

1 **BEFORE THE FEDERAL ELECTION COMMISSION**

2
3 In the Matter of)

4)
5 John Swallow) MUR 6850
6)
7)

8 **FOURTH GENERAL COUNSEL'S REPORT**

9 **I. BACKGROUND**

10 On October 28, 2015, the Commission found probable cause to believe that John
11 Swallow knowingly and willfully violated 52 U.S.C. § 30122, a provision of the Federal Election
12 Campaign Act of 1971, as amended (the "Act") when he caused, helped, and assisted
13 approximately \$50,000 in contributions made in the names of others to Friends of Mike Lee, the
14 principal campaign committee of Sen. (then-candidate) Mike Lee.¹ The Commission authorized
15 probable cause conciliation and approved a conciliation agreement
16

17 On October 29, 2015, the Office of the General Counsel ("OGC") provided Respondent's
18 counsel with written notice of the Commission's probable cause finding and a copy of the
19 proposed conciliation agreement. OGC has corresponded by e-mail and phone with
20 Respondent's counsel since that notification.
21

¹ Certification, MUR 6850 (Swallow) (Oct. 28, 2015) (finding probable cause to believe and approving a conciliation agreement with Commission edits); Certification, MUR 6850 (Swallow) (Oct. 29, 2015) (approving non-substantive edits to the conciliation agreement).

RECEIVED
FEDERAL ELECTION
COMMISSION
2015 NOV 31 AM 9:31
CELA

MUR 6850 (Swallow)
Fourth General Counsel's Report
Page 2 of 5

1

2

3

4

5

6

7

8

9

10

11

12

13

14

15

16

17

MUR 6850 (Swallow)
Fourth General Counsel's Report
Page 3 of 5

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

MUR 6850 (Swallow)
Fourth General Counsel's Report
Page 4 of 5

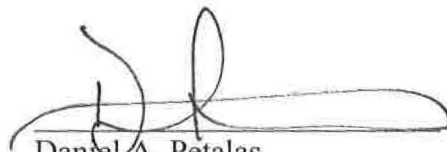
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20


Therefore, based on the legal analysis set forth in the General Counsel's Brief, dated May 28, 2015 and OGC's Notice to the Commission Following the Submission of Probable Cause Briefs, dated October 15, 2015, both incorporated by reference, we recommend that the Commission authorize the Office of the General Counsel to file suit against John Swallow.

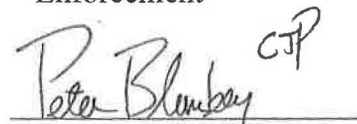
III. RECOMMENDATIONS

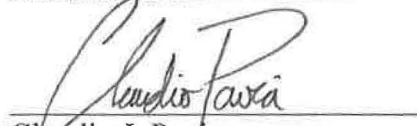
1. Authorize the Office of the General Counsel to file a civil suit for relief in the United States District Court against John Swallow.
2. Approve the appropriate letter.

Date: 11/30/15


Daniel A. Petalas
Acting General Counsel


Kathleen Guith
Acting Associate General Counsel for
Enforcement


Peter G. Blumberg
Assistant General Counsel


Claudio J. Pavia
Attorney