

RECEIVED
FEDERAL ELECTION
COMMISSION

2014 AUG 21 PM 1:11

IN AND BEFORE

OFFICE OF GENERAL
COUNSEL

THE FEDERAL ELECTION COMMISSION

RECEIVED

2014 AUG 20 PM 3:49

FEC MAIL CENTER

In Re:)	
)	
Friends of Mike Lee, Inc.)	MUR 6850
Mike McCauley, Treasurer)	
Respondent)	
)	

Response to Complaint and Motion to Dismiss

Friends of Mike Lee, Inc. (the "Committee") through its Treasurer, Mike McCauley ("Respondent") hereby responds to the Complaint in the above-referenced Matter Under Review ("MUR") 6850. Respondent denies the allegations contained in the Complaint and moves for dismissal of the Complaint.

Count I of the Complaint alleges that Respondent violated the Federal Election Campaign Act of 1971, as amended ("FECA") by accepting contributions that may have been reimbursed in violation of FECA. Count II alleges that the Committee violated FECA by receiving a contribution related to Senator Lee's short-sale of his residence.

Both counts should be dismissed. A violation of FECA requires that the Committee knew that a contributor was making a contribution in someone else's name; there is no evidence the Committee knew or should have known about the alleged contribution reimbursements. With respect to Count II, the transaction involving the sale of Senator Mike Lee's ("Sen. Lee") home had absolutely nothing to do with the Committee, nor is there any evidence or information contained in the Complaint giving rise to a violation of FECA. There were no receipts received, directly or indirectly, nor any disbursements by the Committee related to Sen. Lee's residence, such that there are no facts in Count II to be controverted.

Attached to this Response are the affidavits of Dan Hauser ("Hauser Affidavit") and Committee Treasurer Mike McCauley ("McCauley Affidavit") which set forth factual statements relevant to Count I of the Complaint. Inasmuch as there are no facts contained in the Complaint regarding Count II which would constitute a violation of FECA and the count is facially insufficient to constitute a violation of the law.

Factual Background¹

Sen. Lee was a candidate for the Republican nomination for the United States Senate from Utah during the 2010 election cycle. Mr. Dan Hauser was the Deputy Campaign Manager and Finance Director of the Committee during the 2010 campaign. His duties during the 2010 campaign included fundraising. Hauser Affidavit ¶¶ 1, 2.

In June of 2010, the Committee received information from then-Deputy Attorney General John Swallow's political staff that a Mr. Jeremy Johnson was interested in raising money for the Committee. Hauser Affidavit ¶ 3.

Neither the candidate—now Senator—Mike Lee, nor the Committee's campaign manager nor Mr. Hauser were familiar with Mr. Johnson, having not met or dealt with him previously. The Committee was advised that Mr. Johnson was a supporter of the Attorney General Mark Shurtleff and had raised funds for Shurtleff when Shurtleff was a candidate for Utah Attorney General and then later when Mr. Shurtleff was a candidate for U.S. Senate. Hauser Affidavit ¶¶ 4, 5.

Before allowing Mr. Johnson to raise funds for the Committee, Mr. Hauser conducted independent research on Mr. Johnson. Mr. Hauser's research revealed that Mr. Johnson was a successful businessman in Southern Utah who had been publicly-praised for his humanitarian work on behalf of the earthquake victims in Haiti and his efforts to rescue 'lost boys' from Mormon sects in Southern Utah where they were essentially being held captive. Hauser Affidavit ¶¶ 6-8.

The Committee accepted Mr. Johnson's offer of assistance to raise funds. Subsequently, in June, 2010, the Committee received a number of checks from contributors in Southern Utah (including a personal check from Mr. Johnson). The Committee was advised that these contributions had been solicited by Mr. Johnson. The Committee is not aware of Mr. Johnson conducting any further activities on behalf of or related to the Committee before or after the 2010 General Election. Hauser Affidavit ¶¶ 9-11.

