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May 3, 2010  
Via FedEx

General Counsel's Office  
Attn: Jeff S. Jordan, Esquire  
Supervisory Attorney  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 6270: Response of Campaign for Liberty and John Tate to Complaint

Dear Sirs:

This firm represents Campaign for Liberty and John Tate in the above-referenced matter. In accordance with your instructions, enclosed is the Statement of Designation of Counsel, signed by John F. Tate as president of Campaign for Liberty, designating William J. Olson and John S. Miles of this office as counsel in this matter.

#### FEC Correspondence

By letter dated April 15, 2010, received by our clients on April 16, 2010, the FEC notified our clients that the Federal Election Commission ("FEC") had received a complaint indicating that Campaign for Liberty may have violated the Federal Election Campaign Act of 1971, as amended ("FECA"). The FEC letter names both Campaign for Liberty and its president, John Tate, as respondents in MUR 6270, and invites our clients' response within 15 days of the receipt of your letter — which would have required a response on or before Monday, May 3, 2010.

By letter dated April 16, 2010, received by our clients on April 19, 2010, the FEC transmitted to our clients a readable copy of a disc — containing exhibits A and J to the complaint — which was part of the complaint package, but was not included with the complaint sent with your letter dated April 15, 2010. That letter changed our clients' response due date to Tuesday, May 4, 2010.

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### Confidentiality

Please be advised that our clients do not waive confidentiality, and wish this matter to remain confidential, in accordance with 2 U.S.C. sections 437g(a)(4)(B) and 437g(n)(12)(A).

### The Complaint

MUR 6270 was instituted by the FEC following the filing of purported complaint dated March 25, 2010, from one Jonathan C. Gay of Hazel Green, Kentucky.

**Other Respondents.** The complaint alleges violations of both the FECA and related FEC regulations by a political campaign committee known as Rand Paul for U.S. Senate, "the principal campaign committee of candidate for the United States Senate Rand Paul." Complaint, ¶3.

The complaint alleges that Rand Paul for U.S. Senate: (i) failed to disclose various in-kind contributions resulting from a number of alleged coordinated communications in e-mails and mailings by certain political committees or other organizations (Complaint, Count I); (ii) failed to disclose on its FEC reports certain expense payments or reimbursements payments (Complaint, Count II); and (iii) failed to include proper disclaimers on certain campaign communications it sent or placed in the public domain (Complaint, Count III).

**Campaign for Liberty and John Tate.** On the other hand, the complaint makes no allegations of any specific violations of any provision of FECA and/or the FEC regulations by our clients.

The only mention of Campaign for Liberty occurs in paragraph 15 of the complaint: that "a March 2, 2010 e-mail communication from David Abrams to 'Campaign for Liberty' contributors or supporters ... lacks the required disclaimers and further violates FEC regulations as Rand Paul for U.S. Senate is colluding with the 501(c)(4) entity 'Campaign for Liberty.'" Insofar as this allegation involves a missing disclaimer, that is a matter to be addressed by Rand Paul for U.S. Senate. The only place in the complaint that appears to reference Campaign for Liberty negatively is the one word "colluding" in paragraph 15 of the complaint-- but that does not constitute a valid complaint against Campaign for Liberty and John Tate, as it not only provides no evidence of a violation, but does not even allege facts sufficient to support a violation of FECA, nor is there any indication of what FEC regulations were supposedly violated. As such, this does not constitute a valid complaint against Campaign for Liberty and John Tate. See 2 U.S.C. § 437g(a)(1); 11 CFR 111.4(d)(3).

### Request for Dismissal

The fact that the complaint fails to do more than make a conclusory assertion of "colluding" -- a term which does not even appear to be in the FECA or FEC regulations --

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the absence of any alleged specific violations of any provision of FECA and/or the FEC regulations by our clients, and the fact that no such violation is apparent from any reasonable reading of the complaint, all justify dismissal of this MUR against our clients.

Accordingly, the respondents, Campaign for Liberty and John Tate, as President of Campaign for Liberty, respectfully request the dismissal of the complaint with respect to them, with no action being recommended against or taken against Campaign for Liberty or John Tate, as President of Campaign for Liberty. See 11 CFR 111.5(b).

We look forward to hearing from you.

Sincerely yours,



John S. Miles

JSM:mm  
Enclosure

cc: John F. Tate, President  
Campaign for Liberty

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999 E Street, NW  
Washington, DC 20463

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OFFICE OF GENERAL  
COUNSEL

**STATEMENT OF DESIGNATION OF COUNSEL**  
**Please use one form for each Respondent/Client**  
**FAX (202) 219-9923**

MUR # 6270

NAME OF COUNSEL: William J. Olson, John S. Miles

FIRM: William J. Olson, P.C.

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Vienna, VA 22180-5615

TELEPHONE- OFFICE (703) 356-5070

FAX (703) 356-5085

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.

4/27/10  
Date

John J. Tate  
Respondent/Client Signature

President  
Title

RESPONDENT/CLIENT Campaign for Liberty and John Tate  
(Please Print)

MAILING  
ADDRESS: 5211 Port Royal Rd., Ste. 310

Springfield, VA 22151

TELEPHONE- HOME ( ) \_\_\_\_\_

BUSINESS ( ) \_\_\_\_\_

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. § 437g(a)(2)(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.

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