MUR 7328

## Julia Peacock for Congress ID# C00634014 11762 De Palma Rd., Ste. 1C, #527 Corona, CA 92883 951-444-8858

June 14, 2018

Federal Election Commission Office of Complaints Examination and Legal Administration Attn: Christal Dennis, Paralegal 1050 First Street, NE Washington, DC 20463 2018 JUN 20 AM 8: 3:

Dear Madam:

In response to the constituent complaint in February regarding an anonymous donor to the Peacock for Congress campaign, Ms. Julia Peacock sent you a letter with the explanation and there were no anonymity of a donor or donors on the campaign disclosure.

I am attaching a copy of the letter sent by Ms. Julia Peacock with a detail explanation.

Please let me know if you need any additional information.

Thank you.

Marke Yglanda Miranda, Treasurer

Julia Peacock for Congress,

May 24, 2018

Federal Elections Commission Office of Complaints Examination and Legal Administration Attn: Christal Dennis, Paralegal 999 E Street NW Washington, DC 20463

Dear Madam:

In response to the constituent complaint in February regarding an "anonymous donor" to the Peacock for Congress campaign, allow me to clarify: The anonymity of the donor was only to other donors, not to the FEC. Paul and Kerry Menth, constituents from Temecula, each donated the full \$2,700 individual limit which was turned in by check to my treasurer, Yolanda Miranda, and submitted in my FEC report from December 31, 2017.

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Mr. Menth approached me at the beginning of December with an offer for he and his wife to max out their \$2,700 contribution limits for the primary cycle, which ends in CA on June 5. He suggested a donor match program, where he and Kerry would match, dollar for dollar, up to their contribution limit. Paul had already attended two fundraisers earlier in the year, so his final contribution amounted to \$2,250, and Kerry made the full \$2,700 contribution for her. I received both checks around December 28 in a meeting with the constituents at a Starbucks in Temecula, CA.

When I asked Mr. Menth if he would like me to name him on the contribution form in ActBlue and in correspondence, both email and social media, he asked to keep his name out of it, hence the "anonymous" part of the posts submitted as evidence by the constituent who filed the complaint. At no time was there ever any intention, nor actions taken, to defraud the FEC or to violate campaign rules regarding individual contributions. It was merely a constituent's desire to keep his name out of a donor match offer so people didn't feel compelled one way or the other to contribute or not.

I would like to say, however, that it might be of interest to the FEC that this complaint actually came from a resident in the house of one of my opponents in the race for Congress CA-42, Norman Quintero. I verified the complainant's address in the voter file, and I found that the complaint originated from a member of Mr. Quintero's own

household, as evidenced by the attached image listing the residents at this address (exhibit A).

It is also worth noting that, in February of this year at the California Democratic Party Convention in San Diego, Mr. Quintero had a young man "serve" me a letter from the FEC indicating my campaign was under investigation. Since the letter I received from your offices was marked as received February 22, 2018 and not delivered to me until May, and the paper presented to me by one of Mr. Quintero's operatives was given on February 24, 2018, it seems that Mr. Quintero planned well ahead of time to set up my campaign in an effort to throw doubt as to the integrity of me and of my candidacy.

Additionally, please find included a letter sent by Mr. Quintero's campaign to registered Democrats in the 42nd congressional district just last week. This letter is libelous against me (I'm the only candidate who works for the Perris Union High School District) and also violates FEC disclaimer notice laws since he omits information indicating how the letter was paid for even though it campaigns for him and against me. With this letter and the letter I was "served" on February 24, I hope you will see that Mr. Quintero a) illegally uses the FEC as a means to undercut my campaign, b) has forged at least one document with an FEC employee's name, and c) has information regarding a private FEC complaint that shows he manipulated the situation with the resident of his household to discredit me and to cast a libelous shadow of doubt as to my campaign's integrity. He should not be privy to this information according to your statement of privacy in your letter to me which outlines the complaint. I doubt very much that this is a coincidence.

I do hope to resolve this matter quickly. Please let me know if you require further information or documentation regarding any of the aforementioned items.

Thank you for your time,

Julia Peacock



FEDERAL ELECTION COMMISSION WASHINGTON, D.C. 20463

FEB 2 8 2018

Peacock for Congress Donald A. Lee, Treasurer 101 Park Center Plaza, Suite 1160 San Jose, CA 95113

## **RE: MUR 7328**

Dear Mr. Lee:

The Federal Election Commission received a complaint that indicates that Peacock for Congress and you in your official capacity as treasurer may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 7.328. Please refer to this number in all future correspondence.

The Act affords you the opportunity to demonstrate in writing that no action should be taken against Peacock for Congress and you in your official capacity as treasurer in this matter. If you wish to file a response, you may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Where appropriate, statements should be submitted under oath by persons with relevant knowledge. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and § 30109(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. Please be advised that, although the Commission cannot disclose information regarding an investigation to the public, it may share information on a confidential basis with other law enforcement agencies.<sup>1</sup>

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission. Please note that you have a legal obligation to preserve all documents, records and materials relating to the subject matter of the complaint until such time as you arc notified that the Commission has closed its file in this matter. See 18 U.S.C. § 1519.

The Commission has the statutory authority to refer knowing and willful violations of the Act to the Department of Justice for potential criminal prosecution, 52 U.S.C. § 30109(a)(5)(C), and to report information regarding violations of law not within its jurisdiction to appropriate law enforcement authorities. *Id.* § 30107(a)(9).

Any correspondence sent to the Commission, such as a response, must be addressed to one of the following (note, if submitting via email this Office will provide an electronic receipt by email):

<u>Mail</u>

OR

Email CELA@fec.gov

Federal Election Commission Office of Complaints Examination and Legal Administration Attn: Christal Dennis, Paralegal 999 E Street, NW Washington, DC 20463

If you have any questions, please contact Christal Dennis at (202) 694-1650 or toll free at 1-800-424-9530. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Leff S. Jordan Assistant General Counsel Complaints Examination & Legal Administration

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