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August 4, 2017

Federal Election Commission
Office of Complaints Examination and Legal Administration
Attn: Donna Rawls, Paralegal
999 E Street, N.W.
Washington, D.C. 20463

RE: Response in MUR 7183

To Whom It May Concern:

The Thornton Law Firm ("the Firm"), Michael Thornton, Amy Thornton, Garrett Bradley, and David Strouss (collectively "the Respondents" in the above-referenced matter) respectfully submit this Supplemental Response to the Federal Election Commission ("the Commission") letters dated November 7, 2016 and November 22, 2016.¹ This Response is intended to supplement the Respondents' May 30, 2017 Response. The Respondents submit the information in this Supplemental Response pursuant to Federal Rules of Evidence 408 and 410.

The Respondents' May 30, 2017 letter focused on refuting the factual allegations made in the November 2, 2016 complaint filed against the Respondents by the Campaign Legal Center and Sandhya Bathija. In particular, the Respondents' May 30 letter highlighted how, after using a personal check or personal credit card to make a political contribution, the equity partners received corresponding draws from their own individual capital accounts. Today's letter provides additional legal framework that further demonstrates that the Respondents acted legally and in a manner consistent with established FEC guidelines.

I. Because the Equity Partners Made Draws From Their Own Capital Accounts for Political Contributions, Their Contributions Should Not Be "Dual-Attributed" to the Partnership

The Respondents emphasize that their political contributions were their own and not the Thornton Law Firm's. Under federal law, partnerships may make political contributions, and such contributions will be dual-attributed to both the partnership and to the individual partners. 11 C.F.R. § 110.1(e). However, the Commission has recognized that in certain circumstances, individual partners may fund political contributions using an account maintained at the

¹ The Thornton Law Firm, Michael Thornton, Garrett Bradley, and David Strouss received letters from the FEC dated November 7, 2016. Amy Thornton received a letter from the FEC dated November 22, 2016.

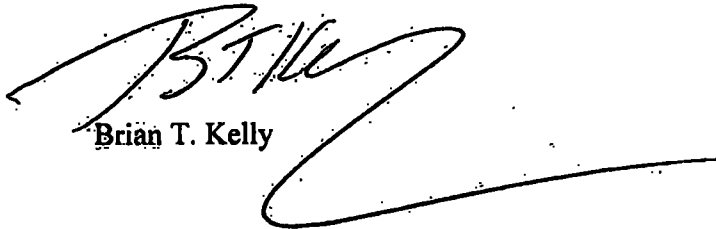
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the nonrepayable drawing accounts sanctioned by the Commission for years.³ As such, their political contributions should be attributed to them only.⁴

III. Meeting Request

The Respondents request a meeting with the Commission staff member assigned to review this case in order to supplement the responses even further before the matter goes to the Commission. The Respondents propose that their retained experts, Carl Jenkins and Scott Thomas, also participate in the meeting. The Respondents request that the meeting take place before any action is taken. We would appreciate hearing from your Office as to what a convenient time for the meeting may be. We look forward to your response, and I remain available to answer any questions that you may have.

Sincerely,


Brian T. Kelly

or "repay" the negative account; rather, the negative draw was a legally enforceable loan, per the partnership agreement.

³ The Respondents are aware of AO 1997-9, which permitted individual member traders to use personal trading accounts that could be used for other third-party payments in addition to the monthly fees owed to the Chicago Board of Trade ("CBOT"), to make contributions to CBOT's separate PAC. To the extent that the Commission conditioned the proposed contribution plan in AO 1997-9 upon member traders having positive margin in their accounts, the Respondents respectfully submit that the facts and circumstances of the Thornton Law Firm's equity partners' capital accounts are materially distinguishable from the facts in CBOT, particularly in light of the margin requirements that may be imposed by the CBOT that dictate minimum capital required for traders and the fluctuating cash flow that partnerships face as well as the Thornton Law Firm's treatment of negative capital accounts as legally enforceable loans to the partners involved per their partnership agreement.

⁴ The Respondents note that they have conferred with former FEC Commissioner Scott Thomas, now a partner at Blank Rome LLP, who concurs with the above analysis.