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June 22, 2018

VIA ELECTRONIC MAIL (cela@sec.gov)
Federal Election Commission
Office of Complaints Examination &
Legal Administration
Attn: Kathryn Ross, Paralegal
1050 First Street, NE
Washington, DC 20463

re: **MUR 7402 (Scott Wallace for Congress)**

To the Commission:

The Complaint is factually false and legally without merit, and should be dismissed.

As the Commission is well aware, under 11 CFR § 101.1, within 15 days after becoming a candidate under 11 CFR § 100.3, each candidate, other than a nominee for the office of Vice President, shall designate in writing, a principal campaign committee in accordance with 11 CFR § 102.12. One becomes a candidate, under 11 CFR § 100.3, after the individual has received contributions aggregating in excess of \$5,000 or made expenditures aggregating in excess of \$5,000, or given his or her consent to another person to receive contributions or make expenditures on behalf of that individual and such person has received contributions aggregating in excess of \$5,000 or made expenditures aggregating in excess of \$5,000. The committee itself must be registered, via a statement of organization, no later than 10 days after its having been designated under § 101.1, per 11 CFR § 102.1.

(The complainant's reference to 11 CFR § 100.80 is nonsensical; that provision pertains to slate cards.)

In this case, as reflected by his April 2018 quarterly report, Mr. Wallace did not cross that threshold until January 26, 2018 (with over \$5,000 in contributions received), meaning that he was not legally required to designate his candidate committee until February 10, 2018. Instead, he did so on January 24, 2018, the date on which the committee filed its statement of organization, before any contributions had been received or expenditures made.

As for the video production in question, the quarterly report confirms no expenditure was made for that video until February 7, 2018. (Shorr Johnson Magnus, for \$35,671.34.) That the complainant (or the conservative "Free Beacon" website) may have theories on how long it takes to produce an online-ready video is irrelevant; the relevant date, per FEC regulations, is the date on which the expenditure was actually made.¹

Accordingly, the complaint is without basis and should be dismissed.

Very truly yours,


ADAM C. BONIN

ACB

¹ Contrary to the allegation in the Complaint, the announcement video was only shown online; there was no television advertisement in the Philadelphia media market or elsewhere.



FEDERAL ELECTION COMMISSION
 1050 First Street, NE
 Washington, DC 20463

STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

EMAIL ccla@fec.gov

FAX 202-219-3923

AR/MUR/RR/P-MUR# 7402

Name of Counsel: Adam C. Bonin

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The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

6/22/18
Date

Thomas Taft
(Signature - Respondent/Agent/Treasurer)

TREASURER
Title

THOMAS TAFT
(Name - Please Print)

RESPONDENT: Scott Wallace For Congress
(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: PO Box 1287
(Please Print) Doylestown, PA 18901

Home#: _____ Mobile#: _____

Office#: 267-406-4673 Fax#: _____

E-mail: info@scottwallacepa.com

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.