



FEDERAL ELECTION COMMISSION
Washington, DC 20463

September 3, 2015

By Email

Scott E. Thomas, Esq.
Dickstein Shapiro LLP
1825 Eye Street, NW
Washington, DC 20006-5403

Re: MUR 6850 (John Swallow)

Mr. Thomas,

As indicated in our phone conversation earlier this week, the Commission is prepared to grant your client's request for a Probable Cause Hearing in the above-referenced matter. The Commission has proposed the morning of September 30, 2015 to hold the hearing.

Pursuant to the Commission policy under which the hearing was requested, 72 Fed. Reg. 64,919 (Nov. 19, 2007) and 74 Fed. Reg. 55,443 (Oct. 28, 2009), Respondent John Swallow will be required to toll the statute of limitations until the date of the hearing. A tolling agreement is enclosed with this letter.

Please be advised of the following hearing procedures as described in the Commission's policy statements on probable cause hearings. You will be allowed to make an opening statement. Your statement should present issues and arguments that you have already briefed or brought to the attention of the Office of General Counsel ("OGC"). You should not present any evidence, document, or other information unless such evidence, document, or information was previously provided to OGC during the enforcement process. Following your presentation, you may be questioned by individual Commissioners, the General Counsel, and the Staff Director. You will have the opportunity to make a closing statement.

You should notify OGC at least one week prior to the scheduled date of the hearing if you intend to use charts, handouts, or audio-visual aids during your

Scott E. Thomas, Esq.
Page 2

presentation to the Commission. Please produce at least twelve copies of any written materials you intend to present to the Commission at the hearing. Finally, witnesses, including Respondents, may not be called to testify at the hearing.

The Commission may request at the hearing that you submit supplementary information or brief additional issues. To the extent that the Commission requests such information or briefing, you will have ten days after the hearing to submit these materials, unless the Commission imposes a different deadline for the submission.

A transcript will be made of the hearing and Respondents may be bound by any representations you make at the hearing. You may request a copy of the transcript by submitting a written request to OGC. Upon receipt of the written request, OGC will authorize the court reporter to allow you to purchase a copy of the transcript. The transcripts will become a part of the record of the enforcement matter and the Commission may rely on the contents of the transcript in its consideration of whether to find probable cause to believe that a violation has occurred or in any subsequent action.

You are advised that hearings are confidential and not open to the public; generally only respondents and their counsel may attend. Attendance by any other parties must be approved by the Commission in advance.

Sincerely,

Claudio J. Pavia
Attorney