the political campaign context and accurately matches the amount of debt owed to the Speaker and detailed in Newt 2012's July 2011 quarterly disclosure.⁹ By disclosing this disbursement in its year-end FEC filing, Newt 2012 fulfilled its campaign finance disclosure obligations under 2 U.S.C. § 434(b)(4) and 11 C.F.R. § 104.9. Likewise, Ms. Lisker ensured Newt 2012's proper compliance with federal campaign finance law and fulfilled her individual responsibilities as committee treasurer under the Act and FEC regulations.

⁹ The \$47,005 also matches the amount of mailing-list debt detailed in Newt 2012's amended October 2011 quarterly disclosure, which was recently filed with the FEC. (Lisker Declaration at ¶10). This debt amount, which was carried over from the second quarter of 2011 to the third quarter of 2011, and paid in the fourth quarter of last year, should have been disclosed in Newt 2012's original October 2011 filing. (*Id.* at ¶8-10). Unfortunately, however, the debt obligation was inadvertently omitted from the campaign's October Schedule D-P. (*Id.* at ¶10). To correct this minor error, Newt 2012 filed an amended third-quarter FEC report disclosing the continued existence of the mailing-list obligation. (*Id.*; *see also* Exhibit #11 attached hereto). Through this timely correction of a *de minimis* reporting oversight, Newt 2012 clearly met its affirmative obligation under the Act to amend erroneous information provided on previous disclosure filings. As such, CREW has no reasonable basis upon which to request that the Commission investigate the claims set forth in COUNT IV of the Complaint.

Given the above facts, it is abundantly clear that “COUNT IV” of the CREW Complaint has no evidentiary foundation. Consistent with her obligation to give her “best efforts” in ensuring that Newt 2012 complies with the disclosure requirements of the Act and various FEC regulations, Ms. Lisker oversaw the campaign’s proper disclosure of its payment of \$47,005 to Speaker Gingrich for his personal mailing list. (Lisker Declaration at ¶5-12). As such, the Commission should consider CREW’s final claim wholly meritless and cause it to be summarily dismissed. COUNT IV of the Complaint falsely attacks Newt 2012 by claiming that it is overtly ignoring the FEC disclosure requirements contained in 2 U.S.C. § 434(b)(4) and 11 C.F.R. § 104.9. Likewise, COUNT IV wrongly accuses Ms. Lisker of failing to live up to her legal obligations as a federal campaign committee treasurer. As is clear from the facts presented in this Response, nothing could be further from the truth. Accordingly, this Commission should immediately discharge COUNT IV of the Complaint without further investigation.

IV. Conclusion

As the information contained within this Response clearly sets forth, the Named Parties have done nothing to run afoul of the legal requirements of the Act, Commission regulations, or relevant FEC advisory opinions. To the contrary, it is quite apparent that each of the Named Parties has taken great pains to ensure that they are in compliance with federal campaign finance law. Despite this fact, however, CREW and Ms. Sloan have seen fit to make unsubstantiated allegations and present ineffectual “evidence” against Speaker Gingrich, Mrs. Gingrich, Newt 2012, Ms. Lisker, and Gingrich Productions. As a result of these actions, the Commission should summarily dismiss the Complaint against the Named Parties and find that there is no reason to believe that such Parties have violated the Act or its accompanying regulations.

Moreover, the Commission should take additional steps to ensure that the FEC complaint process is not abused in a similar manner moving forward. As stated above, the allegations contained within the CREW Complaint, and verified under oath as being accurate by Ms. Sloan, are inherently false and have no basis in either law or fact. The Complaint itself, it seems, is nothing more than a thinly-veiled political ploy on the part of CREW and its backers to attack Speaker Gingrich and those associated with him. In light of this fact, the Named Parties hereby respectfully request an Order from the Commission obligating CREW to reimburse the Named Parties for the attorneys fees they incurred in responding to the Complaint.

Respectfully Submitted,



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Mrs. Callista Gingrich, Newt 2012, Inc., Ms. Lisa
Lisker in her capacity as Treasurer of Newt 2012,
and Gingrich Productions, Inc.*

160-10000002454

EXHIBIT #1
MUR 6518 – Response by Named Parties

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March 3, 2011

Gingrich Tests 2012 Presidential Support

By JEFF ZELENY

ATLANTA — Newt Gingrich on Thursday became the first major Republican to begin raising money for the 2012 presidential race, but he stopped short of declaring his candidacy until he finishes delivering paid speeches this month and distances himself from a web of business ventures that would interfere with a campaign.

In an afternoon visit to the State Capitol here, Mr. Gingrich smiled broadly as he entered the governor's formal briefing room, with his wife, Callista, at his side. He said they had decided, after months of deliberation, to move forward and see if he could find enough support among Republican primary voters to compete seriously for the party's nomination.

"We believe that America's best years are actually ahead of us," said Mr. Gingrich, 67, who won his first bid for elective office 33 years ago as a Georgia congressman. "We believe that it is possible through the right policies, with the right values, to create dramatically more jobs with dramatically higher incomes."

Mr. Gingrich, a former House speaker, is seldom at a loss for words. But he limited his appearance here to nine minutes, taking only one question about a potential presidential bid, before walking away from a room filled with television cameras. He smiled again, saying that reporters surely had "more than enough to write about."

There was an air of gamesmanship in the appearance, but even the quick glimpse offered a window into what a Gingrich candidacy might look like. Mrs. Gingrich, who turns 45 on Friday and is Mr. Gingrich's third wife, is a central partner in business and political decisions. An exploratory Web site that Mr. Gingrich presented on Thursday featured a picture of the two of them and he opened nearly every sentence with the phrase, "We believe."

The official purpose of his visit here with Gov. Nathan Deal was a discussion of federalism and the rights of states. But as Mr. Gingrich made eye contact with a smattering of reporters, he said, "I know a number of you may have come for a secondary topic."

When asked directly whether he intended to run for president, he declared: "We will look at this very seriously. We will very methodically lay out a framework of what we'll do next." Asked if that should be taken as a yes, he simply grinned as he turned away.

Mr. Gingrich's announcement did not cause much of a stir in the Capitol, where a tense debate on immigration and the state budget was under way. It remains an open question how much of an impact it will have on the race. Aides to other prospective Republican candidates said Thursday that it would not affect their timing, but several are moving closer to formally announcing.

At this point four years ago, the presidential race was already fully engaged. But a leisurely start to the 2012 campaign has placed even more attention on appearances like the one here by Mr. Gingrich. Though he effectively became the first Republican to leave the chute, about one hour later, former Gov. Buddy Roemer of Louisiana announced that he was forming a presidential exploratory committee, telling supporters in Baton Rouge: "Washington, D.C., is a boomtown, and the rest of America is hurting. Why is that?"

Even the long-shot candidacy of Mr. Roemer, though, highlights a central challenge facing Mr. Gingrich as he pursues a campaign. The entire breadth of his experience is rooted in Washington at a time when the federal government is perceived with disdain by many voters.

