



FEDERAL ELECTION COMMISSION
Washington, DC 20463

NOV 28 2009

William D. Heinz, Esq.
Jenner & Block LLP
330 N. Wabash Avenue
Chicago, IL 60611

RE: MUR 6192
SimmonsCooper LLC

Dear Mr. Heinz:

On May 14, 2009, the Federal Election Commission notified your client, SimmonsCooper LLC, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

Upon further review of the allegations contained in the complaint, and the information provided by your client, on November 13, 2009 the Commission found that there is no reason to believe that SimmonsCooper LLC violated 2 U.S.C. §§ 441a(a) or 441b(a). Accordingly, on November 13, 2009, the Commission closed the file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which more fully explains the Commission's decision, is enclosed for your information.

If you have any questions, please contact Shana M. Broussard, the attorney assigned to this matter at (202) 694-1650.

Sincerely,

A handwritten signature in dark ink, appearing to read "Mark Allen".

Mark Allen
Assistant General Counsel

Enclosure
Factual and Legal Analysis

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1 **FEDERAL ELECTION COMMISSION**

2 **FACTUAL AND LEGAL ANALYSIS**

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5 **RESPONDENT:** SimmonsCooper LLC

MUR 6192

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8 **I. GENERATION OF MATTER**

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10 This matter was generated by a Complaint filed with the Federal Election
11 Commission ("the Commission") by Stephen Jellen. *See* 2 U.S.C. § 437g(a)(1).

12 **II. FACTUAL AND LEGAL ANALYSIS**

13 The Complaint alleges that SimmonsCooper LLC ("SimmonsCooper") made an
14 excessive and possibly prohibited corporate contribution to the Madison County
15 Democratic Central Committee ("MCDCC" or "the Committee"), a local party
16 committee of the Illinois Democratic Party, in violation of the Federal Election Campaign
17 Act of 1971, as amended ("the Act"). SimmonsCooper acknowledges making a
18 contribution to MCDCC during the calendar year 2008 in the amount of \$50,800.
19 SimmonsCooper Response at 1. SimmonsCooper contends that its contribution was
20 intended for non-federal activities, *see* SimmonsCooper Response at 1, and the available
21 information does not suggest otherwise. *See* 2 U.S.C. § 431(8)(A) (the Act defines
22 "contribution" to include "anything of value made by any person for the purpose of
23 influencing any election for Federal office"). Based upon the available information,
24 MCDCC did not meet any of the Act's thresholds for political committee status and thus
25 the Committee is not subject to the Act's limitations and prohibitions on contributions
26 received. Accordingly, the contributions made by SimmonsCooper do not appear to be

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- 1 subject to the Act's limits and prohibitions.¹ Because the available information does not
- 2 indicate that SimmonsCooper made an excessive or corporate contribution, the
- 3 Commission finds no reason to believe that SimmonsCooper LLC violated 2 U.S.C.
- 4 §§ 441a(a) or 441b(a).

¹ Illinois statute 10 ILCS 5/9-1 et. seq. (2008) permits candidates for state and local office to raise money from individuals, partnerships, and corporations without limits or restrictions on the amounts of such contributions.