



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

February 4, 2021

**VIA ELECTRONIC MAIL**

Brian Svoboda, Esq.  
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[SReulbach@perkinscoie.com](mailto:SReulbach@perkinscoie.com)

Re: MUR 7284  
AB PAC

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 AB PAC and Rodell Mollineau in his 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 AB PAC and Rodell Mollineau in his 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,

A handwritten signature in cursive script that reads "Kimberly D. Hart".

Kimberly D. Hart  
Attorney

Enclosure  
Office of General Counsel Notice to the Commission



**FEDERAL ELECTION COMMISSION**  
Washington, DC 20463

February 3, 2021

1  
2 **TO:** The Commission  
3  
4 **FROM:** Lisa J. Stevenson LJS /by CK  
5 Acting General Counsel  
6  
7 Charles Kitcher *CK*  
8 Acting Associate General Counsel  
9 for Enforcement  
10  
11 Mark Shonkwiler *MS*  
12 Assistant General Counsel  
13  
14 Kimberly Han *KDH*  
15 Attorney  
16  
17 **SUBJECT:** MUR 7284 (AB PAC f/k/a American Bridge 21<sup>st</sup> Century)  
18  
19 **RE:** Office of General Counsel's Notice to the Commission  
20 Following the Submission of Probable Cause Brief  
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22  
23 **I. INTRODUCTION**  
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25 On December 23, 2020, the Office of General Counsel ("OGC") notified AB PAC and  
26 Rodell Mollineau in his official capacity as treasurer ("AB PAC" or "Respondent")<sup>1</sup> that it was  
27 prepared to recommend that the Commission find probable cause to believe that AB PAC  
28 violated 52 U.S.C. § 30104(b) in connection with its failure to report debt of \$610,800 to  
29 American Bridge 21<sup>st</sup> Century Foundation ("AB Foundation"), its failure to report an in-kind  
30 contribution from AB Foundation in connection with the contractual rights to use a mailing list  
31 being rented for \$150,000, and its failure to report that part of a \$400,000 transfer from Correct  
32 the Record was related to the transfer of the contractual rights to the mailing list on its 2015  
33 Year-End Report.<sup>2</sup> OGC's notification included a General's Counsel's Brief setting forth the

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<sup>1</sup> Ltr. to Respondents encl. General Counsel's Brief, MUR 7284 (AB PAC) (Dec. 23, 2020).

<sup>2</sup> AB PAC 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 factual and legal basis for the recommendation. Respondent filed a response to the General  
2 Counsel's brief on January 7, 2020 ("Response").<sup>3</sup>

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, based on the factual and legal analysis set  
8 forth in the General Counsel's Brief. A copy of this Notice is being provided to Respondent at  
9 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 AB PAC violated 52 U.S.C. §30104(b) by  
13 failing to report a \$610,800 debt to AB Foundation, failing to report the receipt of the contractual  
14 rights to use a mailing list being leased by the AB Foundation for a payment of \$150,000, and  
15 also misreporting the purpose of that portion of the \$400,000 transfer from Correct the Record  
16 that was related to the use of the mailing list.

## 17 18 **II. RECOMMENDATIONS**

- 19  
20 1. Find probable cause to believe that AB PAC and Rodell Mollineau, in his official  
21 capacity as treasurer violated 52 U.S.C. §30104(b) by failing to report debt to  
22 AB Foundation, failing to report the receipt of the contractual rights to use a mailing  
23 list being leased by the AB Foundation, and misreporting the purpose of a payment  
24 received from Correct the Record as compensation for providing it with the  
25 contractual right to use the mailing list.

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<sup>3</sup> Joint Response to General Counsel's Brief, MUR 7284 (AB PAC and Correct the Record) (Jan. 7, 2021) ("Joint Resp.").