Mr. Gingrich, who rose to the top of the Republican ranks 17 years ago as speaker, has worked to reinvent himself over the last decade after his 1998 resignation from the House. His spectacular fall followed a confrontation over spending with President Bill Clinton that led to the government shutdown of 1995, along with ethics battles and acknowledging an extramarital affair with Callista Bieseck, a House staff member, whom he later married.

A presidential candidacy will test whether one of the party's best known and most polarizing figures can rebrand himself as a new messenger for a new era.

In his comments on Thursday, Mr. Gingrich amplified themes he has been delivering for months: the country needs to get its fiscal — and moral — house in order. He urged Americans to rethink their "cultural values, institutions and policies in the poorest parts of America so every American has their creator-endowed right to pursue happiness."

Mr. Gingrich's advisers, who have sent conflicting signals in recent days about his plans on Thursday, said that he was entering a "testing the waters phase," which the Federal Election Commission recognizes as a period where candidates raise and spend money to hire

staff, conduct polling and travel around the country. The structure lets him back away from a candidacy if he does not gain traction in early-voting states.

The most concrete thing that Mr. Gingrich announced was his Web site, NewtExplore2012.com, which records show that he registered on Sunday. In "A Note from Newt and Callista," he said, "We are excited about exploring whether there is sufficient support for my potential candidacy for president of this exceptional country."

EXHIBIT #2
MUR 6518 – Response by Named Parties

8871

Form
(Rev. July 2003)

Department of the Treasury
Internal Revenue Service

**Political Organization
Notice of Section 527 Status**

OMB No. 1545-1693

Part I General Information

1 Name of organization
Newt Exploratory 2012

Employer identification number
27-5133782

2 Mailing address (P.O. box or number, street, and room or suite number)
3110 MAPLE DR STE 400

City or town, state, and ZIP code
Atlanta, GA 30305

3 Check applicable box: Initial notice Amended notice Final notice

4a Date established
03/03/2011

4b Date of material change

5 E-mail address of organization
no@email

6a Name of custodian of records
Scott Rials

6b Custodian's address
3110 MAPLE DR STE 400
Atlanta, GA 30355

7a Name of contact person
Stefan Passantino

7b Contact person's address
3110 MAPLE DR STE 400
Atlanta, GA 30308

8 Business address of organization (if different from mailing address shown above). Number, street, and room or suite number
3110 MAPLE DR STE 400

City or town, state, and ZIP code
Atlanta, GA 30355

9a Election authority

9b Election authority identification number

NONE

Part II Notification of Claim of Exemption From Filing Certain Forms (see Instructions)

10a Is this organization claiming exemption from filing Form 8872, Political Organization Report of Contributions and Expenditures, as a qualified state or local political organization? Yes No

10b If 'Yes,' list the state where the organization files reports:

11 Is this organization claiming exemption from filing Form 990 (or 990-EZ), Return of Organization Exempt from Income Tax, as a caucus or associations of state or local officials? Yes No

Part III Purpose

12 Describe the purpose of the organization

To raise and spend federally compliant funds for the purpose of discerning the feasibility of a potential candidacy for federal office.

Part IV List of All Related Entities (see instructions)13 Check if the organization has no related entities.

14a Name of related entity 14b Relationship 14c Address

Part V List of All Officers, Directors, and Highly Compensated Employees (see instructions)

15a Name 15b Title 15c Address

Newton Gingrich Potential Candidate PO Box 550769
Atlanta, GA 30355

Under penalties of perjury, I declare that the organization named in Part I is to be treated as a tax-exempt organization described in section 527 of the Internal Revenue Code, and that I have examined this notice, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. I further declare that I am the official authorized to sign this report, and I am signing by entering my name below.

Stefan Passantino

03/04/2011

**Sign
Here**

Name of authorized official

Date

EXHIBIT #3
MUR 6518 – Response by Named Parties



Brian P. Kemp
Secretary of State

STATE OF GEORGIA
2011 Corporation Annual Registration

Control No: 07016425
Date Filed: 04/19/2011 12:55 PM
Brian P. Kemp
Secretary of State

OFFICE OF SECRETARY OF STATE
Annual Registration Filings
P.O. Box 23038
Columbus, Georgia 31902-3038

Chauncey Newsome
Director

Information on record as of: 4/19/2011

Entity Control No. 07016425

Amount Due: \$75.00

Amount Due AFTER April 1, 2011: \$75.00

GINGRICH PRODUCTIONS, INC.
1425 K STREET NW, SUITE 450
Washington, DC 20005

Each business entity registered or filed with the Office of Secretary of State is required to file an annual registration. Amount due for this entity is indicated above and below on the remittance form. Annual fee is \$50. If amount is more than \$50, the total reflects amount(s) due from previous year(s) and any applicable late fee(s). Renew by April 1, 2011. Your Annual Registration must be postmarked by April 1, 2011. If your registration and payment are not postmarked by April 1, 2011, you will be assessed a \$25.00 late filing penalty fee.

For faster processing, we invite you to file your Annual Registration online with a credit card at www.georgiacorporations.org. The Corporations Division accepts Visa, MC, Discover, American Express and ATM/Debit Cards with the Visa or MC logo for online filings only. Annual Registrations not processed online require payment with a check, certified bank check or money order. We cannot accept cash for payment.

You may mail your registration in by submitting the bottom portion of this remittance with a check or money order payable to "Secretary of State". All checks must be pre-printed with a complete address in order to be accepted by our offices for your filing. Absolutely, no counter or starter checks will be accepted. Failure to adhere to these guidelines will delay or possibly reject your filing. Checks that are dishonored by your bank are subject to a \$30.00 NSF charge. Failure to honor your payment could result in a civil suit filed against you and/or your entity may be Administratively Dissolved by the Secretary of State. [See O.C.G.A. § 13-6-15 and Title 14, respectively.]

Officer, address and Agent information currently of record is listed below. Please verify "county of registered office." If correct and complete, detach bottom portion, sign, and return with payment. Or, enter changes as needed and submit. Complete each line, even if the same individual serves as Chief Executive Officer, Chief Financial Officer, and Secretary of the corporation.

Note: Registered Agent address must be a street address in Georgia where the agent may be served personally. A mail drop or P.O. Box does not comply with Georgia law for registered office. P.O. Boxes may be used for principal office and officers' addresses.

Any person authorized by the entity to do so may sign and file registration (including online filing). Additionally, a person who signs a document submits an electronic filing he or she knows is false in any material respect with the intent that the document be delivered to the Secretary of State for filing shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished to the highest degree permissible by law. [O.C.G.A. § 14-2-129.]

Please return ONLY the original form below and applicable fee(s). For more information on Annual Registrations or to file online, visit www.georgiacorporations.org. Or, call 404-656-2817. PLEASE PRINT LEGIBLY.

Current information printed below. Review and update as needed. Detach original coupon and return with payment.

