



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 22, 2019

Neil Reiff, Esq.
SANDLER REIFF
1090 Vermont Ave, NW
Washington, DC 20005

Re: ADR 890 (MUR 7452) Ewert for Congress and Sue Jackson, Treasurer

Dear Ms. Jackson:

On August 2, 2018, the Federal Election Commission (FEC/Commission) received a complaint against your client alleging certain violations of the Federal Election Campaign Act of 1971, as amended.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and take no action against the Respondents, Ewert for Congress and Sue Jackson, Treasurer. In its memorandum to the Commission, dated March 5, 2019, this office stated:

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).

Accordingly, the Commission closed its file in this matter on March 14, 2019.

The FEC is obligated by federal regulations to make a finding to terminate its proceedings public, as well as the basis therefore. 11 C.F.R. § 111.20(b). In addition, the Commission will also place on the record copies of the complaint, correspondence exchanged between Respondents and the Commission, and reports prepared for the Commission by this office to assist in its consideration of this matter. Accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 52 U.S.C. § 30109(a)(8). Should you have any questions or concerns, please don't hesitate to contact me.

Sincerely,

Krista J. Roche

Krista J. Roche, Director
Alternative Dispute Resolution Office