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March 15, 2010

Jeff S. Jordan, Esq.
Supervisory Attorney
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Re: MUR 6220

Dear Mr. Jordan:

Our firm is counsel to Julie Walden in the above-referenced matter. A Designation of Counsel statement to that effect is enclosed with this letter. We are writing this letter on behalf of Ms. Walden (the "Respondent") in response to the Complaint filed in the above-referenced matter by Paul Kromberg (the "Complainant"). For the reasons set forth below, the Complaint is without merit and should be dismissed.

The Complaint alleges that the Respondent violated the Federal Election Campaign Act (the "Act") by knowingly soliciting excessive contributions to the Obama Victory Fund (the "Committee"). She did not. The Respondent acted in full compliance with the Commission's requirements at all times.

The Respondent served as Obama for America's Finance Director for Southern California and the Southwest from January 2007 to November 2008. In her role as regional Finance Director, she solicited contributions from individuals to the Committee. The Committee was a joint fundraising committee authorized by Obama for America and the Democratic National Committee ("DNC") to raise money for both committees during the 2008 election cycle.¹

¹ The Committee filed its termination report with the Commission on November 13, 2009.

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In general, contributions made to the Committee were allocated first to Obama for America to the maximum amount permitted, and then to the DNC. However, pursuant to Commission rules, contributors were informed that the allocation formula could change if a contributor made a contribution which would exceed the amount that contributor could give to either participant. Pursuant to 11 C.F.R. § 102.17, the Committee included a joint fundraising notice with every solicitation for contributions. In addition, all public communications made by the Committee included a disclaimer, which identified the Committee as a "joint fundraising committee authorized by Obama for America and the Democratic National Committee."

To the best of her knowledge, any written solicitations that the Respondent sent or distributed on behalf of the Committee included the required joint fundraising notice and disclaimer and were otherwise consistent with the Commission's requirements.

The Complaint cites a specific solicitation, *available at* <http://www.joniweyl.com/DNClist.rev.1.09.pdf>, indicating that individuals who contributed \$20,000 to the Obama Victory Fund (the "Committee") would receive an artist portfolio of 13 prints. According to the solicitation, contributions to the Committee were to be sent to the Respondent. Contrary to what is alleged in the Complaint, the \$20,000 solicitation was well within the contribution limits applicable to the Committee. During the 2008 election cycle, the DNC could accept from an individual \$28,500 per calendar year; and an authorized candidate's committee could accept from an individual \$2,300 per election. *See* 2 U.S.C. § 441a(a)(1); 11 C.F.R. § 110.1.

Furthermore, although not referred to in the Complaint, the Committee's standard contribution form was attached to the solicitation in question. *See* Exhibit A; *see also* <http://www.joniweyl.com/DNClist.rev.1.09.pdf>. Consistent with the Act and the Commission's regulations, the contribution form included the Committee's joint fundraising notice as well as a disclaimer identifying the Committee as a joint fundraising committee authorized by Obama for America and the DNC.

Although the Respondent did solicit contributions to the Committee in connection with an artist portfolio, the Respondent had no knowledge of the specific solicitation referenced in the Complaint prior to receiving the Complaint.² The solicitation posted on

² Unlike solicitations authorized by the Respondent, the solicitation referenced in the Complaint stated that donors who had contributed the maximum amount to the DNC could make a contribution to Committee for Change. Committee for Change was a joint fundraising committee consisting of state Democratic Party committees. Its termination was accepted by the Commission on November 6, 2009.

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the above website was not authorized by the Respondent or the Committee. Because the solicitation was posted on the above website without the Respondents' or the Committee's express or implied authorization, the owners of the website were not acting as the Committee's agents, see 11 C.F.R. §§ 300.2(b); 109.3(a), and neither the Respondent nor the Committee may be held liable for their actions. Nor can the solicitation's failure to comply with 11 C.F.R. § 102.17(c)(2) (with respect to the reference to Committee for Change) be attributed to the Respondent or to the Committee.

The Respondent has no knowledge of personally receiving any contributions in response to the solicitation on the above website; nor does she believe that the Committee received any contributions in response to this solicitation.

Because the Complaint presents no specific facts that would constitute a violation of law by the Respondent, the Respondent respectfully requests that the Commission immediately dismiss the Complaint and take no further action.

Very truly yours,



Judith L. Corley
Rebecca H. Gordon
Counsel to Respondents

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EXHIBIT A

The first \$2,000 of each contribution from an individual will be allocated to Obama for America and will be considered designated for the general election. The next \$20,000 of each contribution from an individual will be allocated to the Democratic National Committee. Any contributor may designate his or her contribution for a particular participant. (Participants are Obama for America and the DNC). The allocation formula above may change if any contributor makes a contribution that, when allocated, would exceed the amount that the contributor may lawfully give to either participant.

Please make checks payable to:
OBAMA VICTORY FUND
 Attn: Julie Walden
 1800 Century Park East, Ste. #210
 Los Angeles, CA 90067

Total Amount: \$_____

Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation and employer of individuals whose contributions exceed \$200 in an election cycle.

First & Last Name: _____
 Address: _____
 City/State/Zip: _____
 If foreign address provide US passport number: _____
 Employer: _____ Occupation: _____
 Work Phone: _____ Work Fax: _____
 Home Phone: _____ Email: _____

I certify that I am a U.S. citizen or legal permanent resident of the U.S.

Signature: _____

Contribute by Personal Check:

Please make checks payable to "Obama Victory Fund" and mail to the address listed above.

Contribute by Credit Card:

Please bill my personal credit card: Visa MasterCard AMEX Discover

Card Number: _____ Exp: _____

Name as it appears on the card: _____

Signature: _____

Second Name on Account, If Joint Account: _____

*Contributions will be evenly attributed between names.

2nd Name Employer: _____ 2nd Name Occupation: _____

Second Signature for Joint Account: _____

OVF Staff Name: _____ OVF Staff Signature: _____

Obama Victory Fund does not accept contributions from currently registered federal lobbyists, registered foreign agents, political action committees, or aliens under the age of 18. Federal law prohibits the acceptance of corporate contributions.
 Contributions and gifts to the Obama Victory Fund are not deductible for federal income tax purposes.

Paid for by Obama Victory Fund, a joint fundraising committee authorized by Obama for America and the Democratic National Committee.

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**FEDERAL ELECTION COMMISSION
999 E Street, NW
Washington, DC 20463**

STATEMENT OF DESIGNATION OF COUNSEL
Please use one form for each Respondent/Client
FAX (202) 219-3923

MUR 0220

NAME OF COUNSEL: Judith L. Corley, Rebecca H. Gordon
FIRM: Perkins Coie, LLP
ADDRESS: 607 14th Street, N.W., Suite 800
Washington, DC 20005
TELEPHONE- OFFICE (202) 339-9900
FAX (202) 339-1722

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

3/11/10 John

RESPONDENT/CLIENT: Julie Walden

**MAILING
ADDRESS:** _____

TELEPHONE: Cell Home Business **2024823439**

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437(g)(1)(D)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.