



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

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**MEMORANDUM**

TO: The Commission

FROM: Anthony Herman *AH*  
General Counsel

Kathleen Guith *KG*  
Acting Associate General Counsel for Enforcement

Mark Allen *MA*  
Assistant General Counsel

Shana M. Broussard *SB by MA*  
Attorney

SUBJECT: MUR 6128 (Craig for U.S. Senate)

RE: Office of General Counsel's Notice to Commission Following  
the Submission of Probable Cause Briefs

On April 8, 2011, the Office of General Counsel mailed Respondents a brief ("General Counsel's Brief") setting forth the factual and legal basis upon which the Office of General Counsel was prepared to recommend that the Commission find probable cause to believe that Larry E. Craig and Craig for U.S. Senate and Kaye O'Riordan, in her official capacity as treasurer (collectively "Respondents"), violated 2 U.S.C. § 439a(b). A copy of that brief was provided to the Commission on April 11, 2011. Respondents submitted a reply brief on April 25, 2011, and the Commission held a Probable Cause Hearing on May 25, 2011. Pursuant to the Commission's *Agency Procedure Following the Submission of Probable Cause Briefs by the Office of General Counsel*, 76 Fed. Reg. 63570 (October 13, 2011), the Office of General Counsel is hereby notifying the Commission that it intends to proceed with the recommendation to find probable cause to believe that Respondents violated 2 U.S.C. § 439a(b) based on the factual and legal analysis set forth in the General Counsel's Brief. A copy of this Notice is being provided to Respondents contemporaneously.

**RECOMMENDATION**

Find probable cause to believe that Larry E. Craig and Craig for U.S. Senate and Kaye O'Riordan, in her official capacity as treasurer, violated 2 U.S.C. § 439a(b).

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