



FEDERAL ELECTION COMMISSION
Washington, DC 20463

February 4, 2021

VIA ELECTRONIC MAIL

Brian Svoboda, Esq.
Shanna Reulbach, Esq.
Perkins Coie, LLP
700 13th Street, NW
Suite 800
Washington, DC 20005-3960
BSvoboda@perkinscoie.com
SReulbach@perkinscoie.com

Re: MUR 7284
Correct the Record

Dear Mr. Svoboda & Ms. Reulbach:

On December 23, 2020, the Office of General Counsel mailed to you a brief (“General Counsel’s Brief”) setting forth the factual and legal basis upon which the Office of General Counsel was prepared to recommend that the Commission find probable cause to believe that Correct the Record and Elizabeth Cohen in her official capacity as treasurer, violated 52 U.S.C. § 30104(b). Pursuant to the Commission’s *Agency Procedure Following the Submission of Probable Cause Briefs by the Office of General Counsel*, 76 Fed. Reg. 63,570 (October 13, 2011), the Office of General Counsel is notifying the Commission that it intends to proceed with the recommendation to find probable cause to believe that Correct the Record and Elizabeth Cohen in her official capacity as treasurer violated 52 U.S.C. § 30104(b) based on the factual and legal analysis set forth in the General Counsel’s Brief. A copy of this Notice is being provided to you contemporaneously.

Should you have any questions, please feel free to contact me at (202) 694-1618.

Sincerely,

Kimberly D. Hart

Kimberly D. Hart
Attorney

Enclosure
Office of General Counsel Notice to the Commission



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February 3, 2021

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TO: The Commission

FROM: Lisa J. Stevenson *LJS* /by CK
Acting General Counsel

Charles Kitcher *CK*
Acting Associate General Counsel
for Enforcement

Mark Shonkwiler *MS*
Assistant General Counsel

Kimberly Hart *KDH*
Attorney

SUBJECT: MUR 7284 (Correct the Record)

RE: Office of General Counsel's Notice to the Commission
Following the Submission of Probable Cause Brief

I. INTRODUCTION

On December 23, 2020, the Office of General Counsel (“OGC”) notified counsel for Correct the Record and Elizabeth Cohen in her official capacity as treasurer (“CTR” or “Respondent”)¹ that it was prepared to recommend that the Commission find probable cause to believe that CTR violated 52 U.S.C. § 30104(b) by misreporting the nature of a \$400,000 transfer to AB PAC (f/k/a American Bridge 21st Century) (“AB PAC”) in its 2015 Year-End Report.² OGC’s notification included a General’s Counsel’s Brief setting forth the factual and

¹ Ltr. to Respondents encl. General Counsel’s Brief, MUR 7284 (Correct the Record, *et al.*) (Dec. 23, 2020).

² CTR filed the disclosure report with the Commission on January 15, 2016. Respondents tolled the applicable five year statute of limitations for a total of 90 days for additional time to respond to the Commission’s reason-to-believe findings and discovery requests in this matter. Therefore, taking into account the tolling, the statute of limitations for the underlying violations will expire on April 15, 2021.

1 legal basis for the recommendation. Respondent filed a response to the General Counsel’s brief
2 on January 7, 2020 (“Response”).³
3

4 Pursuant to the *Agency Procedure Following the Submission of Probable Cause Briefs*
5 *by the Office of General Counsel*, 76 Fed. Reg. 63,570 (Oct. 13, 2011), OGC is notifying the
6 Commission that it intends to proceed with the recommendation to find probable cause to believe
7 that Respondents violated the Federal Election Act of 1971, as amended (the “Act”) based on
8 the factual and legal analysis set forth in the General Counsel’s Brief. A copy of this Notice is
9 being provided to Respondent at the same time that it is circulated to the Commission.

10
11 For the reasons set forth in the General Counsel’s Brief, the Commission can and should
12 proceed with finding probable cause to believe that CTR misreported the purpose of a portion of
13 the \$400,000 transfer made to AB PAC in December 2015.

14 15 **II. RECOMMENDATIONS**

16
17 Find probable cause to believe that Correct the Record and Elizabeth Cohen in her
18 official capacity as treasurer violated 52 U.S.C. §30104(b) by misreporting the purpose of
19 a \$400,000 transfer to AB PAC (f/k/a American Bridge 21st Century).

³ Joint Response to General Counsel’s Brief (“Resp.”) (Jan. 7, 2021), MUR 7284 (AB PAC and Correct the Record) (Jan. 7, 2021).