Until the recent news reports of Mr. Johnson's claims to have reimbursed contributors to various campaigns, the Committee had no reason to believe or suspect that the contributions solicited by any individual, including Mr. Johnson, for the Committee were not fully compliant with the FECA and the Regulations thereunder. Hauser Affidavit ¶¶ 12, 14.

Since the news reports of Mr. Johnson's claim to have reimbursed donors to the Committee, Mr. McCauley has reviewed the Committee's records to determine if there is any evidence that would indicate in any manner that contributions were from a source other than the donor(s) on whose account the check(s) were drawn. He found no such documents or evidence in the possession of the Committee that would suggest or indicate that any contribution to the

¹ Attached to this Response are the affidavits of Dan Hauser ("Hauser Affidavit") and Committee Treasurer Mike McCauley ("McCauley Affidavit") which set forth factual statements relevant to Count I of the Complaint. There are no facts asserted in Count II of the Complaint which would constitute a violation of FECA. Count II is facially insufficient to constitute a violation of the law.

Committee was from a source other than the donor recorded in the Committee's records and duly reported to the Federal Election Commission ("FEC"). McCauley Affidavit ¶¶ 5-6.

Entirely unrelated to any of the Committee's campaign or fundraising activities, Senator Mike Lee sold his house to Ron McMillan in May 2012 in a short sale transaction. Mike Lee then rented a house from Mr. McMillan which has been since July 2012 the personal residence of Sen. Lee and his family. The transactions regarding Sen. Lee's personal residences have not involved the Committee in any way, at any time.

Allegations of the Complaint Do Not Constitute a Violation of FECA

Response to Count I: The Committee Did Not Violate the Prohibition on Knowingly Accepting a Contributions Made in Another Person's Name

The Complaint alleges that the Committee violated 2 U.S.C. § 441f by accepting contributions from Mr. Johnson that were made in the name of others. However, for there to be a violation of FECA, the Committee would have had to *know* that the source of a contribution was a person other than the donor in whose name the contribution was made and there is no evidence that that is the case here.

Section 441f states that "No person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, *and no person shall knowingly accept a contribution made by one person in the name of another person.*" (emphasis added).

The Committee did not violate Section 441f because at no time did the Committee accept any contribution by any donor knowing - or even suspecting - that a third party was the actual source of the funds. The Committee's records and reports contain no evidence that the Committee had any indication or knowledge that some person had reimbursed contributors to the Committee; Mr. McCauley's careful and thorough review of the Committee's records confirmed this. McCauley Affidavit ¶ 6. In addition, Mr. Hauser has confirmed in a sworn affidavit that, until the recent news reports regarding Mr. Johnson's allegations, neither he nor the Committee were aware of any impropriety with regard to the contributions solicited by Mr. Johnson. Hauser Affidavit ¶ 12.

Because the Committee had no knowledge or evidence that any contributions were reimbursed, the Committee reported all of the contributions solicited by Mr. Johnson as being contributed by the individuals who signed the checks made to the Committee and on whose accounts the contributions were drawn. This is the correct reporting required under 11 CFR § 104.8(c), which states: "Absent any evidence to the contrary, any contribution made by check, money order, or other written instrument shall be reported as a contribution by the last person signing the instrument prior to delivery to the candidate or committee."

Since becoming aware of Mr. Johnson's claims, the Committee undertook to investigate whether the allegations were true, and to ascertain whether it had received contributions that were reimbursed by Mr. Johnson or any other person. Inasmuch as the Committee has no evidence of potential reimbursement of donors, Mr. Hauser and Mr. McCauley have reconstructed a methodology to identify potential donors whose contributions

may have been solicited by Mr. Johnson and to confirm the actual source of those donors' contributions.

The Committee identified a bank deposit in June 2010 that contained Mr. Johnson's personal check for \$2,400 to the 2010 General Election (the maximum allowable contribution during 2010). Mr. Johnson's personal check was deposited on June 12, 2010 to the Committee's account at the Zion Bank branch in St. George, Utah. In 2010, Mr. Johnson was a resident of St. George, Utah. The deposit was made by a campaign volunteer and included contributions from 17 individual donors; two checks were subsequently redeposited on June 22, 2010 (the list of donors is attached as Exhibit A of McCauley Affidavit ¶¶ 7-13).

