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October 18, 2010

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CLIENT/MATTER NUMBER
999100-0130

CONFIDENTIAL

VIA HAND DELIVERY

Mr. Jeffrey S. Jordan, Esq.
Complaints Examination and Legal Administration
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 6371 – Friends of Christine O'Donnell, Respondent

Dear Mr. Jordan:

Please find enclosed the Statement of Designation of Counsel of the undersigned to represent Respondent, Friends of Christine O'Donnell in the above-referenced Matter Under Review.

Simply put, there is no evidence of a coordinated public communication in the instant case. Complainant filed this complaint as a political ploy because Christine O'Donnell was endorsed by the Tea Party Express PAC, while Complainant supported another candidate for the Republican nomination for the US Senate from Delaware. The Republican Party of Delaware was desperate in the closing days before the primary as they realized that their preferred candidate was not the choice of Republican voters in Delaware.

The only evidence of "coordination" cited by Complainant is a surprise appearance by candidate Christine O'Donnell at an event sponsored by the Tea Party Express, at which Ms. O'Donnell appeared without the advance knowledge of the Tea Party Express and at which event Ms. O'Donnell publicly *thanked* the Tea Party Express for its support of her candidacy. Ms. O'Donnell's other remarks were all devoted to her platform as a candidate. Such a tangential public appearance by the candidate at an event held to mobilize grassroots support for the O'Donnell candidacy where the *only* comments were to *thank* the organizers hardly constitutes a 'request, behest, suggestion' that the Tea Party Express make the expenditures it had already determined to make in support of its endorsement of the O'Donnell candidacy.

There are no facts to substantiate any 'closed door meetings' between Ms. O'Donnell and the Tea Party Express, as alleged by Complainant, because there were none. There have never been any meetings or conversations between Ms. O'Donnell or persons from her campaign and the Tea Party Express, other than the public appearance by Ms. O'Donnell at the event referenced by the Complainant in the complaint.

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October 18, 2010

Page 2

That single public appearance does not constitute material involvement by the O'Donnell campaign with the Tea Party Express; there have been no substantial discussions between the O'Donnell campaign and the Tea Party Express regarding *any* of the Tea Party Express's activities.

Simply put, the Complaint is groundless and lacks any substantiating factual information because no facts exist that would constitute a coordinated public communication. The Complaint is wholly without merit and must be dismissed.

Please contact me at (202) 295-4081 should you wish additional information. Thank you.

Sincerely,

Cleta Mitchell, Esq., Counsel
Friends of Christine O'Donnell

Enclosure

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STATEMENT OF DESIGNATION OF COUNSEL
Please use one form for each Respondent/Entity/Treasurer
FAX (202) 219-3928

MUR # 6371

NAME OF COUNSEL: Cleta Mitchell, Esq.

FIRM: Foley & Lardner LLP

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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.

10-18-2010
Date

Matt Moran: Matt Moran
Respondent/Agent-Signature

Treasurer
Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: Friends of Christine O'Donnell

MAILING ADDRESS: PO Box 3987
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Wilmington, DE 19807

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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)(1)(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.

Rev. 2008

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