



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

March 5, 2019

TO: The Commission

THROUGH: Alec Palmer
Staff Director

FROM: Patricia C. Orrock
Chief Compliance Officer

Krista J. Roche *KJR*
Director, ADR Office

Rosa Marshall *RM*
Assistant Director, ADR Office

SUBJECT: ADR 890 Ewert for Congress (2018) and Sue Jackson, Treasurer
Recommendation to Dismiss

The Office of General Counsel transferred MUR 7452 on November 2, 2018, and the ADR Office designated the matter as ADR 890. The ADR Office recommends the Commission exercise prosecutorial discretion and dismiss the matter. *Heckler v. Chaney* 470 U.S. 821 (1985). We include a summary and discussion of the matter for your information.

Summary and Analysis of Case: On August 7, 2018, the Republican Party of Wisconsin and Mark Morgan filed a complaint against Ewert For Congress and Sue Jackson, Treasurer, (Respondents or the Committee) for failing to include a paid for disclaimer on a brochure distributed to the public.

The Committee stated that while the brochure did not contain a disclaimer, it did contain the Committee's name, website address and mailing address. Furthermore, according to the Committee, less than 10,000 copies were printed and the total printing costs were approximately \$2,000

The ADR Office recommends that the Commission exercise prosecutorial discretion and dismiss the matter due to the low dollar amount (\$2,000) at issue, as well as the identifying information found on the brochure. *Heckler v. Chaney* 470 U.S. 821 (1985).

RECOMMENDATIONS:

1. Dismiss ADR 890 (MUR 7452).
2. Approve the appropriate letters.