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OFFICE OF GENERAL
COUNSEL

Brumberg For Congress
Barry Brumberg, Treasury
20 West 38th Street, Suite 306
New York, New York, 10018

Federal Election Commission
Jeff Jordan
999 E Street NW
Washington DC 20463

RE: MUR 6349

Dear Mr. Jordan, please see below our response to the frivolous complaint. We have also enclosed copies of cashed checks and a rent stub.

Response

Brumberg for Congress ("Respondent") hereby responds to the Complaint brought by David B. Douek ("Claimant") to the Federal Election Commission, MUR #6349. Respondent requests that the Federal Election Commission dismiss the Complaint and take no further action.

Facts

1. Respondent pays to lease office space at 20 West 38th Street, New York, NY 10018, from Bravo Management.
2. The rent for this office space is \$2,200.00 per month plus utilities.
3. The lease for the space began on June 1, 2010. Through arms-length, good faith negotiation, Respondent was allowed to move in early and thus began occupying the space after May 25, 2010.
4. Respondent paid \$2,200 in rent and utilities for June 2010 by check dated July 2, 2010 (Exhibit A).
5. Respondent paid \$2,334.46 in rent and utilities for July 2010 by check dated July 1, 2010 (Exhibit B).
6. Respondent paid \$2,414.94 in rent and utilities for August 2010 by check dated August 6, 2010 (Exhibit C).
7. Bravo Management has provided Respondent with a payment stub detailing monthly rent (\$2,200), utilities, and late fees (Exhibit D).

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Response to Count I

8. Respondent paid for the rent and utilities out of official campaign funds.
9. Respondent did not report payment in its July Quarterly Report (Complaint Exhibit B), as Respondent had not paid any rent at the time of filing.
10. Respondent has included the expenditures listed in paragraphs 4, 5, and 6 in its Pre-Primary FEC filing due September 2, 2010.
11. Respondent could not have legally reported any rent and utilities expenditures before its Pre-Primary filing.

Response to Count II

12. Respondent paid for all rent and utilities for its office space out of its own committee funds.
13. Respondent received no contribution with respect to its office space.

Response to Count III

14. Respondent has complied with Federal Election Law.
15. Had Respondent included any rent or utility expenditures in its July 2010 Quarterly Report, as Claimant charges, Respondent would in fact have violated Federal Election Law by reporting expenditures that had not been made.

Requested Relief Sought

16. The charges made by Claimant are patently false and frivolous. They lack merit entirely, and are designed to harass Respondent.
17. Due to the information presented heretofore, Respondent requests that the Federal Election Commission dismiss Claimant's complaint in its entirety.
18. Respondent further requests that the Federal Election Commission take no further action with respect to the Complaint, including, but not limited to, referral to the Justice Department.


Barry Bramberg