



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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FEDERAL ELECTION  
COMMISSION

2015 JAN 20 PM 2:47

OFFICE OF GENERAL  
COUNSEL

DEC 22 2014

**CERTIFIED MAIL/RETURN RECEIPT REQUESTED**

Barbara Johnson

Santa Clara, UT 84765

RE: MUR 6850

Dear Ms. Johnson:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26 of the United States Code. The Commission has issued the attached order subpoena which requires you to provide certain information and documents in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

There is a federal statute, 52 U.S.C. § 30109(a)(12) (formerly 2 U.S.C. § 437g(a)(12)), requiring all persons to keep confidential investigations conducted by the Federal Election Commission, except with the written consent of the person who is the subject of the investigation. This means that unless you have such written consent, you should not publicly disclose the existence of an ongoing Commission investigation or the fact that the Commission has contacted you in connection with this matter. This restriction, however, does not prevent you from discussing the underlying facts and circumstances with any person, including the subject of the investigation or their counsel.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena and order. However, you are required to submit the information within 30 days of your receipt of this subpoena and order. All answers to questions must be submitted under oath.

If you have any questions, please contact me at (202) 694-1341.

Sincerely,

A handwritten signature in blue ink that reads "Michael Columbo Esq." followed by a stylized "PS" or similar mark.

Michael Columbo  
Attorney

Enclosure  
Subpoena and Order

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 6850

**SUBPOENA TO PRODUCE DOCUMENTS**  
**ORDER TO SUBMIT WRITTEN ANSWERS**

TO: Barbara Johnson

Pursuant to 52 U.S.C. § 30107(a)(1) and (3) (formerly 2 U.S.C. § 437d(a)(1) and (3)), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 19th day of December 2014.

On behalf of the Commission,



Lee Goodman  
Chair

ATTEST:



Shawn Woodhead Werth  
Secretary and Clerk of the Commission

Attachments

Questions and Document Request (3 pages)

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these questions and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

### QUESTIONS AND DOCUMENT REQUEST

The Federal Election Commission is investigating an allegation that a person concealed his contributions to the Friends of Mike Lee committee ("Lee Committee") by funding a small set of contributions made by others in their names. According to a disclosure statement filed by the Lee Committee, it received a \$2,400 contribution from you on June 21, 2010, for the 2010 primary election. The contribution disclosed in your name was identified as one that was potentially funded by another person.

#### **I. QUESTIONS:**

Please submit answers to the following questions:

1. Was your contribution made with your own personal funds?

Yes      *Yes*

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2. Did anyone provide you with funds or anything of value, for example, an advance, bonus, gift, or reimbursement, for your contribution to the Lee Committee?

NO by

If so:

- a. What were you given?
- b. How was it provided to you?
- c. When was it provided to you?
- d. Who provided it?
- e. Who was the ultimate source of the funds, if not that person?
- f. What is your relationship with the person(s), if any, identified above?
- g. Describe the circumstances under which you were offered payment for the contribution and how it was accomplished, including all other persons involved, and any meetings, discussions, phone calls, emails, other communications, checks, payments, and funds exchanged.
- h. Who else knows about the reimbursement of your contribution?
- i. Identify any other persons whose contributions to the Lee Committee were reimbursed.
- i. What was the purpose of reimbursing your contribution to the Lee Committee?
- j. At the time you were reimbursed, were you aware that it is unlawful for a person to allow their name to be used for the making of a contribution by another person to a political committee?

**Required Oath or Affirmation:**

Please submit the following oath or affirmation with your answers to the above questions, followed by your signature: "I swear or affirm under penalty of law that that my answers to these questions are true."

*Barbara Johnson*

**II. DOCUMENT REQUEST:**

Please submit with your answers all documents related to any reimbursement of the contribution identified above, including but not limited to all letters, notes, emails, texts, or any communications related to the contribution or reimbursement as well as all bank statements, checks, deposit slips, or receipts showing the reimbursement of your contribution.