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October 13, 2006

Jeff S. Jordan
Supervisory Attorney
Complaints Examination and
Legal Administration
Federal Election Commission
999 E Street, NW
Washington, DC 22210

RE: MUR 5803

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

2006 OCT 13 11:55

Dear Mr. Jordan:

Coloradans for Rick O'Donnell and its treasurer Justin Lippard received the complaint designated as MUR 5803 on September 1, 2006, requested and was granted a 30 day extension, and hereby provides this response.

After press inquiries in response to this matter and receipt of the complaint, staff for Coloradans for Rick O'Donnell consulted counsel about the allegations.

Prior to a campaign volunteer event held at the home of Arthur and Vicki Bushell, it was the understanding of the campaign staff that Mr. and Mrs. Bushell were inviting friends from their personal Christmas card list which the campaign staff was told included long time clients, friends and classmates. The campaign provided Mr. Bushell with a list of zip codes inside the Congressional district. The campaign staff reviewed the text of an invitation to the event, but the text did not indicate it was addressed to any "policy holder" and listed the Bushells home address and a telephone number. The campaign staff was also told that Bushells had purchased the postcard invites and stamps from their personal checking account in advance of the event.

It was the understanding of the campaign staff that this event was being carried out under the exemptions available under 11 C.F.R. §§ 100.75 and 100.77 for events in supporters' personal residences.

At the event held on August 22, 2006, approximately 40 people attended. Mr. O'Donnell spoke and encouraged attendees to support him in the upcoming election. This event was not a fundraiser, but contribution envelopes were available at the event. However, no

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funds were collected by Coloradans for Rick O'Donnell at the event or from the envelopes left at the Bushell's home for attendees.

At the time of the event, Coloradans for Rick O'Donnell was not aware that any postcards were sent bearing a State Farm logo and addressed "Dear Policyholder" or listing the Bushells' office telephone number as alleged in the complaint.

Following the press reports about the invitations for the event, the Bushell's and the campaign manager consulted and determined that the Bushell's would reimburse their insurance agency for the costs of the mailing. In accordance with 11 C.F.R. 114.9(a)(2), Mr. Bushell reimbursed his company from his personal checking account for \$170.00 to cover the cost of invitations and stamps on August 18, 2006. This reimbursement by the Bushell's will be reported as an in-kind contribution on Third Quarter report due to be filed by Coloradans for Rick O'Donnell on October 15, 2006. Other expenses for the event at the Bushell's home are covered by the exemptions available under 11 C.F.R. §§ 100.75 and 100.77.

Because of the corrective nature of the actions undertaken by Coloradans for Rick O'Donnell, the timeliness of the corrective action, the lack of detailed advance knowledge of staff of the campaign about activities of the Bushells, and the small amount of the cost involved, Coloradans for Rick O'Donnell and its treasurer Justin Lippard respectfully request that the Commission dismiss the complaint and take no further action in this matter.

Please do not hesitate to contact me at 540-341-8808 (telephone) or 540-341-8809 (fax) with questions or concerns.

Sincerely,

Jason Torchinsky
Counsel for Coloradans
for Rick O'Donnell

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