



April 9, 2003

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**BY FACSIMILE**

Delbert K. Rigsby, Esq.  
Office of General Counsel  
Federal Election Commission  
Washington, DC 20463

**Re: MURs 4935 and 5057**

Dear Mr. Rigsby:

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL  
2003 APR -9 A 11:46  
www.perkinscoie.com

We received your letter dated April 7, 2003, regarding our request to extend the deadline for our clients, Dear for Congress and Abraham Roth, as Treasurer, to respond to the General Counsel's recommendations that the Commission find probable cause in these matters.

Your letter does not address our concerns. First, it does not discuss the question of our access to the underlying factual materials in this matter, which is necessary for an effective response. Second, it would require our clients to waive their rights in order to respond effectively. The date on which you would allow our clients to respond without waiving their rights still falls during Passover, one of the most sacred holidays within their faith. It still denies them the full opportunity to respond that they would have otherwise enjoyed.

We understand that the General Counsel's ordinary practice is to make extensions of time contingent on tolling the statute of limitations, when the end of the limitations period is near. Nonetheless, we must observe that, in this case, the situation is solely of the Commission's making. Our clients have sought to conciliate this matter for nearly three years, an effort in which the Commission only very recently chose to join. Under these circumstances, it is hard for our clients to understand why they must be denied what would otherwise be a routine extension, especially when their religious obligations are at issue.

Accordingly, we must renew our request that our clients be allowed until the close of business Wednesday, May 7, to respond to the briefs, and that we be given access to the underlying factual materials as soon as possible. We would note that, with each day that we lack access to the factual materials, it becomes more likely that

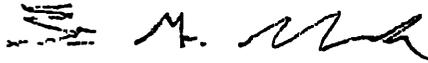
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even a May 7 response date will prove inadequate. Please feel free to contact either of us if you wish to discuss this request further.

Very truly yours,



Marc E. Elias  
Brian G. Svoboda  
Counsel to Respondents

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