CORPORATION NAME	ADDRESS	CITY	STATE	ZIP
GINGRICH PRODUCTIONS, INC.	1425 K STREET NW, SUITE 350	Washington	DC	20005
CEO: Callista Gingrich	1425 K Street, NW, Suite 350	Washington	DC	20005
CFO: Scott Cotter	1425 K Street, NW, Suite 450	Washington	DC	20005
SEC: Stefan Passantino	303 Peachtree Street, Suite 5300	Atlanta	GA	30308
AGT: Passantino, Stefan	303 PEACHTREE ST STE 5300	Atlanta	GA	30308
IF ABOVE INFORMATION HAS CHANGES, TYPE OR PRINT CORRECTIONS BELOW:				
CORPORATION ADDRESS:	1425 K STREET NW, SUITE 450	Washington	DC	20005
CEO: Callista Gingrich	1425 K Street, NW, Suite 450	Washington	DC	20005
CFO: David O'Grady	1425 K Street, NW, Suite 450	Washington	DC	20005
SEC:				
AGT:			GA	
I CERTIFY THAT I AM AUTHORIZED TO SIGN THIS FORM AND THAT THE INFORMATION IS TRUE AND CORRECT.		P.O. BOX NOT ACCEPTABLE FOR REGISTERED AGENTS ADDRESS	COUNTY OF REGISTERED OFFICE: Fulton	COUNTY CHANGE OR CORRECTION:
AUTHORIZED SIGNATURE: David O'Grady		DATE: 4/19/2011	Total Due: \$75.00	
TITLE: Filer		EMAIL: scotter@gingrichgroup.com		

BR2011 Corporation Annual Registration

117 070164256 0050009 GINGRICHPRODUCTIONSIS 201104018 0075000

STATE OF GEORGIA

Secretary of State

Corporations Division

315 West Tower

#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF AMENDMENT NAME CHANGE

I, Brian P. Kemp, the Secretary of State and the Corporations Commissioner of the State of Georgia, hereby certify under the seal of my office that

GINGRICH HOLDINGS, INC.
a Domestic Profit Corporation

has filed articles/certificate of amendment in the Office of the Secretary of State on 05/10/2011 changing its name to

GINGRICH PRODUCTIONS, INC.

and has paid the required fees as provided by Title 14 of the Official Code of Georgia Annotated. Attached hereto is a true and correct copy of said articles/ certificate of amendment.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on May 10, 2011



A handwritten signature in black ink, appearing to read "B. P. Kemp".

Brian P. Kemp
Secretary of State

Control No: K904226
Date Filed: 05/10/2011 01:35 PM
Brian P. Kemp
Secretary of State

ARTICLES OF AMENDMENT
TO THE
ARTICLES OF INCORPORATION
OF
GINGRICH HOLDINGS, INC.

ARTICLE I.

The name of the Corporation is Gingrich Holdings, Inc.

ARTICLE II.

Article I. of the Articles of Incorporation is hereby amended to read as follows:

"ARTICLE I.

NAME

The name of the corporation shall be GINGRICH PRODUCTIONS, INC."

ARTICLE III.

The amendment was duly approved by the Board of Directors of the Corporation on
May 10, 2011 in accordance with the provisions of Section 14-2-1002 of the Georgia
Business Corporation Code (the "Code").

ARTICLE IV.

The undersigned does hereby certify that a request for publication of a notice of the filing
of Articles of Amendment to change the corporation's name, along with the required fee, has
been submitted as required by Section 14-2-1006.1 of the Code.

IN WITNESS WHEREOF, the Corporation has caused these Articles of Amendment to
be executed as of the 10th day of May, 2011.

Callista Gingrich, Chief Executive Officer

2011 MAY 10 FILED : 36
CORPORATIONS DIVISION

State of Georgia
Expedite Amend/Reslate 1 Page(s)



T1112112006

EXHIBIT #5
MUR 6518 – Response by Named Parties

FEC FORM 2
STATEMENT OF CANDIDACY

RECEIVED
2011 MAY 16 PM 12:43
FEC MAIL CENTER

1. (a) Name of Candidate (in full) Newt Gingrich		2. Identification Number	
(b) Address (number and street) 3110 Maple Drive, Suite 400		3. Is This Statement <input checked="" type="checkbox"/> New (N) OR <input type="checkbox"/> Amended (A)	
(c) City, State, and ZIP Code Atlanta, GA 30305		4. Party Affiliation Republican	
5. Office Sought Presidential		6. State & District of Candidate	

DESIGNATION OF PRINCIPAL CAMPAIGN COMMITTEE

7. I hereby designate the following named political committee as my Principal Campaign Committee for the 2012 election(s).
(year of election)

NOTE: This designation should be filed with the appropriate office listed in the instructions.

(a) Name of Committee (in full)

Newt 2012

(b) Address (number and street)

3110 Maple Drive, Suite 400

(c) City, State, and ZIP Code

Atlanta, GA 30305

DESIGNATION OF OTHER AUTHORIZED COMMITTEES

(Including Joint Fundraising Representatives)

8. I hereby authorize the following named committee, which is NOT my principal campaign committee, to receive and expend funds on behalf of my candidacy.

NOTE: This designation should be filed with the principal campaign committee.

(a) Name of Committee (in full)

(b) Address (number and street)

(c) City, State, and ZIP Code

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete.

Signature of Candidate



Date

May 13, 2011

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to penalties of 2 U.S.C. §437g.

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Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
The FEC added this page to the end of this filing to indicate how it was received.

<input checked="" type="checkbox"/> Hand Delivered	Date of Receipt 5/16/11
<input type="checkbox"/> USPS First Class Mail	Postmarked
<input type="checkbox"/> USPS Registered/Certified	Postmarked (R/C)
<input type="checkbox"/> USPS Priority Mail	Postmarked
Delivery Confirmation™ or Signature Confirmation™ Label <input type="checkbox"/>	
<input type="checkbox"/> USPS Express Mail	Postmarked
<input type="checkbox"/> Postmark Illegible	
<input type="checkbox"/> No Postmark	
<input type="checkbox"/> Overnight Delivery Service (Specify):	Shipping Date
Next Business Day Delivery <input type="checkbox"/>	
<input type="checkbox"/> Received from House Records & Registration Office	Date of Receipt
<input type="checkbox"/> Received from Senate Public Records Office	Date of Receipt
<input type="checkbox"/> Received from Electronic Filing Office	Date of Receipt
<input type="checkbox"/> Other (Specify):	Date of Receipt or Postmarked
	5/16/11
PREPARER (3/2005)	DATE PREPARED

11030604612

160-10000002468

EXHIBIT #6
MUR 6518 – Response by Named Parties

STATE OF GEORGIA

Secretary of State
Corporations Division
315 West Tower
#2 Martin Luther King, Jr. Dr.
Atlanta, Georgia 30334-1530

CERTIFICATE OF INCORPORATION

I, Brian P. Kemp, the Secretary of State and the Corporations Commissioner of the State of Georgia, hereby certify under the seal of my office that

NEWT 2012, INC.
a Domestic Non-Profit Corporation

has been duly incorporated under the laws of the State of Georgia on 05/11/2011 by the filing of articles of incorporation in the Office of the Secretary of State and by the paying of fees as provided by Title 14 of the Official Code of Georgia Annotated.

