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**From:** Greg Fornshell  
**To:** [CELA](#)  
**Subject:** North Carolina Republican Party Response to MUR 7357  
**Date:** Thursday, May 17, 2018 10:28:34 AM  
**Attachments:** [Response to MUR 7357.docx](#)

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Please see attached response from the North Carolina Republican Party to MUR No. 7357.  
Please let me know if you have any questions.

Thanks, Greg.

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Jeff S. Jordan, Esq.  
Assistant General Counsel  
Complaints Examination & Legal Administration  
Federal Election Commission  
1050 First Street NE  
Washington, DC 20463

Re: MUR 7357 – North Carolina Republican Party

Dear Mr. Jordan,

The North Carolina Republican Party received the complaint listed in MUR 7357 against the Bolton Super PAC and would note that we were not named in the actual complaint with good reason.

### **I. Contributions in the Name of Another**

FECA prohibits a person from “mak[ing] a contribution in the name of another person or knowingly permit[ing] his name to be used to effect such a contribution,” and likewise prohibits a person from “knowingly accept[ing] a contribution made by one person in the name of another person.”<sup>1</sup>

The Commission’s regulations provide the following two examples of conduct that violates this “name of another” prohibition:

- (i) Giving money or anything of value, all or part of which was provided to the contributor by another person (the true contributor) without disclosing the source of money or the thing of value to the recipient candidate or committee at the time the contribution is made, *see* 11 C.F.R. § 110.6; or
- (ii) Making a contribution of money or anything of value and attributing as the source of the money or thing of value another person when in fact the contributor is the source.

As per the above, the complaint falls short of meeting the Commission’s requirements and thus must be dismissed.

With this knowledge, the North Carolina Republican Party is left to guess as to why we were included as a respondent in the complaint. There is no basis to the extent that we are alleged to have been a participant in any alleged illegal coordination with the Bolton super PAC. The theory of the complaint relies on the common vendor standard to meet the conduct prong of the coordination test. § 109.21(d)(4). Simultaneously, the complaint does not identify a single piece of information that passed from the North Carolina Republican party through Cambridge Analytica to the Bolton super PAC as required for finding of coordination. Even if the complaint managed to, the common vendor prong does not trigger liability on the part of the party

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committee as the complaint acknowledges (FN 23) with respect to the candidate as well as the party committee. § 109.21(b)(2).

The North Carolina Republican Party takes its obligations to follow campaign finance laws and regulations very seriously. There is no RTB and therefore immediate dismissal is required.

Sincerely,

Jason Lemons  
Treasurer, North Carolina Republican Party