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August 17, 2018

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

Re: Response of Brad Mindlin and Real Estate Attorneys Group in MUR7407

Dear Mr. Jordon:

This Response is submitted by the undersigned counsel on behalf of Real Estate Attorneys Group and Brad Mindlin, as the principal of the Real Estate Attorneys Group, (“Respondents”) in response to the June 4, 2018 complaint from Free Speech for People, designated as Matter Under Review 7407, (“Complaint”) and the recently filed amended complaint.

As you are aware, Respondents acted solely in the capacity as legal counsel to Mr. Broidy. Respondents faithfully and ethically provided its services to its client. Unfortunately, the Complaint tenders allegations of improper contributions by Mr. Broidy to Donald J. Trump for President, Inc. While Respondents must adhere to its ethical obligations, and as such, is limited in what it may disclose, it is comfortable stating that the facts underlying these unsupported claims, which have arisen from purely speculative news accounts, are of a strictly personal nature and are in no way related to politics. To suggest otherwise is baseless, among other things.

By the Commission’s own standard, “[u]nwarranted legal conclusions from asserted facts . . . or mere speculation . . . will not be accepted as true.” Matter Under Review 4960 (Clinton), Statement of Reasons. Moreover, as the Commission is aware, recent events occurring after the filing of this Complaint prove its inaccuracy and render it moot. The Complaint, therefore, warrants no further consideration and should be promptly dismissed.

Specifically, at issue is a 2017 agreement between Mr. Broidy and Shera Bechard under which Mr. Broidy would pay Ms. Bechard a total of \$1.6 million relative to an extra-marital affair between the two parties (the “Agreement”). Complainant now exploits this sensitive personal matter by extrapolating from rumors and prior unrelated occurrences that, in actuality,

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the relationship underlying the Agreement did not involve Mr. Broidy at all; that it was *Donald Trump* that engaged in the extra-marital affair with Ms. Bechard and the payments are Mr. Broidy's attempt to cover it up. It is upon this sheer conjecture that Complainant bases its meritless allegation that the payments made pursuant to the Agreement – allegedly orchestrated to protect President Trump's image ahead of the 2020 presidential election – constitute excessive and improper contributions to Donald J. Trump for President, Inc. The notion that *any* allegation, despite not having a scintilla of support, would rise to the level of an inquiry is contrary to the Commission's long-standing practice of rejecting such assertions.

To highlight the reason why the Commission routinely rejects Complaints similar to the one tendered here, it must be noted that Ms. Bechard initiated litigation against Mr. Broidy with respect to the non-receipt of payments relative to the Agreement. In the course of the lawsuit, Ms. Bechard has openly alleged in court (presumptively under oath) that the relationship she had was, in fact, with Mr. Broidy. *See* Affidavit of Christopher Clark. She has further alleged that she had no relationship with Donald Trump, let alone engaged in any sort of relationship with him. *Id.* Accordingly, the Complaint is not cognizable under the Federal Election Campaign Act.

Accordingly, the Complaint fails to allege facts that, even if proven to be true, would constitute a violation of the Act. MUR4960 (Clinton). Without a set of facts upon which to base a claim of excessive or improper contributions to Donald J. Trump for President, Inc, there exists no inquiry for the Commission to conduct. Because the tasteless and meritless claims contained herein fail to withstand any degree of scrutiny, we respectfully urge the Commission to dismiss the Complaint and take no further action on the matter. To continue to entertain this Complaint would equate to a change of the Commission's standards and practices.

Sincerely,



Jason Torchinsky
Counsel to Real Estate Attorneys
Group and Brad Mindlin

AFFIDAVIT OF CHRISTOPHER CLARK

AFFIRMATION OF CHRISTOPHER J. CLARK

CHRISTOPHER J. CLARK, an attorney duly admitted to practice before the Courts of the State of New York, hereby affirms the following matters, facts, and things set forth are true and correct to the best of my knowledge, under penalty of perjury, pursuant to New York Civil Practice Law & Rules §2106:

1. I am Christopher J. Clark. I currently serve as Counsel to Elliott Brody in his current legal dispute with Shera Bechard, and have served in that capacity since the inception of the relevant case, on or around July 6, 2018.
2. I am a Partner at the law firm of Latham & Watkins, LLC, located in New York, New York.
3. Ms. Bechard, represented by counsel, commenced litigation against Mr. Broidy in the Superior Court of Los Angeles on or around July 6, 2018.
4. In the course of my representation of Mr. Elliott, I have engaged in conversations with opposing counsel regarding the litigation and the underlying facts as alleged by Ms. Bechard.
5. Ms. Bechard's counsel has communicated to me that his client alleges that the relationship giving rise to the current litigation was between her and Mr. Broidy, and no other party.
6. Ms. Bechard's counsel has made clear to me in conversation that his client had no relationship with Donald J. Trump.

DATED this the 31st day of July, 2018

By: 
Christopher J. Clark