

# SANDLER REIFF

SANDLER REIFF LAMB  
ROSENSTEIN & BIRKENSTOCK, P.C.

1090 Vermont Ave NW, Suite 750  
Washington, DC 20005  
www.sandlerreiff.com  
T: 202-479-1111  
F: 202-479-1115

May 21, 2019

Mr. Jeff S. Jordan  
Assistant General Counsel  
Office of Complaints Examination  
and Legal Administration  
Federal Election Commission  
1050 First Street, N.E.  
Washington, D.C. 20463

Re: MUR 7551

Dear Mr. Jordan:

The undersigned serves as counsel the Indiana Democratic Party. Attached to this response is a signed Designation of Counsel form. This matter relates to a complaint filed by Mr. James R. Holden in November of 2018. In his complaint, Mr. Holden has forwarded a mailing that purports to criticize the 2018 Republican candidate for United States Senate candidate Mike Braun and apparently supports Libertarian candidate Lucy Brenton. The mailing attached by Mr. Holden was sent using a standard mailing permit and does not contain any notice as to whom it is paid for.

By this letter, the Indiana Democratic Party flatly denies any involvement with this mailing. The party did not create or otherwise participate in the dissemination of this mailing nor is it familiar with it or its origins. From a cursory review of the attached mailing, it appears as though it was designed and disseminated by a non-political committee (most likely a 501(c)(4) organization) and was specifically designed to eschew any "express advocacy." By doing so, it would not have been required by federal law to include a disclaimer. To be sure, if this mailing was disseminated by the party, it would have been required to include a disclaimer even if it eschewed express advocacy. Therefore, there would have been no incentive for the party to design a piece in this manner.

The Indiana Democratic Party encourages the Commission to track down the owner of the Standard Mail Permit listed in the mailing. The party assures the Commission that this permit is not owned by the party, who generally undertakes mailings using its non-profit permit.

Based upon the above, the Commission should immediately dismiss this matter as it relates to the Indiana Democratic Party. If you have any questions regarding this Response, my daytime number is (202) 479-1111. My email address is reiff@sandlerreiff.com.

Sincerely,

A handwritten signature in blue ink, appearing to read "Neil Reiff". The signature is fluid and cursive, with the first name being more prominent than the last.

Neil Reiff  
Counsel to the Indiana Democratic Party