



FEDERAL ELECTION COMMISSION  
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**SENSITIVE**

**MEMORANDUM**

March 14, 2019

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Krista J. Roche *KJR*  
Director, ADR Office

SUBJECT: ADR 899 Katie Porter for Congress and Alexander Warren,  
Treasurer; Ed Pope for Mayor of Irvine 2018; Farrah N. Khan for  
Irvine City Council 2018; Abraham Ghorbanian, CEO, Avin  
Dental, Inc.  
Informational Memo on Assignment

The Office of General Counsel referred MUR 7526 for processing on February 15, 2019, and the ADR Office designated the referral ADR 899. We include a summary and discussion of the referral for your information. We expect initiating communication with Respondents in ADR 899 within five (5) business days. Please contact Krista Roche if you have any questions or concerns before then.

**Summary of Case:** On October 23, 2018, Parrisa Yazdani filed a Complaint alleging that she received a mail piece from Abraham Ghorbanian referencing federal candidate Katie Porter and two non-federal candidates, Farrah N. Khan for Irvine City Council 2018 and Ed Pope for Mayor of Irvine 2018. The Complaint contends that the mailer lacked the proper disclaimer; that disclosure reports were not filed; that if funds were pooled from multiple individuals the group should have filed as a political committee; that the mailer may have resulted in a prohibited corporate contribution if the funds were from Dr. Ghorbanian's dental practice, Avin Dental, Inc.; and that the sender may have coordinated with the candidates on the mail piece resulting in an excessive in-kind contribution.

In a response from Abraham Ghorbanian dated November 13, 2018, Dr. Ghorbanian denies the spending of any corporate funds and coordinating the mailer

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with the candidates. He states that he "had no contact with the three mentioned individuals or anyone from their campaign committees." He further states that "no candidate or political party has had any input regarding the content of my postcard." He provides a copy of the personal check he used to pay for the mailer and states that he used the return address of his dental practice rather than his residence for security and privacy reasons. Along with the response Dr. Ghorbanian provides a copy of the Form 5 dated October 31, 2018, disclosing the independent expenditure. He indicates that he was inexperienced in political activity and unaware of the legal requirements. He states that after he received the Complaint he consulted with counsel experienced in election law to receive guidance on compliance.

In a response dated December 6, 2018, counsel for the Katie Porter for Congress and Alexander Warren, Treasurer, (the Committee) states that the the "Committee had no contact with Dr. Ghorbanian and did not coordinate the mailer with him." The Committee states it had no knowledge of the mailer and indicates that there are no facts contained in the Complaint to support the allegations that coordination occurred or an in-kind contribution was received.