Mr. McCauley determined that these donors were those likely solicited by Mr. Johnson. He therefore sent a letter to those contributors whose checks were contained in the same bank deposit as Mr. Johnson's on June 12, 2010. Each donor was asked to sign and return a form certifying that their contribution was from their own funds and was not reimbursed by any other person. A copy of the letter and the certification form is attached as Exhibit B of the McCauley Affidavit. McCauley Affidavit ¶ 14.

As of the date of this Response, the Committee is still awaiting receipt of the certification forms from the donors; no certification forms have been returned to the Committee at this time. Four of the donor letters have been returned as having moved with no forwarding addresses. McCauley Affidavit ¶¶ 15, 16.

One donor, Ms. Savannah Jones, telephoned Mr. McCauley on August 16, 2014 and told him she had been working for a "Mr. Black" in 2010 and that "Mr. Black" had asked her to write a check to the Committee, and that "Mr. Black" would reimburse her. The Committee is currently unclear as to the identity of "Mr. Black." Mr. McCauley verified that the Committee had received a check in the amount of \$2,400 from Ms. Savannah Jones. McCauley Affidavit ¶¶ 17, 18.

In their telephone conversation, Mr. McCauley asked Ms. Jones to provide information in writing about the contribution and the reimbursement. Mr. McCauley re-sent the letter and certification form previously sent which her mother had received and signed for at the address the Committee has in its records. As of yet, the Committee has not received Ms. Jones's response. McCauley Affidavit ¶¶ 19, 20.

The Committee has undertaken this review in good faith to ascertain whether third parties may have violated FECA. As a result of the Committee's efforts, one individual has stated that her contribution was reimbursed, although she has provided no further information. The Committee is prepared to disgorge those funds to a payee as directed by the Commission. If, during the course of its investigation, the Committee finds any indication of any other contribution(s) that have been reimbursed by any other individual, the Committee will disgorge those contribution to a payee as directed by the FEC.

However, because the Committee had no knowledge of the potential violation of FECA by others and did not *knowingly* accept any contributions made on behalf of another, the Committee has not violated FECA and Count I of the Complaint should be dismissed.

Response to Count II: Short Sale of Sen. Lee's Residence Did Not Involve the Committee or Committee Receipts or Disbursements

Count II of the Complaint alleges that the short sale of Sen. Lee's residence in Alpine, Utah in May 2011 and his subsequent rental of another house from the buyer of his home constitutes a contribution to the Committee which the Committee then used to pay for a house rental (a violation of 2 U.S.C. § 439a(b)(1)(A)).

However, there were no receipts to or disbursements by the Committee at any time involving Sen. Lee's residence, either of them. The transactions at issue there did not involve the Committee or Committee funds at any time. There was no 'thing of value' contributed directly or indirectly to the Committee nor were there any disbursements by the Committee related to Sen. Lee's personal living expenses.

The Committee did not pay for Senator Lee's home mortgage, rent or utility payment or any other personal expense in violation of Section 439a(b)(1)(A).

Both transactions—the short-sale of Sen. Lee's home and the rental agreement between Sen. Lee and Mr. McMillan—were entirely unrelated to the Committee. Accordingly, Count II of the Complaint must be dismissed.

Conclusion

The allegations of the Complaint are without merit. The Committee did not knowingly accept any contributions that were reimbursed by any third party, including but not limited to Mr. Johnson; the Committee has made a good faith effort – four years after the fact – to investigate whether Mr. Johnson's claims are true and whether any contributions made to the Committee were improperly reimbursed by Mr. Johnson or any other person. To the extent that contributions are determined to have been improper, the Committee will disgorge those funds as directed by the FEC.

Count II of the Complaint regarding the 2012 short-sale of Senator Lee's personal residence did not constitute a contribution to the Committee nor were there any disbursements by the Committee at any time related to Sen. Lee's personal living expenses.