WITNESS my hand and official seal in the City of Atlanta
and the State of Georgia on May 11, 2011



Brian P. Kemp
Secretary of State

Control No: 11037363
Date Filed: 05/11/2011 12:58 PM
Brian P. Kemp
Secretary of State

ARTICLES OF INCORPORATION
OF
NEWT 2012, INC.

ARTICLE I

NAME

The name of the Corporation is NEWT 2012, INC.

ARTICLE II

ORGANIZATION

NEWT 2012, INC. is organized pursuant to the Georgia Nonprofit Corporation Code. The Corporation will not have members.

ARTICLE III

REGISTERED OFFICE

The street address of the registered office is 303 Peachtree Street, Suite 5300, Atlanta, Fulton County, Georgia 30308. The registered agent at such address is Stefan C. Passantino.

ARTICLE IV

INCORPORATOR

The name and address of the incorporator is:

Stefan Passantino
303 Peachtree Street, Suite 5300
Atlanta, Georgia 30308

ARTICLE V

PRINCIPAL OFFICE ADDRESS

The address of the initial principal office of the corporation is 3110 Maple Drive, Suite 400, Atlanta, GA 30305.

State of Georgia
Expedite Creation - Domestic Entity 4 Page(s)



T111111078

16-10003082471

ARTICLE VI

PURPOSE

The purpose of NEWT 2012, INC. is to manage the business activities of the campaign committee established to advocate the election of Newt Gingrich for the President of the United States.

ARTICLE VII

DISPOSITION OF ASSETS

In the event of dissolution of the Corporation, its assets shall be disposed of in compliance with applicable federal election and campaign finance laws.

ARTICLE VIII

NON-PROFIT STATUS

NEWT 2012, INC. shall be a not for profit, incorporated campaign committee organized under the laws of the state of Georgia and the United States of America. No part of the net earnings of NEWT 2012, INC. shall inure to the benefit of, or be distributable to, any company director, officer or other private persons; excepting that NEWT 2012, INC. shall be authorized and empowered to pay reasonable compensation for services rendered and to make payments and distribution in furtherance of the purposes set forth in Article VI giving definition of purpose herein.

ARTICLE IX

PERMISSIBLE CAMPAIGN ACTIVITY

NEWT 2012, INC. is empowered to solicit and accept voluntary contributions from eligible persons and entities. Only United States citizens, federal political action committees, or individuals who are lawfully admitted for permanent residence in the United States as defined by 8 U.S.C. § 1101(a)(20) may be solicited for contributions and NEWT 2012, INC. will not accept contributions from any individual who is not a United States Citizen or lawfully admitted for permanent residence in the United States as defined above. NEWT 2012, INC. also is empowered to expend such contributions to further the election of candidates for federal and state elective public offices who are believed to be in general agreement with the principles of U. S. Presidential candidate Newt Gingrich. In carrying out the foregoing, NEWT 2012, INC. is empowered to make contributions to federal and state candidates and committees to the fullest extent permissible by law.

All contributions to NEWT 2012, INC. shall be voluntary, and no contribution to NEWT 2012, INC. shall be solicited or secured by physical force, job discrimination, or financial reprisal, or by the threat thereof, or as a condition of employment.

15100002472

No contributor to NEWT 2012, INC. shall have a right to share personally in any fund or assets of NEWT 2012, INC. upon its dissolution, or at any other time.

ARTICLE X

INDEMNIFICATION

Incorporators, officers, agents and employees of the Corporation shall be indemnified as follows:

Section 1: In case any person was or is a party, or is threatened to be made a party, to any threatened, pending, or completed action, suit, or proceeding, whether civil, criminal, administrative, or investigative, by reason of the fact that he or she is or was an officer, agent or employee of NEWT 2012, INC., NEWT 2012, INC. shall indemnify such person against expenses, including attorneys' fees, judgments, decrees, fines, penalties, and amounts paid in settlement actually and reasonably incurred by him or her in connection with such action, suit, or proceeding, if he or she acted in good faith and in a manner he or she reasonably believed to be in, or not contrary to, the best interests of NEWT 2012, INC. and with respect to any matter the subject of a criminal action suit, or proceeding, he or she had no reasonable cause to believe that his or her conduct was unlawful. The termination of any action, suit, or proceeding by judgment, order, settlement, or conviction, or upon a plea of nolo contendere or its equivalent, shall not, itself, create a presumption that the person did not act in good faith and in a manner which he or she reasonable believed to be in, or not contrary to, the best interests of NEWT 2012, INC., and with respect to any matter the subject of a criminal action, suit, or proceeding, that he or she had no reasonable cause to believe that his or her conduct was unlawful; and

Section 2: To the extent that an officer, employee or agent of NEWT 2012, INC. has been successful on the merits or otherwise in defense of any action, suit or proceeding referred to above or in defense of any claim, issue, or other matter therein, NEWT 2012, INC. shall indemnify such party against expenses, including attorneys' fees, actually and reasonably incurred in connection therewith.

IN WITNESS WHEREOF, the undersigned has executed these Articles of Incorporation this 11th day of May, 2011.



Stefan Passantino, Incorporator

2011 MAY 11 PH12:51
SECURITIES / DIVISION
DEPARTMENT OF DIVISION



Brian P. Kemp
Secretary of State

OFFICE OF SECRETARY OF STATE
CORPORATIONS DIVISION
315 West Tower, #2 Martin Luther King, Jr. Drive
Atlanta, Georgia 30334-1530
(404) 656-2817

Registered agent, officer, entity status information via the Internet
<http://www.georgiacorporations.org>

TRANSMITTAL INFORMATION
GEORGIA PROFIT OR NONPROFIT CORPORATIONS

IMPORTANT

Remember to include your e-mail address when completing this transmittal form.

Providing your e-mail address allows us to notify you via e-mail when we receive your filing and when we take action on your filing. Please enter your e-mail address on the line below. Thank you.

E-Mail: cmcewen@mckennalong.com

NOTICE TO APPLICANT: PRINT PLAINLY OR TYPE REMAINDER OF THIS FORM

1.

Corporate Name Reservation Number (If one has been obtained; if articles are being filed without prior reservation, leave this line blank)

Newt 2012, Inc.

Corporate Name (List exactly as it appears in articles)

2. Stefan Passantino

404-527-8450

Name of person filing articles (certificate will be mailed to this person, at address below)

Telephone Number

303 Peachtree Street, Suite 5300

Address

Atlanta

GA

30308

City

State

Zip Code

3.

