



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: The Commission

FROM: Lisa J. Stevenson
Acting General Counsel

Charles Kitcher
Acting Associate General Counsel for Enforcement

BY: Jin Lee *JK*
Acting Assistant General Counsel

Justine A. di Giovanni *JG by JK*
Attorney

SUBJECT: MUR 7465 (Freedom Vote, Inc.)

RE: Withdrawal and Recirculation of Discovery Documents

As part of the investigation in the above-referenced matter, we are withdrawing the Memorandum to the Commission, circulated August 28, 2019, and recirculating the attached subpoena directed to the Executive Director of Freedom Vote, Inc. (“Freedom Vote”), James S. Nathanson, for the Commission’s approval on a one-hour tally vote. On July 25, 2019, the Commission found reason to believe that Freedom Vote, Inc. failed to organize, register, and report as a political committee, and as a result, failed to include an appropriate disclaimer on a public communication.¹

On July 31, 2019, Freedom Vote, Inc. was notified of the Commission’s reason-to-believe findings, but to date, we have received no response from the Respondent. Further, in May 2019, despite notice from the Commission of Respondent’s legal obligation to preserve all documents, records, and materials relating to the Complaint, Freedom Vote, Inc. filed a certificate of dissolution with the Ohio Secretary of State, effective May 31, 2019.

On August 28, 2019, we circulated a Subpoena for Documents and Order to Submit Written Answers to Freedom Vote and a Deposition Subpoena to James S. Nathanson.

¹ Cert., MUR 7465 (Freedom Vote, Inc.) (July 25, 2019).

MUR 7465 (Freedom Vote, Inc.)
Page 2 of 2

Although the Commission authorized the Subpoena to Freedom Vote for written materials,² there was an objection to the Subpoena to Nathanson. To date, Freedom Vote has not responded to the Subpoena we served. We believe Nathanson will likely comply with the subpoena directed to him individually.

Accordingly, we withdraw the Memorandum to the Commission, circulated August 28, 2019, and ask that the Commission approve the attached Subpoena to James S. Nathanson on a one-hour tally vote.

Attachments:

1. Deposition Subpoena to James S. Nathanson.

² Cert., MUR 7465 (Freedom Vote, Inc.) (Aug. 30, 2019).