

JD/JL

2019 JUL 30 PM 12:12

CELA

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 7465
 Freedom Vote, Inc.; Fighting for Ohio)
 Fund and Christopher M. Marston in his)
 official capacity as treasurer; James S.)
 Nathanson)

CERTIFICATION

I, Laura E. Sinram, recording secretary of the Federal Election Commission executive session, do hereby certify that on July 25, 2019, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 2-2 to:
 - a. Find reason to believe that Freedom Vote, Inc. violated 52 U.S.C. §§ 30102, 30103, 30104(a), (b), (g)(2) by failing to organize, register, and report as a political committee by 2014 and report "Third Largest" as an independent expenditure.
 - b. Find reason to believe that Freedom Vote, Inc. violated 52 U.S.C. § 30120(a), (d) by failing to include a disclaimer on "Third Largest".
 - c. Find reason to believe that Freedom Vote, Inc., Fighting for Ohio Fund and Christopher M. Marston in his official capacity as treasurer, and unnamed respondents violated 52 U.S.C. § 30122 by making and accepting contributions in the name of another.
 - d. Take no action at this time as to the allegations that Fighting for Ohio Fund and Christopher M. Marston in his official capacity as treasurer violated 52 U.S.C. §§ 30116(a)(8), 30122 or 11 C.F.R. §§ 110.6(c) and 110.4(b) with respect to earmarked contributions.

- e. Direct the Office of General Counsel to draft a Factual and Legal Analysis consistent with these recommendations.
- f. Authorize the use of compulsory process.
- g. Approve the appropriate letters.

Commissioners Walther and Weintraub voted affirmatively for the motion.

Commissioners Hunter and Petersen dissented.

2. Decided by a vote of 4-0 to:

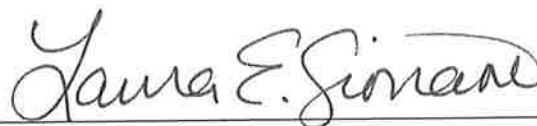
- a. Find reason to believe that Freedom Vote, Inc. violated 52 U.S.C. §§ 30102, 30103, 30104(a), (b), and (g)(2) by failing to organize, register, and report as a political committee.
- b. Find reason to believe that Freedom Vote, Inc. violated 52 U.S.C. §§ 30120(a), (d) and 11 C.F.R. § 110.11 by failing to include a disclaimer on "Third Largest".
- c. Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated July 1, 2019, and last circulated by Vice Chairman Petersen's Office on July 25, 2019 at 4:33 p.m. and further modified at the table.
- d. Authorize the use of compulsory process.
- e. Approve the appropriate letters.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

7/29/19

Date



Laura E. Sinram
Acting Secretary and Clerk of the
Commission