Mail or deliver the following items to the Secretary of State, at the above address:

- 1) This transmittal form
- 2) Original and one copy of the Articles of Incorporation
- 3) Filing fee of \$100.00 payable to Secretary of State. Filing fees are NON-refundable.

I certify that a Notice of Incorporation or Notice of Intent to Incorporate with a publication fee of \$40.00 has been or will be mailed or delivered to the official organ of the county where the initial registered office of the corporation is to be located. (List of legal organs is posted at web site; or, the Clerk of Superior Court can advise you of the official organ in a particular county.)

Authorized signature of person filing documents

5/11/11

Date

Request certificates and obtain entity information via the Internet: <http://www.georgiacorporations.org>



Brian P. Kemp
Secretary of State

STATE OF GEORGIA
2011 Corporation Annual Registration

Control No: 11037353
Date Filed: 05/12/2011 02:29 PM
Brian P. Kemp
Secretary of State

OFFICE OF SECRETARY OF STATE
Annual Registration Filings
P.O. Box 23038
Columbus, Georgia 31902-3038

Chauncey Newsome
Director

Information on record as of: 5/12/2011

Entity Control No. 11037353	Amount Due: \$50.00	Amount Due AFTER April 1, 2011: \$50.00
NEWT 2012, INC. 3110 Maple Drive, Ste 400 Atlanta, GA 30305		

Each business entity registered or filed with the Office of Secretary of State is required to file an annual registration. Amount due for this entity is indicated above and below on the remittance form. Annual fee is \$50. If amount is more than \$50, the total reflects amount(s) due from previous year(s) and any applicable late fee(s). Renew by April 1, 2011. Your Annual Registration must be postmarked by April 1, 2011. If your registration and payment are not postmarked by April 1, 2011, you will be assessed a \$25.00 late filing penalty fee.

For faster processing, we invite you to file your Annual Registration online with a credit card at www.georgiacorporations.org. The Corporations Division accepts Visa, MC, Discover, American Express and ATM/Debit Cards with the Visa or MC logo for online filings only. Annual Registrations not processed online require payment with a check, certified bank check or money order. We cannot accept cash for payment.

You may mail your registration in by submitting the bottom portion of this remittance with a check or money order payable to "Secretary of State". All checks must be pre-printed with a complete address in order to be accepted by our offices for your filing. Absolutely, no counter or starter checks will be accepted. Failure to adhere to these guidelines will delay or possibly reject your filing. Checks that are dishonored by your bank are subject to a \$30.00 NSF charge. Failure to honor your payment could result in a civil suit filed against you and/or your entity may be Administratively Dissolved by the Secretary of State. [See O.C.G.A. § 13-8-15 and Title 14, respectively.]

Officer, address and Agent information currently of record is listed below. Please verify "county of registered office." If correct and complete, detach bottom portion, sign, and return with payment. Or, enter changes as needed and submit. Complete each line, even if the same individual serves as Chief Executive Officer, Chief Financial Officer, and Secretary of the corporation.

Note: Registered Agent address must be a street address in Georgia where the agent may be served personally. A mail drop or P.O. Box does not comply with Georgia law for registered office. P.O. Boxes may be used for principal office and officers' addresses.

Any person authorized by the entity to do so may sign and file registration (including online filing). Additionally, a person who signs a document submits an electronic filing he or she knows is false in any material respect with the intent that the document be delivered to the Secretary of State for filing shall be guilty of a misdemeanor and, upon conviction thereof, shall be punished to the highest degree permissible by law. [O.C.G.A. § 14-8-128.]

Please return ONLY the original form below and applicable fee(s). For more information on Annual Registrations or to file online, visit www.georgiacorporations.org. Or, call 404-656-2817. PLEASE PRINT LEGIBLY.

Current Information printed below. Review and update as needed. Detach original coupon and return with payment.

CORPORATION NAME	ADDRESS	CITY	STATE	ZIP
NEWT 2012, INC.	3110 Maple Drive, Ste 400	Atlanta	GA	30305
CEO:				
CFO:				
SEC				
AGT: Passantino, Stefan	303 PEACHTREE ST STE 5300	Atlanta	GA	30308
IF ABOVE INFORMATION HAS CHANGES, TYPE OR PRINT CORRECTIONS BELOW:				
CORPORATION ADDRESS:				
CEO: Newt Gingrich	3110 Maple Drive, Suite 400	Atlanta	GA	30305
CFO: Lisa Lisker	3110 Maple Drive, Suite 400	Atlanta	GA	30305
SEC: Passantino, Stefan	address	*****	GA	30305
AGT:				
I CERTIFY THAT I AM AUTHORIZED TO SIGN THIS FORM AND THAT THE INFORMATION IS TRUE AND CORRECT.	P.O. BOX NOT ACCEPTABLE FOR REGISTERED AGENT'S ADDRESS	COUNTY OF REGISTERED OFFICE:	COUNTY CHANGE OR CORRECTION:	
AUTHORIZED SIGNATURE: Stefan Passantino		Fulton		
TITLE: Filer	EMAIL:	Total Due: \$50.00		

BR201 2011 Corporation Annual Registration

117 110373532 0050009 NEWT2012INC0000000000 201108096 0050009

160-100060475

EXHIBIT #7
MUR 6518 – Response by Named Parties

FEC
FORM 1

STATEMENT OF
ORGANIZATION
(See Instructions)

RECEIVED

2011 MAY 16 PM 12:43
FEC MAIL CENTER

Office use only

1. NAME OF COMMITTEE (In full) (Check if name is changed) Example: If typing, type over the lines **12FE4M5**

Newt 2012

ADDRESS (number and street) **3110 Maple Drive, Suite 400**

(Check if address is changed) **Atlanta** **GA** **30305**

CITY **Atlanta**

STATE **GA**

ZIP CODE **30305**

COMMITTEE'S E-MAIL ADDRESS (Please provide only one e-mail address)

(Check if address is changed) **compliance@newt.org**

COMMITTEE'S WEB PAGE ADDRESS (URL)

(Check if address is changed) **www.newt.org**

2. DATE **05 / 13 / 2011**

3. FEC IDENTIFICATION NUMBER **C**

4. IS THIS STATEMENT NEW (N) OR AMENDED (A)

I certify that I have examined this Statement and to the best of my knowledge and belief it is true, correct and complete

Type or Print Name of Treasurer **Lisa Lisker**

Signature of Treasurer **Lisa R. Lisker** Electronically Filed by **Lisa Lisker** Date **05 / 13 / 2011**

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Statement to the penalties of 2 U.S.C. §437g.

ANY CHANGE IN INFORMATION SHOULD BE REPORTED WITHIN 10 DAYS

Office Use Only						For further information contact: Federal Election Commission Toll Free 800-424-9530 Local 202-694-1100	FEC FORM 1 (Revised 02/2009)
-----------------	--	--	--	--	--	---	---------------------------------

11030604605

5. TYPE OF COMMITTEE (Check One)

Candidate Committee:

(a) This committee is a principal campaign committee. (Complete the candidate information below.)

