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April 10, 2019

VIA E-MAIL (cela@fec.gov) and U.S. MAILCONFIDENTIAL

Federal Election Commission
Office of Complaints
Examination & Legal Administration
1050 First Street, NE
Washington, DC 20463

Attn: Ms. Kathryn Ross, Paralegal

Re: Federal Election Commission
MUR 7572
My Client: J. Miriam Hellreich
Our File No. 19003

Dear Ms. Ross:

We are writing in response to the Complaint by Eric Ryan against my client, J. Miriam Hellreich. Let us first start off by stating that we are unaware as to how Eric Ryan managed to listen in on Hawaii Republican Party Executive Committee Meeting and surreptitiously tape record Chairman Shirlene Ostrov describing the process that she had used to direct two contributions to two vendors on behalf Federal Candidate Cam Cavasso. Eric Ryan was not authorized to participate in the November 27, 2018 meeting as he was not then, and is not now, a member of the Hawaii Republican Party Executive Committee. Nor were any of the participants aware of the tape recording that he conducted which violated my client's personal privacy rights. We believe that the tape recording may have potentially violated §803-42, Hawaii Revised Statute criminally proscribing any person from intentionally intercepting or endeavoring to intercept any wire, oral or electronic communication. As Mr. Ryan was not authorized to participate in the Hawaii Republican Party Executive Committee Meeting, we believe that his tape recording could have only been performed without the knowledge of any of the participants and accomplished only through a surreptitious interception. It is equally egregious that the audio-recorded excerpt does not contain the complete transcript of the November 27, 2018 meeting and is taken out of context. As such, we challenge the legality of this electronic interception and excerpted audio recording which obviously

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underwent an arbitrary editing process. Nonetheless, in response to the core allegations, we wish to set forth the following responses to these baseless allegations by Mr. Ryan.

Miriam Hellreich serves as a National Committee Woman for the Hawaii Republican Party and on the Republican National Committee. She is an advocate for resources from the Republican National Committee to the Hawaii Republican Party and is tasked with requesting funds to hire an Executive Director, education and training for candidates and grass root volunteers and helping to obtain speakers for State Party fund raising events. But she is not empowered to direct any expenditures for the Hawaii Republican Party to any State or Federal candidates; nor does she have authority to authorize Hawaii Republican Party contributions or expenditures. During the past 2018 election, my client did not authorize nor had she ever reviewed, approved nor directed the Hawaii Republican Party to disburse any funds to any Federal and/or State candidates for any reason. In the past 2018 election, she did not participate in nor ratify any decision making activities concerning coordinated company expenditures from the Hawaii Republican Party to any Federal and/or State candidates.

Specifically regarding the Cam Cavasso campaign for U.S. Congress in 2018, Miriam Hellreich did not raise any money for the campaign nor did she direct or pay any expenditures for this campaign. Any contributions to the Cam Cavasso campaign from any donor and/or even the Hawaii Republican Party did not involve my client. She had no prior knowledge that any contribution from the Hawaii Republican Party had occurred until a Hawaii Republican Party Executive Committee Meeting on November 27, 2018. In particular, at the November 27, 2018 meeting, Chairman Shirlene Ostrov had informed my client and other members of the Hawaii Republican Party Executive Committee about actions she had taken to assist Federal Candidate Cam Cavasso.

During Eric Ryan's edited tape recording excerpt of the November 27, 2018 Hawaii Republican Party Executive Committee Meeting, my client did recognize her voice and spoken words "pass-through" after Chairman Shirlene Ostrov had disclosed what she and/or the Hawaii Republican Party had done on behalf of the Cam Cavasso campaign. But my client was neither ratifying nor approving this contribution to the Cam Cavasso campaign. Although she is a member of the State Party Executive Committee, there was never any vote taken to approve this contribution before being made nor to ratify this contribution after the Chairman's disclosure to the Committee. My client was merely repeating the exact words that had been used by Chairman Ostrov because that is what Chairman Ostrov had previously identified this contribution as when she had informally mentioned that this type of contribution was legal under the Federal Elections Commission.

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Prior to the November 27, 2018 meeting, Chairman Ostrov mentioned that she had researched the legality of doing what she had identified as a "pass-through contribution" by the Hawaii Republican Party on behalf of a Federal Candidate. However, my client had no prior knowledge of what Shirlene Ostrov specifically meant nor did she request any clarification from Chairman Ostrov. It is her best memory that she was never asked for any input or advice from anyone before or after said contribution. Also prior to the November 27, 2018 meeting, Chairman Ostrov mentioned that she had used two contributions to pay two vendors on behalf of Federal Candidate Cam Cavasso and had used the words "pass-through". Chairman Ostrov could have mentioned that just before the November 27, 2018 meeting or a few days prior, but my client does not recall. Nor did my client learn the specifics of two contributions to these two vendors until the Hawaii Republican Party Executive Committee Meeting on November 27, 2018. Again, the edited tape recording provided by Eric Ryan did not include the entire conversation of that meeting which ran more than several minutes long. He included just a very brief snip-it of a few seconds of the entire meeting for his personal reasons.

My client had assumed that Chairman Ostrov had cleared this expenditure with the Hawaii Republican Party attorney, Gary Grimmer, but she cannot be certain as she was not involved with approving or directing this expenditure before it occurred. Nor did my client investigate or take any further action as she was not involved in this expenditure either before or after the incident. My client has no specific knowledge as to whether this "pass-through" was legal or a violation of FEC rules and/or regulations.

To further reiterate the fact that my client was unconnected to Cam Cavasso's Federal campaign, she emphasizes that she did not assist this candidate with respect to advertising or any activity or operation of its Federal campaign. She has no supervisory powers over the Hawaii Republican Party Chairman or Treasurer and none of these individuals either reported to my client or sought approval about any Hawaii Republican Party expenditures for any Federal or State candidate. Therefore, my client was not in the position to either disapprove or condone the two expenditures to the Cam Cavasso campaign. The sole connection that my client had with respect to the Cam Cavasso campaign was a personal contribution of \$100 to his campaign.

We trust that we have fully explained the role of my client with respect to the Hawaii Republican Party and her lack of any connection to any fund raising or expenditures made for the Cam Cavasso campaign for U.S. Congress in 2018. With respect to the legality of such expenditure, we can only refer you to any responses that are made from the Hawaii Republican Party and/or Chairman Ostrov or the Hawaii Republican Treasurer.

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Should you have any questions or feel the need to acquire more information from my client, please do not hesitate to contact us.

Very truly yours,


SHELTON G. W. JIM ON

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cc: Ms. J. Miriam Hellreich Via E-Mail Only

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