



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: THE COMMISSION
ACTING STAFF DIRECTOR
ACTING GENERAL COUNSEL
FEC PRESS OFFICE
FEC PUBLIC DISCLOSURE

FROM: COMMISSION SECRETARY *[Signature]*

DATE: October 7, 2010

SUBJECT: *Ex Parte* Communication Regarding
Draft Advisory Opinion 2010-19
(Google)

Transmitted herewith is an *ex parte* communication received by Commissioner Weintraub regarding the above-captioned matter.

Proposed Advisory Opinion 2010-19 is on the agenda for Thursday, October 7, 2010.

Attachment:



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Washington, DC 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT
2010 OCT -7 A 10:10

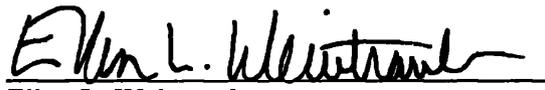
MEMORANDUM

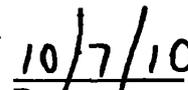
TO: Commission Secretary
FROM: Commissioner Ellen L. Weintraub
DATE: October 7, 2010
RE: *Ex Parte* Communication
Advisory Opinion 2010-19

Yesterday, I received a telephone call from Marc Elias, counsel for Google, Inc. ("Google"). Google is the requester in this Advisory Opinion. The views that he expressed during the course of the telephone conversation were generally consistent those conveyed in Google's request and supplemental comments.

Mr. Elias informed me that he had sent a supplemental comment along with a Draft D on October 4, 2010. He hoped that he could address all of the comments that the Commissioners raised at the last open session held on September 23, 2010. He urged the Commission to adopt Draft D, which applies AO 2002-09 (Target Wireless). He stated that the regulated community has come to rely on this AO and expressed concern that the Commission not unsettle those expectations.

I asked him whether based on the statements made in his October 4 supplemental comment, Google's request has changed. He said no, that his original request still stands.


Ellen L. Weintraub


Date