(b) This committee is an authorized committee, and is NOT a principal campaign committee. (Complete the candidate information below.)

Name of Candidate

Newt Gingrich

Candidate Party Affiliation

REP

Office Sought:

House

Senate

President

State
District

[Redacted]

(c) This committee supports/opposes only one candidate, and is NOT an authorized committee.

Name of Candidate

[Redacted]

Party Committee:

(d) This committee is a [Redacted] (National, State (or subordinate) committee of the [Redacted] (Democratic, Republican,etc.) Party.

Political Action Committee (PAC):

(e) This committee is a separate segregated fund. (Identify connected organization on line 6.) Its connected organization is a:

<input type="checkbox"/> Corporation	<input type="checkbox"/> Corporation w/o Capital Stock	<input type="checkbox"/> Labor Organization
<input type="checkbox"/> Membership Organization	<input type="checkbox"/> Trade Association	<input type="checkbox"/> Cooperative

In addition, this committee is a Lobbyist/Registrant PAC.

(f) This committee supports/opposes more than one Federal candidate, and is NOT a separate segregated fund or party committee. (i.e., nonconnected committee)

In addition, this committee is a Lobbyist/Registrant PAC.

In addition, this committee is a Leadership PAC. (Identify sponsor on line 6.)

Joint Fundraising Representative:

(g) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, at least one of which is an authorized committee of a federal candidate.

(h) This committee collects contributions, pays fundraising expenses and disburses net proceeds for two or more political committees/organizations, none of which is an authorized committee of a federal candidate.

Committees Participating In Joint Fundraiser

1. [Redacted]	FEC ID number	C [Redacted]
2. [Redacted]	FEC ID number	C [Redacted]
3. [Redacted]	FEC ID number	C [Redacted]
4. [Redacted]	FEC ID number	C [Redacted]

11030504606

Write or Type Committee Name

Newt 2012

6. Name of Any Connected Organization, Affiliated Committee, Joint Fundraising Representative, or Leadership PAC Sponsor

 NONE

Mailing Address

CITY □

STATE □

ZIP CODE □

Relationship:

 Connected Organization Affiliated Committee Joint Fundraising Representative Leadership PAC Sponsor

7. Custodian of Records: Identify by name, address, (phone number – optional), and position of the person in possession of Committee books and records.

Full Name Lisa LiskerMailing Address 228 South Washington StreetSuite 115Alexandria VA 22314

Title or Position □ CITY □ STATE □ ZIP CODE □

Treasurer Telephone number 703 - 549 - 7705

8. Treasurer: List the name and address (phone number – optional) of the treasurer of the committee; and the name and address of any designated agent (e.g., assistant treasurer).

Full Name of Treasurer Lisa LiskerMailing Address 228 South Washington StreetSuite 115Alexandria VA 22314

Title or Position □ CITY □ STATE □ ZIP CODE □

Treasurer Telephone number 703 - 549 - 7705

11030604687

Full Name of
Designated
Agent

Andrew Finan

Mailing Address

3110 Maple Drive

Suite 400

Atlanta

GA

30305

Title or Position □

CITY □

STATE □

ZIP CODE □

Assistant Treasurer

Telephone number

9. Banks or Other Depositories: List all banks or other depositories in which the committee deposits funds, holds accounts, rents safety deposit boxes or maintains funds.

Name of Bank, Depository, etc.

Wachovia Bank

Mailing Address

Arlington Government Plaza

2200 Clarendon Blvd

Arlington

VA

22201

CITY □

STATE □

ZIP CODE □

Name of Bank, Depository, etc.

Mailing Address

CITY □

STATE □

ZIP CODE □

11030604608

Federal Election Commission
ENVELOPE REPLACEMENT PAGE FOR INCOMING DOCUMENTS
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PREPARER
(3/2005)

DATE PREPARED

EXHIBIT #10
MUR 6518 – Response by Named Parties

FEC
FORM 3PREPORT OF RECEIPTS
AND DISBURSEMENTSBY AN AUTHORIZED COMMITTEE OF A CANDIDATE
FOR THE OFFICE OF PRESIDENT OR VICE PRESIDENT

Office Use Only

1. NAME OF COMMITTEE (in full, type or print)

Example: If typing, type over the lines.

Newt 2012

12FE4M5

ADDRESS (number and street))

3110 MAPLE DRIVE SUITE 400

 Check if different
than previously
reported. (ACC)

ATLANTA

CITY

GA

30305

ZIP CODE

2. FEC IDENTIFICATION NUMBER ►

C C00496497

3. THIS REPORT IS FOR Primary or General

4. TYPE OF REPORT (Choose One)

Check here if this is a Termination Report (TER) Quarterly Reports:

April 15 (Q1) October 15 (Q3)
 July 15 (Q2) January 31 Year-End Report (YE)

Monthly Reports:

Feb 20 (M2) May 20 (M5) Aug 20 (M8) Nov 20 (M11)
 Mar 20 (M3) Jun 20 (M6) Sep 20 (M9) Dec 20 (M12)
 Apr 20 (M4) Jul 20 (M7) Oct 20 (M10) Jan 31 (YE)

Thirtieth day report following the General Election
on / / .

Twelfth day report preceding election
on / / . in the State of .

Is this Report an Amendment?

 yes no

5. Covering Period

10 / 01 / 2011

through

12 / 31 / 2011

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Lisa Lisker

Signature of Treasurer

Lisa Lisker

/Electronically Filed/

Date

01 / 31 / 2012

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.
 All previous versions of this form are obsolete and should no longer be used.

Office
Use
Only

Write or Type Committee Name

Newt 2012Report Covering the Period: From:

10	01	2011
----	----	------

 To:

12	31	2011
----	----	------

SUMMARY

6. CASH ON HAND AT BEGINNING OF REPORTING PERIOD	353416.71
7. TOTAL RECEIPTS THIS PERIOD (From Line 22, Column A, Page 3)	9822375.66
8. SUBTOTAL (Lines 6 and 7)	10175782.37
9. TOTAL DISBURSEMENTS THIS PERIOD (From Line 30, Column A, Page 2)	8066961.14
10. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (Subtract Line 9 from 8)	2108831.23
11. DEBTS AND OBLIGATIONS OWED TO THE COMMITTEE (Itemize All on Schedule C-P or Schedule D-P)	0.00
12. DEBTS AND OBLIGATIONS OWED BY THE COMMITTEE (Itemize All on Schedule C-P or Schedule D-P)	1199380.60
13. EXPENDITURES SUBJECT TO LIMITATION	0.00

NET ELECTION CYCLE-TO-DATE CONTRIBUTIONS AND EXPENDITURES

14. NET CONTRIBUTIONS (Other than Loans) (Subtract Line 28d, Column B from 17e, Column B, Page 2)	12647967.05
15. NET OPERATING EXPENDITURES (Subtract Line 20a, Column B from 23, Column B, Page 2)	10539734.07