Accordingly, there is and was no violation of FECA. Respondent respectfully requests that the FEC find no reason to believe that a violation has occurred as to the Complaint, that the Complaint be dismissed and that the MUR be closed.

Respectfully Submitted,

A handwritten signature in blue ink, appearing to read "Cleta Mitchell".

Cleta Mitchell, Esq.
Foley & Lardner LLP
3000 K. Street, NW #600
Washington, D.C. 20007
(202) 295-4081
cmitchell@foley.com

Counsel for Respondent
Friends of Mike Lee, Inc.
Mike McCauley, Treasurer

AFFIDAVIT OF DAN HAUSER

IN AND BEFORE THE FEDERAL ELECTION COMMISSION

State of Utah
County of

AFFIDAVIT OF DAN HAUSER


I, Dan Hauser, a resident of the State of Utah and being of lawful age, do hereby affirm and state:

1. I served as Deputy Campaign Manager and Finance Director of Friends of Mike Lee, the campaign committee to elect Mike Lee to the U.S. Senate in 2010.
2. In my capacity as Deputy Campaign Manager and Finance Director, I was responsible for developing and implementing the plans and activities in support of Mike Lee's candidacy for the US Senate, which included fundraising.
3. In June of 2010, the Committee received information from the Republican Deputy Attorney General John Swallow that an individual named Jeremy Johnson was interested in helping raise money for the Mike Lee campaign.
4. Neither Mike Lee nor the campaign manager nor I were familiar with Jeremy Johnson, having not met or dealt with him previously.
5. We were advised that Mr. Johnson was a supporter of the Attorney General Mark Shurtleff and had raised funds for him when he was a candidate for AG and then later as a Senate candidate.
6. I conducted independent research about Jeremy Johnson before we agreed to allow Mr. Johnson to raise money for the Mike Lee campaign as we were careful about who became involved in the fundraising for the campaign.
7. My research into publicly available information about Jeremy Johnson revealed that he was a successful businessman in southern Utah who had been in the public eye for his humanitarian work on behalf of the earthquake victims in Haiti and his efforts to rescue 'lost boys' from Mormon sects in Southern Utah where they were essentially being held captive.
8. Mr. Johnson, from the public reports, was a generous humanitarian who had spent large amounts of his own money on charitable causes.
9. After vetting Mr. Johnson as best we could, we agreed to accept Mr. Johnson's offer of assistance to the campaign in the form of raising funds.

10. Friends of Mike Lee received a number of checks from donors in Southern Utah in June, 2010 and we were advised that these were the contributions solicited by Mr. Johnson.
11. To my knowledge, Mr. Johnson was not involved further in the Mike Lee campaign in 2010 or subsequent to the 2010 General Election.
12. I have read news reports of Mr. Johnson's claim that he reimbursed donors to various candidates' campaigns, including Mike Lee's, but until those news reports, I had no reason to ever believe or suspect that the contributions solicited by Mr. Johnson for the Mike Lee 2010 campaign were anything but completely above-board and fully compliant with the FEC regulations.
13. I have assisted the treasurer of Friends of Mike Lee in trying to reconstruct to the best of my knowledge the list of donors who may have been part of the group whose contributions were solicited by Mr. Johnson.
14. I have no knowledge that any of the donors to the Mike Lee 2010 campaign were reimbursed for their contributions and, if I had suspected or known of such conduct, those contributions would have been rejected or returned immediately.
15. Our campaign staff of Friends of Mike Lee and the Senate staff have been instructed by all times by then-candidate and now-Senator Mike Lee to adhere to the highest standards of integrity and to be diligent about following the letter and the spirit of the law.
16. I can attest that that was the standard practice at all times during the 2010 campaign to elect Sen. Mike Lee and if anyone broke the law, that was absolutely their own doing and was not known to or sanctioned by the Lee campaign.

I understand that these statements are made under penalty of perjury and I swear and affirm that the statements contained herein are made of my personal knowledge and are true and correct to the best of my knowledge and belief.

Further Affiant Sayeth Not.

