

JENNER & BLOCK

June 9, 2009

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VIA FACSIMILE AND FIRST CLASS MAIL

Federal Election Commission
General Counsel's Office
Attn: Jeff S. Jordan
Supervisory Attorney
Complaints, Examinations & Legal Administration
999 E Street, NW
Washington, DC 20463

William D. Heinz

Tel _____
Fax _____

*Rec'd OAC
JUN 16 2009
10:31 am*

Re: MUR 6192

Dear Mr. Jordan:

As directed by the Federal Election Commission's ("Commission") letter of May 14, 2009, this response is submitted on behalf of SimmonsCooper LLC ("Firm") to the complaint lodged with the Commission by Mr. Stephen Jellen. That complaint "indicates" that the Firm may have violated the Federal Election Campaign Act ("Act"), by making a \$50,800 contribution to the Madison County (Illinois) Democratic Campaign Committee ("MCDCC" or "Committee") in early October 2008.

The Firm made the \$50,800 payment to the MCDCC, of which Mr. Jellen complains, but in doing so, the Firm did not violate the Act. As you know, the federal \$10,000 limit does not apply to contributions to candidates for state and local offices.

At the time of the questioned payment, Illinois law permitted candidates for state and local offices to raise money from individuals, partnerships and corporations. There were no statutory/regulatory limits or restrictions on the amounts of such contributions. See 10 ILCS 5/9-1, et seq. (2008). The contribution here was made to the local Democratic party committee, in support of its efforts to elect Democratic candidates to a number of state, county and municipal offices.

No one in the Firm intended, directed, or implied that any part of the contribution be used in connection with federal races. No one in the Firm took part in the Committee's decisions on the bank account(s) into which the funds would be deposited, which specific state and local candidates would receive funds or how the money would be spent. The Committee did not inform the Firm that it intended to spend, or that it indeed has spent, any of the funds in connection with federal races. Thus, the Firm has no reason to believe that any of its contribution was expended in connection with a federal election activity.

In summary, the Firm's contribution complied in all respects with Illinois state law. Its receipt was accurately reported by the MCDCC on the Illinois State Board of Elections contribution

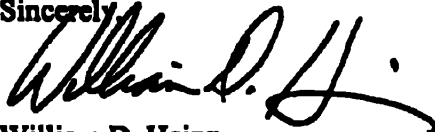
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disclosure form. If any portion of the funds was later spent in ways which violate federal election law restrictions, it was done without the knowledge or acquiescence of the Firm.

Under these circumstances, we respectfully request that no action be taken against SimmonsCooper.

Sincerely,

A handwritten signature in black ink, appearing to read "William D. Heinz", with a stylized flourish at the end.

William D. Heinz

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