DETAILED SUMMARY PAGE
of Receipts

NAME OF COMMITTEE (In Full)

Newt 2012

Report Covering the Period: From:

10 / 01 / 2011

To:

12 / 31 / 2011

I. RECEIPTS

COLUMN A
Total This PeriodCOLUMN B
Election Cycle-to-Date

16. FEDERAL FUNDS (Itemize on Schedule A-P).....	0.00	0.00
17. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) Itemized	4730559.66	6355155.73
(ii) unitemized	5015777.06	6260861.32
(iii) Total contributions	9746336.72	12616117.05
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees	30000.00	70500.00
(d) The Candidate.....	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (Add 17(a), 17(b), 17(c) and 17(d))	9776336.72	12686617.05
18. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	0.00	0.00
19. LOANS RECEIVED:		
(a) Loans Received From or Guaranteed by Candidate.....	0.00	0.00
(b) Other Loans.....	0.00	0.00
(c) TOTAL LOANS (Add 19(a) and 19(b))	0.00	0.00
20. OFFSETS TO EXPENDITURES (Refunds, Rebates, etc.):		
(a) Operating	46038.94	46038.94
(b) Fundraising.....	0.00	0.00
(c) Legal and Accounting	0.00	0.00
(d) TOTAL OFFSETS TO EXPENDITURES (Add 20(a), 20(b) and 20(c))	46038.94	46038.94
21. OTHER RECEIPTS (Dividends, Interest, etc.).....	0.00	598.25
22. TOTAL RECEIPTS (Add 16, 17(e), 18, 19(c), 20(d) and 21).....	9822375.66	12733254.24

DETAILED SUMMARY PAGE
of Disbursements and Contributed Items

NAME OF COMMITTEE (in Full)

Newt 2012

Report Covering the Period: From:

M 10 / D 01 / Y 2011

To: M 12 / D 31 / Y 2011

II. DISBURSEMENTS

COLUMN A
Total This PeriodCOLUMN B
Calendar Year-to-Date

23. OPERATING EXPENDITURES.....	8041236.14	10585773.01
24. TRANSFERS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00
25. FUNDRAISING DISBURSEMENTS	0.00	0.00
26. EXEMPT LEGAL AND ACCOUNTING DISBURSEMENTS.....	0.00	0.00
27. LOAN REPAYMENTS MADE:		
(a) Repayments of Loans made or Guaranteed by Candidate.....	0.00	0.00
(b) Other Repayments	0.00	0.00
(c) TOTAL LOAN REPAYMENTS MADE (Add 27(a) and 27(b)).....	0.00	0.00
28. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	25725.00	38150.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees	0.00	500.00
(d) TOTAL CONTRIBUTION REFUNDS (Add 28(a), 28(b) and 28(c))	25725.00	38650.00
29 OTHER DISBURSEMENTS	0.00	0.00
30. TOTAL DISBURSEMENTS (Add 23, 24, 25, 26, 27(c), 28(d) and 29).....	8066961.14	10624423.01

III. CONTRIBUTED ITEMS
(Stock, Art Objects, Etc.)

31. ITEMS ON HAND TO BE LIQUIDATED

(Attach List) 0.00

SCHEDULE B-P
ITEMIZED DISBURSEMENTS

 Use separate schedule(s)
 for each category of the
 Detailed Summary Page

 FOR LINE NUMBER:
 (check only one) 23 24 25 26 27a
 27b 28a 28b 28c 29

PAGE 4954 / 5183

Any Information copied from such Reports and Statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

NAME OF COMMITTEE (In Full)
 Newt 2012

Full Name (Last, First, Middle Initial)

A. SYLVIA GARCIA

Mailing Address 334 VELARDE AVE.

 City **CORAL GABLES** State **FL** Zip Code **33134**

 Purpose of Disbursement
SALARY

Candidate Name

Category/
Type
 Office Sought: House Primary General
 Senate Other (specify) ▼
 President
State: **00** District: **00**

Date of Disbursement

 12 28 2011

Transaction ID : SB.0355

Amount of Each Disbursement this Period

 5122.08

Full Name (Last, First, Middle Initial)

B. SYLVIA GARCIA

Mailing Address 334 VELARDE AVE.

 City **CORAL GABLES** State **FL** Zip Code **33134**

 Purpose of Disbursement
TRAVEL

Candidate Name

Category/
Type
 Office Sought: House Primary General
 Senate Other (specify) ▼
 President
State: **00** District: **00**

Date of Disbursement

 10 31 2011

Transaction ID : SB.0497

Amount of Each Disbursement this Period

 388.50

Full Name (Last, First, Middle Initial)

C. NEWT GINGRICH

Mailing Address 4501 N FAIRFAX DR

 City **ARLINGTON** State **VA** Zip Code **22203**

 Purpose of Disbursement
LIST PURCHASE

Candidate Name

Category/
Type
 Office Sought: House Primary General
 Senate Other (specify) ▼
 President
State: **00** District: **00**

Date of Disbursement

 12 23 2011

Transaction ID : SB.0166

Amount of Each Disbursement this Period

 47005.00

Subtotal Of Receipts This Page (optional).....

 52515.58

Total This Period (last page this line number only).....

EXHIBIT #11
MUR 6518 – Response by Named Parties

**FEC
FORM 3P**
**REPORT OF RECEIPTS
AND DISBURSEMENTS**
**BY AN AUTHORIZED COMMITTEE OF A CANDIDATE
FOR THE OFFICE OF PRESIDENT OR VICE PRESIDENT**

Office Use Only

1. NAME OF COMMITTEE (in full, type or print)

Example: If typing, type over the lines.

12FE4M5

Newt 2012

ADDRESS (number and street)

3110 MAPLE DRIVE SUITE 400

 Check if different
than previously
reported. (ACC)

ATLANTA

CITY

GA

30305

ZIP CODE

2. FEC IDENTIFICATION NUMBER ►

C

C00498497

3. THIS REPORT IS FOR Primary or General

4. TYPE OF REPORT (Choose One)

Check here if this is a Termination Report (TER) Quarterly Reports:

April 15 (Q1) October 15 (Q3)
 July 15 (Q2) January 31 Year-End Report (YE)

Monthly Reports:

Feb 20 (M2) May 20 (M5) Aug 20 (M8) Nov 20 (M11)
 Mar 20 (M3) Jun 20 (M6) Sep 20 (M9) Dec 20 (M12)
 Apr 20 (M4) Jul 20 (M7) Oct 20 (M10) Jan 31 (YE)

Thirtieth day report following the General Election
on

Twelfth day report preceding election
on in the State of

Is this Report an Amendment?

 yes no

5. Covering Period

07 / 01 / 2011

through

09 / 30 / 2011

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Lisa Lisker

Signature of Treasurer

Lisa Lisker

[Electronically Filed]

Date

10 / 15 / 2011

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g.
All previous versions of this form are obsolete and should no longer be used.

