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August 1, 2012

Via Facsimile (202) 219-3923
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Office of General Counsel
Federal Election Commission
Attn: Jeff S. Jordan, Esq.
999 E. Street N.W.
Washington, D.C. 20463

RE: MUR 6469; Amendment of July 17, 2012

Dear Mr. Jordan:

David Saltzman and Bruce Fein, though not heretofore respondents in this matter, have been named individually in the third and most recent amendment by David Krikorian to his August 31 complaint. We hereby respond.

First, as clearly explained in the Turkish Coalition of America's original response to the complaint, and as consistently noted elsewhere in the record, we were not retained by Rep. Schmidt until after the 2007-2008 election cycle had concluded. Indeed, Complainant's most recent amendment concedes that it was "after the election [when] Rep. Schmidt filed a complaint against Mr. Krikorian with the Ohio Elections Commission regarding [Mr. Krikorian's] accusations."¹ In sum, we handled fallout from the campaign, but not the campaign itself.

¹ Complainant's assertion that Rep. Schmidt's complaint before the Ohio Elections Commission was made "shortly" after the election is mendacious. Her complaint was filed in April 2009, more than five months after the November 2008 election.

At no time during our representation of Rep. Schmidt did we concern ourselves with any potential future candidacy of hers for office. She never spoke with us about such, and, having no cause to do so, we never asked about such. Our concern was solely pursuing her rights under Ohio elections law, which provides that:

No person, during the course of any campaign for nomination or election to public office or office of a political party, by means of campaign materials, including sample ballots, an advertisement on radio or television or in a newspaper or periodical, a public speech, press release, or otherwise, shall knowingly and with intent to affect the outcome of such campaign do any of the following:

...
Post, publish, circulate, distribute, or otherwise disseminate a false statement concerning a candidate, either knowing the same to be false or with reckless disregard of whether it was false or not, if the statement is designed to promote the election, nomination, or defeat of the candidate. (Ohio Revised Code § 3517.21(10))

In this, we were successful. The Ohio Elections Commission ("OEC") determined by clear and convincing evidence that the complainant, Mr. Krikorian, had violated this law by making no fewer than three false statements about Rep. Schmidt with malice during the 2008 election campaign. The OEC published three letters of public reprimand against Mr. Krikorian on November 13, 2009. Our actions on Rep. Schmidt's behalf thereafter were mainly to preserve the OEC's ruling against several attempts by Mr. Krikorian to appeal or attack them collaterally. For this we were compensated by respondent Turkish Coalition of America ("TCA"). After the House Ethics Committee determined that Rep. Schmidt should reimburse us for the costs of these services, she began to do so. The funds that we have received from Rep. Schmidt we have duly forwarded to TCA.

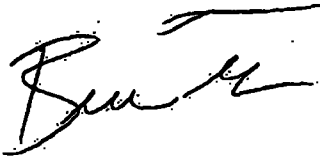
In sum, our services were not provided for the purpose of influencing an election for federal office because at the time Rep. Schmidt sought representation by us, the election cycle was over. Further, we made no post-election contribution because our services were not rendered to a political committee. And, our services were not contingent on any decision by Rep. Schmidt whether or not to seek office again in 2010. Indeed, Mr. Krikorian's latest amendment, if taken at face value, would have the FEC declare unlawful any retention of legal counsel by sitting

members of Congress who are subjected during the previous election cycle to defamatory lies that violate state elections law.

Finally, the amendment's allegation that either of us ever conspired to or otherwise concealed the source of our funding is plainly untrue. We attach a January 3, 2012 letter from Rep. Schmidt in which she states that we never misled or intentionally withheld information from her. Further, the amendment is also wrong to state that we did not challenge the House Ethics Committee Report. Attached is an August 15, 2011 letter in which we do just that.

We further submit that Mr. Krikorian's vexatious and frivolous complaints against us constitute an abuse of the Commission's processes and amount to a vendetta against us for our success before the Ohio Elections Commission and on appeal. For the reasons above, Mr. Krikorian's latest request for an investigation should be denied.

Sincerely,



Bruce Fein



David Saltzman