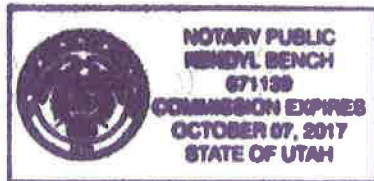

Dan Hauser

Before me this 19 day of August, 2014 appeared Dan Hauser who affirmed and stated under penalty of perjury that the above and foregoing is true and correct to the best of his knowledge and belief.


NOTARY PUBLIC

My Commission Expires: *October 7 2017*

SEAL



AFFIDAVIT OF MIKE MCCAULEY

IN AND BEFORE THE FEDERAL ELECTION COMMISSION

State of Utah
County of Salt Lake

AFFIDAVIT OF MIKE MCCAULEY

The undersigned, Mike McCauley, a resident of the state of Utah and being of lawful age, does hereby affirm and state:

1. I am the treasurer of Friends of Mike Lee, the principal authorized committee of Mike Lee ("the Committee"), Republican member of the United States Senate from the State of Utah ("Sen. Lee").
2. I have served as Treasurer of the Committee since September 2012.
3. I was not the Committee treasurer during the 2010 election cycle but I have in my possession the books and records of the Committee since its inception, which includes the books and records for the 2010 election cycle.
4. I have read news reports in which Mr. Jeremy Johnson, an individual who is under criminal indictment in Utah ("Mr. Johnson"), supposedly claims to have reimbursed donors to the political campaigns of various Utah candidates, including his assertion that Sen. Lee's 2010 campaign was one in which he reimbursed one or more donors.
5. In order to ascertain whether such claims are true or false, I have worked with Mr. Dan Hauser and others who were involved in the 2010 campaign in an effort to reconstruct the facts regarding donors to the 2010 campaign, and the claims by Mr. Johnson of having reimbursed donors.
6. There is no evidence in the records of the campaign's bank accounts or other documents which would indicate in any manner that contributions were from a source other than the donor(s) on whose account the check(s) were drawn.
7. Because there is no documentary evidence of donor reimbursement, and there was no knowledge or suspicion among any of the 2010 Committee staff of donor reimbursement, we have constructed a potential method for inquiring into possible reimbursement(s).
8. The methodology we developed was to identify the deposit(s) that were close in proximity in time and geographical location to Mr. Johnson's personal contribution.
9. There was a deposit into the campaign's account on June 12, 2010, which included Mr. Johnson's personal contribution of \$2400, the maximum legal primary contribution during the 2010 election cycle.

10. The June 12, 2010 deposit was made into the campaign's account in the Zion Bank branch in St. George, UT.

11. Mr. Johnson was a resident of St. George, UT in 2010.

12. The June 12, 2010 deposit was made by a campaign volunteer and included contributions from seventeen individual donors.

13. Attached to this affidavit is a list of 15 donors whose contributions were included in that June 12, 2010 deposit, with two checks subsequently redeposited on June 22, 2010 that cleared the bank. See Exhibit A.

14. I personally sent certified letters to each of the donors whose contributions were part of the same deposit as Mr. Johnson's in June 2010, requesting that each donor sign and return a certification as to having made the contributions from his/her own personal funds. A copy of the letter and the certification form is attached hereto as Exhibit B.

15. As of this date, we are still awaiting receipt of the forms from the donors; no forms have been returned to the Committee at this time.

16. Four of the donor letters have been returned as having moved with no forwarding addresses.

17. In response to the letters I sent, one individual, Ms. Savannah Jones, telephoned me on August 16, 2014 and told me she had been working for a "Mr. Black" in 2010 and that he had asked her to write a check to the Lee campaign, and that he would reimburse her.

18. The 2010 Lee campaign received a check in the amount of \$2400 from Ms. Savannah Jones.

19. I told Ms. Jones that we would appreciate her sending information in writing about the transaction. I re-sent the letter and forms previously sent which her mother had received and signed for at the address the Committee has in its records.

