

*Kathryn Ross*

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# David Legare Law

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December 5, 2017

**VIA Email**

Federal Election Commission  
Office of Complaints Examination and Legal Administration  
Attn: Kathryn Ross, Paralegal  
999 E. Street, NW  
Washington, DC 20463  
[cela@fec.gov](mailto:cela@fec.gov)

Re: *Corrected Complaint*  
*MUR 7287*  
*American Democracy Legal Fund v. Russell C. Fagg and*  
*Russ. Fagg Senate Exploratory Committee*

Dear Ms. Ross:

Thank you for the opportunity to respond to the Corrected Complaint filed in MUR 7287 on November 24, 2017. Respondents are grateful that the Federal Election Commission (FEC) required Complainant to comply with the law and file a complaint with a properly executed jurat. Respondents agree the Complaint is now "signed and sworn to by the person filing the complaint" as required by 52 U.S.C. § 30109(a)(1).

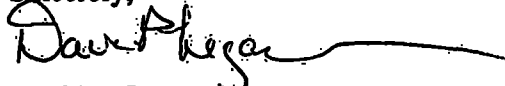
Respondents are deeply disappointed, however, that Complainant spent neither the time nor effort to correct the false and unsupported allegations in the new filing, which the FEC received two days after its stated deadline of November 22, 2017. After reviewing the Corrected Complaint, the allegations are still false or unsupported. As a result, Respondents conclude that Complainant's real purpose was to distribute sensational but unsupported allegations to selected news outlets for political gain with little or no interest in the truth or integrity of elections in Montana.

In response, Respondents resubmit their Answer. Respondents neither made nor authorized statements nor engaged in activity to support the conclusion that Respondent Fagg decided to become a candidate for United States Senate and was no longer testing the waters before his formal announcement on October 14, 2017. Accordingly, there is no reason to believe that Respondents violated the Federal Election Campaign Act of 1971 or FEC regulations. Respondents request the FEC dismiss the Corrected Complaint immediately and take no further action in this matter.

100N27-01-01

Finally, the Corrected Complaint is frivolous on its face and most likely filed as part of a poisonous political strategy. If possible, Respondents respectfully suggest the FEC should consider imposing sanctions against Complainant to discourage such frivolous filings in the future. Regardless, Respondents are grateful to the FEC for its prompt attention to this matter, and they request an immediate ruling to allow Montana voters to know the truth.

Sincerely,



David P. Legare

DPL/djs

Cc: Client

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