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April 30, 2010

VIA ORDINARY MAIL

Mr. Jeff S. Jordan, Esq.
 Supervisory Attorney, Complaints Examination & Legal Administration
 FEDERAL ELECTIONS COMMISSION
 999 E Street, NW
 Washington, D.C. 20463

Dear Jeff:

Enclosed herewith is the Answer of COAST Candidates PAC and Mark W. Miller, its Treasurer in this matter.

I send this not as counsel for a member of the "Regulated Community" that the FEC and its bureaucrats think that the citizens of the United States are, but as an attorney for those citizens whose rights are protected from you and the FEC by the First and Fourteenth Amendments to the United States Constitution.

While I do thank you for your courtesies on the phone, I find utterly appalling the cavalier attitude expressed regarding the daily infringement on the rights of my clients who elect to participate in the electoral processes of this fine country.

Having said that, if there is something more I need to do to bring these concerns before the FEC or its seemingly bottomless cadre of bureaucrats paid with our tax dollars, let me know.

Very truly yours,

FINNEY, STAGNARO,
 SABA & PATTERSON CO., L.P.A.

By: 
 Christopher P. Finney, Esq.

Enclosures

cc: Mr. Mark W. Miller (w/out enclosures)

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 OFFICE OF GENERAL
 COUNSEL

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FEDERAL ELECTIONS COMMISSION

In the matter of Rand Paul for U.S. Senate

MUR 6270

ANSWER

COAST Candidates PAC ("COAST") and its Treasurer, Mark W. Miller, hereby tender the following Answer to the Complaint transmitted to it by Jeff. S. Jordan, Supervisory attorney, Complaints Examination & Legal Administration.

1. First and foremost, COAST asserts its rights under the First and Fourteenth Amendments to the United States Constitution.
2. Second, there is no allegation in the Complaint of any wrongdoing by COAST. The caption of the Complaint is addressing the Rand Paul for Senate Campaign, not COAST. COAST is not a named party in the action. Further, the only factual allegations about COAST appear in the eighth numbered paragraph of the complaint. That paragraph concludes: "These failures demonstrate that with respect to these issues Rand Paul for U.S. Senate violated at a minimum 11 C.F.R. §109.21." There is utterly no allegation in the Complaint that COAST violated any law. As such the Complaint should be dismissed as to COAST, if in fact someone deems to the Complaint to be against COAST, which is facially incorrect as there is no allegation that COAST violated any law in there.
3. Thus, COAST has no idea why the Complaint was transmitted to COAST and why Jeff S. Jordan says in his cover letter "The Federal Elections Commission received a complaint that indicates that COAST candidates PAC, and you as Treasurer, may have violated the Federal Elections Campaign Act of 1971, as amended ('the ACT')." The Complaint says utterly no such thing.
4. As such COAST considers the Complaint to be harassment of COAST and a violation of its First and Fourteenth Amendment rights not by the Complainant, but by the FEC and its bureaucrats.
5. COAST is a very small PAC in Cincinnati, Ohio. It raises less than \$20,000 per annum, sometimes much less. The burden of hiring an attorney and taking volunteer time to respond to a Complaint, much less a Complaint that is not against it, and does not

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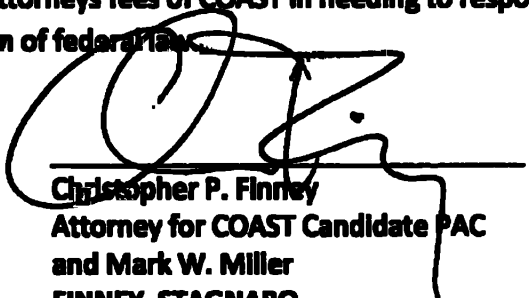
purport to be against it, is deeply offensive, and a waste of our limited and valuable resources.

6. Further, the inquiry, harassment and threat of prosecution under the Federal Election Campaign Act of 1971, as amended, has a chilling effect on the free speech rights of COAST and of every other citizens of this nation who might dare to participate in free speech activities.
7. Moreover, the effect of this harassment and system, which needlessly threatens citizens who engage in their free speech activities, is to cede the ground of political speech to large trade associations, labor unions and wealthy corporations and individuals who can hire attorneys to endure the endless and petty harassment, questioning and interference in their participation in the marketplace of ideas.
8. In short, the FEC and its staff should be ashamed of themselves for placing COAST and Mr. Miller in the position of needing to respond to this baseless claim of a violation of the Federal Election Act, as amended.
9. The name of our organization is "Coalition Opposed to Additional Spending and Taxes Candidates PAC;" shortened to "COAST Candidates PAC."
10. The first allegation in the Complaint is that an organization known as "Citizens Organized Against Additional Spending and Taxes" issued a letter dated August 3, 2009 on behalf of or in coordination with Rand Paul for U.S. Senate Campaign.
11. The second named organization also uses the acronym "COAST."
12. While COAST wholeheartedly supports Rand Paul for U.S. Senate, and even moreso agrees with this other organization's fundamental right to do speak in favor of his candidacy without interference from or questioning by the FEC and its bureaucrats, which interference and questioning we see as violations of their rights under the First Amendment and Fourteenth Amendment to the United States Constitution (i.e., you should stop doing it in the future), the complaint is misdirected against COAST Candidates PAC.
13. COAST Candidates PAC did not issue this letter, did not pay for the distribution of this letter, did not know about the letter before it was sent or until this Complaint

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was filed, and certainly did not coordinate with the Rand Paul for U.S. Senate Campaign in its sending.

14. Anyone reading the letter would note that it does not contain a disclaimer that it is paid for by "COAST Candidates PAC," but rather clearly by another organization: "Citizens Organized Against Additional Spending and Taxes," which is distinctly something other than "COAST Candidates PAC."
15. The second allegation against COAST is that on December 16, 2009 it issued an e-mail entitled "Money Bomb Today!" attached to the Complaint as Exhibit J. While COAST is offended by the inquiry about its exercise of its free speech rights by the FEC and its Bureaucrats, especially where no Complaint has been made against COAST, COAST does admit that it did send the claimed e-mail.
16. COAST did not spend any money in sending the e-mail.
17. Thus COAST did not make a contribution of any sort to the Rand Paul for U.S. Senate Campaign by means of the e-mail, directly, "in kind" or otherwise.
18. COAST asserts that it did not speak with, correspond with, e-mail with, or otherwise coordinate with the Rand Paul for U.S. Senate Campaign in the creation, design or sending of the e-mail.
19. As a result, COAST asks that the Complaint be dismissed; that COAST receive an apology for this harassment and interference with its protected First Amendment activities, and that the FEC pay the attorneys fees of COAST in needing to respond to this frivolous accusation of a violation of federal law.



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and Mark W. Miller
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