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CLIENT/MATTER NUMBER
999100-0130

Mr. Christopher Huey, Esq.
Acting General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

Re: MUR 6430 - Common Sense Issues, Respondent

Dear Mr. Huey:

RECEIVED
FEDERAL ELECTION
COMMISSION
2010 DEC 15 PM 1:44
OFFICE OF GENERAL
COUNSEL

The undersigned serves as counsel to Respondent in the above-referenced MUR, Common Sense Issues, Inc., a 501(c)(4) social welfare organization ("CSI"). The mission of and issues of interest to CSI and its state-based projects including CommonSenseMontana.com are available by viewing the website of the organization at www.commonenseissues.com.

The Complaint in the above-referenced MUR is without merit. The ads at issue in the complaint were CSI-sponsored radio advertising to educate the people of Montana regarding the positions and voting records of their two Senators, Sen. Max Baucus (D-MT) and Sen. Jon Tester (D-MT) on Obamacare and other legislative issues. CSI has aired advertisements in other states to educate the citizens of those states about the voting records of and positions taken on issues and legislation by their United States Senators.

The Montana Democratic Party complains about ads that were aired during the late part of 2009 and the early months of 2010 when Obamacare was under consideration by the US Congress. No federal candidate on the ballot in Montana during 2010 was ever referenced or depicted in the advertising. The Complaint is so utterly baseless that it references television ads....when, in fact, the advertisements were only radio ads that urged listeners to call both Sen. Baucus and Sen. Tester to urge them to vote against Obamacare.

In short, there is not a single fact giving rise to any violation by CSI of the Federal Election Campaign Act of 1971, as amended. There were no federal candidate(s) referenced or depicted in the CSI advertisements about the Obamacare legislation, such that there is no reason to further discuss the advertisements, their content or the timing of the ads.

The Complaint must be dismissed. Please contact me at (202) 295-4081 if you have any additional questions.

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FOLEY
FOLEY & LARDNER LLP

Mr. Chris Huey, Esq.
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Sincerely,



Cleta Mitchell, Esq., Counsel
Common Sense Issues, Inc.

cc: Mr. John Lind, Common Sense Issues

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