20. To date, I have received nothing further from Ms. Jones.

21. There are no records, documents or evidence in the possession of the Committee that would suggest or indicate that any contribution to the Committee was from a source other than the donor recorded in the Committee's records and duly reported to the FEC. The telephone conversation with Ms. Jones is the first information about reimbursement of any contribution(s) that the Committee has received.

22. The Committee is prepared to disgorge the contribution from Ms. Jones to a payee as directed by the FEC.

23. The Committee has made a good faith effort to validate from a select group of donors that their contributions were from their own funds. The Committee seeks the Commission's guidance as to further steps that should be taken, as there is no published guidance on this particular topic.

24. The Committee is not aware of any further actions or obligations that it can or should take to seek additional information or confirmation of source(s) of contributions.

25. The Committee makes every effort at all times to fully comply with the regulations of the Federal Election Commission regarding the solicitation, receipt, deposit and reporting of contributions.

I understand that these statements are made under penalty of perjury and I swear and affirm that the statements contained herein are made of my personal knowledge and are true and correct to the best of my knowledge and belief.

Further Affiant Sayeth Not.



Mike McCauley, Treasurer
Friends of Mike Lee

Before me this 19th day of August, 2014 appeared Mike McCauley who affirmed and stated under penalty of perjury that the above and foregoing is true and correct to the best of his knowledge and belief.

NOTARY PUBLIC
S E A L



My Commission Expires: 10/2/2015

EXHIBIT A

Contribution Entries

First	Last	Address	City	State	Zip	Employer	Occupation	Date of Receipt	Amount	Election to Date	FEC Transaction ID	FEC Page #	FEC Report	FEC Reference Contribution	Response
Atia	Black	2964 S. Slate Ridge Circle	St. George	UT	84790	Not provided	Not provided	6/22/2010	\$2,400	\$2,400	SA11AI.29257	15/128	July 15, 2010 Amended	11020331406	certified mail receipt - no response
Kyle	Boyer	2548 Adams Ave	Ogden	UT	84403	Not provided	Not provided	6/12/2010	\$2,400	\$2,400	SA11AI.28918	17/128	July 15, 2010 Amended	11020331408	No receipt No response
Tiffany	Boyer	333 West 200 North Apt 3	St. George	UT	84770	Not provided	Not provided	6/12/2010	\$2,400	\$2,400	SA11AI.28917	17/128	July 15, 2010 Amended	11020331408	Letter returned for undeliverable address
Duane	Fielding	162 N. Shadow Point Dr	St. George	UT	84770	Not provided	Not provided	6/12/2010	\$2,400	\$2,400	SA11AI.28925	36/128	July 15, 2010 Amended	11020331427	Letter returned for undeliverable address
Robin	Fielding	162 N Shadow Point Dr	St. George	UT	84770	Homemaker	Homemaker	6/12/2010	\$2,400	\$2,400	SA11AI.28924	37/128	July 15, 2010 Amended	11020331428	Letter returned for undeliverable address
Barbara	Johnson	2489 Riverfront Dr.	Santa Clara	UT	84765	Self	Entrepreneur	6/12/2010	\$2,400	\$2,400	SA11AI.28912	57/128	July 15, 2010 Amended	11020331448	No receipt No response
Jeremy	Johnson	529 S. Woods View Circle	St. George	UT	84770	iWorks	President	6/12/2010	\$2,400	\$2,400	SA11AI.28923	58/128	July 15, 2010 Amended	11020331449	No receipt No response
Kerry	Johnson	PO Box 639	St. George	UT	84765	Self	Entrepreneur	6/12/2010	\$2,400	\$2,400	SA11AI.28911	59/128	July 15, 2010 Amended	11020331450	certified mail receipt - no response
* Sharla	Johnson	529 South Woods View Cir	St. George	UT	84770	Homemaker	Homemaker	6/12/2010	\$2,500	\$2,400	SA11AI.28926	59/128	July 15, 2010 Amended	11020331450	No receipt No response
Savannah	Jones	626 S. 150 E	Enterprise	UT	84725	Not provided	Not provided	6/22/2010	\$2,400	\$2,400	SA11AI.29255	61/128	July 15, 2010 Amended	11020331452	certified mail receipt - no response
Bryce	Payne	2399 E. Bella Rosa Circle	St. George	UT	84790	iWorks	Management	6/12/2010	\$2,400	\$2,400	SA11AI.28920	74/128	July 15, 2010 Amended	11020331465	certified mail receipt - no response
Krista	Payne	2399 E. Bella Rosa Circle	St. George	UT	84790	Nutel Wireless	Management	6/12/2010	\$2,400	\$2,400	SA11AI.28919	74/128	July 15, 2010 Amended	11020331465	certified mail receipt - no response
Christopher	Wade	56 Shadow Point Dr	St. George	UT	84770	Not provided	Not provided	6/12/2010	\$2,400	\$2,400	SA11AI.28922	93/128	July 15, 2010 Amended	11020331484	No receipt No response
Stephen	Wade	1439 Bloomington Drive	St. George	UT	84790	Stephen Wade Auto	Sales	6/12/2010	\$2,400	\$2,400	SA11AI.28921	93/128	July 15, 2010 Amended	11020331484	certified mail receipt - no response
Mikelle	Yates	816 E. Vermillion Ave	St. George	UT	84770	Not provided	Not provided	6/12/2010	\$2,400	\$2,400	SA11AI.28913	98/128	July 15, 2010 Amended	11020331489	Letter returned for undeliverable address