Office
Use
Only

Write or Type Committee Name

Newt 2012

Report Covering the Period: From:

07 / 01 / 2011

To:

09 / 30 / 2011

SUMMARY

6. CASH ON HAND AT BEGINNING OF REPORTING PERIOD	322222.16
7. TOTAL RECEIPTS THIS PERIOD (From Line 22, Column A, Page 3)	807982.45
8. SUBTOTAL (Lines 6 and 7)	1130184.61
9. TOTAL DISBURSEMENTS THIS PERIOD (From Line 30, Column A, Page 2)	776767.90
10. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (Subtract Line 9 from 8)	353416.71
11. DEBTS AND OBLIGATIONS OWED TO THE COMMITTEE (Itemize All on Schedule C-P or Schedule D-P)	0.00
12. DEBTS AND OBLIGATIONS OWED BY THE COMMITTEE (Itemize All on Schedule C-P or Schedule D-P)	1237740.42
13. EXPENDITURES SUBJECT TO LIMITATION	0.00

NET ELECTION CYCLE-TO-DATE CONTRIBUTIONS AND EXPENDITURES

14. NET CONTRIBUTIONS (Other than Loans) (Subtract Line 28d, Column B from 17e, Column B, Page 2)	2897355.33
15. NET OPERATING EXPENDITURES (Subtract Line 20a, Column B from 23, Column B, Page 2)	2544536.87

DETAILED SUMMARY PAGE
of Receipts

FEC Form 3P (Rev. 03/2011)

PAGE 3 / 593

NAME OF COMMITTEE (In Full)

Newt 2012

Report Covering the Period: From: 07 / 01 / 2011 To: 08 / 30 / 2011

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Election Cycle-to-Date
16. FEDERAL FUNDS (Itemize on Schedule A-P)	0.00	0.00
17. CONTRIBUTIONS (other than loans) FROM:		
(a) Individuals/Persons Other Than Political Committees		
(i) itemized	469966.07	1624596.07
(ii) unitemized	323898.13	1245184.26
(iii) Total contributions	793864.20	2869780.33
(b) Political Party Committees	0.00	0.00
(c) Other Political Committees	13500.00	40500.00
(d) The Candidate	0.00	0.00
(e) TOTAL CONTRIBUTIONS (other than loans) (Add 17(a), 17(b), 17(c) and 17(d))	807364.20	2910280.33
18. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	0.00	0.00
19. LOANS RECEIVED:		
(a) Loans Received From or Guaranteed by Candidate	0.00	0.00
(b) Other Loans	0.00	0.00
(c) TOTAL LOANS (Add 19(a) and 19(b))	0.00	0.00
20. OFFSETS TO EXPENDITURES (Refunds, Rebates, etc.):		
(a) Operating	0.00	0.00
(b) Fundraising	0.00	0.00
(c) Legal and Accounting	0.00	0.00
(d) TOTAL OFFSETS TO EXPENDITURES (Add 20(a), 20(b) and 20(c))	0.00	0.00
21. OTHER RECEIPTS (Dividends, Interest, etc.)	598.25	598.25
22. TOTAL RECEIPTS (Add 16, 17(e), 18, 19(c), 20(d) and 21)	807962.45	2910878.58

DETAILED SUMMARY PAGE
of Disbursements and Contributed Items

NAME OF COMMITTEE (in Full)

Newt 2012

Report Covering the Period: From:

07 / 01 / 2011

To: 09 / 30 / 2011

II. DISBURSEMENTS	COLUMN A	COLUMN B
	Total This Period	Calendar Year-to-Date
23. OPERATING EXPENDITURES.....	771892.90	2544536.87
24. TRANSFERS TO OTHER AUTHORIZED COMMITTEES	0.00	0.00
25. FUNDRAISING DISBURSEMENTS	0.00	0.00
26. EXEMPT LEGAL AND ACCOUNTING DISBURSEMENTS.....	0.00	0.00
27. LOAN REPAYMENTS MADE:		
(a) Repayments of Loans made or Guaranteed by Candidate.....	0.00	0.00
(b) Other Repayments.....	0.00	0.00
(c) TOTAL LOAN REPAYMENTS MADE (Add 27(a) and 27(b)).....	0.00	0.00
28. REFUNDS OF CONTRIBUTIONS TO:		
(a) Individuals/Persons Other Than Political Committees.....	4875.00	12425.00
(b) Political Party Committees.....	0.00	0.00
(c) Other Political Committees	0.00	500.00
(d) TOTAL CONTRIBUTION REFUNDS (Add 28(a), 28(b) and 28(c))	4875.00	12925.00
29 OTHER DISBURSEMENTS	0.00	0.00
30. TOTAL DISBURSEMENTS (Add 23, 24, 25, 26, 27(c), 28(d) and 29).....	776767.90	2557461.87

III. CONTRIBUTED ITEMS
(Stock, Art Objects, Etc.)

31. ITEMS ON HAND TO BE LIQUIDATED

(Attach List)

0.00

SCHEDULE D-P**DEBTS AND OBLIGATIONS (Excluding Loans)**(Use separate
schedule(s)
for each
numbered line)**PAGE 577 / 593**FOR LINE NUMBER: 11
(check only one) 12

NAME OF COMMITTEE (In Full)

Newt 2012

A. Full Name (Last, First, Middle Initial) of Debtor or Creditor Alberto Acereda			Nature of Debt (Purpose): Hispanic Outreach consultant
Mailing Address 1095 W. Caroline Lane			
City Tempe	State AZ	Zip Code 85284	
Outstanding Balance Beginning This Period 0.00			Transaction ID : LS236
Amount Incurred This Period 5250.00			Payment This Period 0.00
			Outstanding Balance at Close of This Period 5250.00
B. Full Name (Last, First, Middle Initial) of Debtor or Creditor Newt Gingrich			Nature of Debt (Purpose): travel
Mailing Address 3110 Maple Dr., Ste. 400			
City Atlanta	State GA	Zip Code 30305	
Outstanding Balance Beginning This Period 47005.00			Transaction ID : LS225
Amount Incurred This Period 78153.33			Payment This Period 10436.86
			Outstanding Balance at Close of This Period 114721.47
C. Full Name (Last, First, Middle Initial) of Debtor or Creditor Vince Haley			Nature of Debt (Purpose): travel reimbursement
Mailing Address 5300 Columbia Pike, #414			
City Arlington	State VA	Zip Code 22204	
Outstanding Balance Beginning This Period 0.00			Transaction ID : LS250
Amount Incurred This Period 1662.28			Payment This Period 0.00
			Outstanding Balance at Close of This Period 1662.28
1) SUBTOTALS This Period This Page (optional) → 121633.75			
2) TOTALS This Period (last page this line number only) → 			
3) TOTAL OUTSTANDING LOANS from Schedule C (last page only) → 0.00			
4) ADD 2) and 3) and carry forward to appropriate line of Summary Page (last page only) → 0.00			