* Contribution divided in two per report. \$2400 and 100. Two letters sent to confirm activity. Neither have received a certified receipt or a response

EXHIBIT B



10 West Broadway
Suite 500
Salt Lake City, Utah 84101

Mikelle Yates

St. George, UT 84770

RE: Your contribution to Friends of Mike Lee in June 2010

Dear Mikelle Yates:

First, thank you for your past support of Sen. Mike Lee (R-UT) in his campaign for the United States Senate in the 2010 Utah Republican primary.

Recently, there have been news stories and allegations that certain individuals who helped raise money for Senator Lee's 2010 campaign may have reimbursed donors for their contributions to the campaign. This is not something that the Lee campaign or Senator Lee was aware of or in any way condoned.

Senator Lee has asked me, as treasurer of the campaign, to review all contributions received by the campaign during the time period in question -- late June 2010 - and to contact each donor to confirm that the contribution was from the donor's own funds and that the donors were not reimbursed by any third party. If that is not the case, and if there were reimbursements, we need to know that information as well for legal and reporting purposes.

Our records reflect that you made a contribution of \$2,400 via check dated June 11, 2010.

Enclosed is a form and pre-addressed envelope directed to my attention. Please complete, sign and return the enclosed form as soon as possible. We have set a deadline of August 15, 2014 to receive the forms and process them.

We apologize for any inconvenience and very much appreciate your help in ensuring that we comply with all campaign laws.

Please contact me at (801) 706-4427 if you have any questions or feel free to send me an email to: mike@mccauleyassociatespc.com

Thank you very much for your prompt attention.

Sincerely,

A handwritten signature in black ink, appearing to be "Mike McCauley".

Mike McCauley
Treasurer, Friends of Mike Lee

www.mikeleeutah.com

Not printed or mailed at government expense

Mikelle Yates

St. George, UT 84770

Confirmation of Contribution to Friends of Mike Lee

This is to confirm that my contribution to Friends of Mike Lee in June 2010 was from my personal funds and that I was not reimbursed by any third party for the contribution.

Signature

Date

MIKELLE YATES 6/97
LIC. # IT 159858914/2001 PH.
ST. GEORGE, UT 84770

128

6/11/10 19

31-7955/3240

PAY TO THE
ORDER OF

Mike Lee

\$ 2,400.00

Two THOUSAND Four HUNDRED AND XX/100 DOLLARS

RIVER ROAD OFFICE 77

MOUNTAIN AMERICA
CREDIT UNION
123 RIVER ROAD • St. George, UT 84790

FOR DEPOSIT ONLY

Mikelle Yates



McCauley & Associates P.C.
10 West Broadway, Suite 500
Salt Lake City, UT 84101