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November 5, 2019

VIA EMAIL and US MAIL

Jeff S. Jordan
 Assistant General Counsel
 Complaints Examination & Legal Administration
 Federal Election Commission
 1050 First Street NE
 Washington, D C 20463

Re: Response of Robert Rodden in MUR 7652

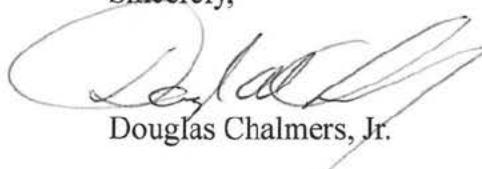
Dear Mr. Jordan:

This letter is submitted on behalf of Robert Rodden (“Respondent”) in response to the Complaint (the “Complaint”) filed by William Perry of Georgia Ethics Watchdogs on or about October 10, 2018 in the matter designated by the Commission as MUR 7652. For the reasons set forth herein, Respondent denies the allegations contained in the Complaint, and denies that he has violated the Federal Election Campaign Act of 1971, as amended (the “Act”).

The issue set forth in the Complaint was the subject of a Request for Additional Information (“RFAI”) sent by the Commission to Paul Kilgore, Treasurer of Nicole Rodden for Congress, Inc. (the “Rodden Campaign”) on August 27, 2019. See Exhibit 1 attached hereto. On October 1, 2019, the Rodden Campaign, through the undersigned counsel, provided a response to the RFAI (the “Response”). See Exhibit 2 attached hereto. The Response explains the factual background on this issue and the Rodden Campaign’s resolution of it. Mr. Perry was apparently not aware that either the RFAI or the Response were posted on the Commission’s website before he filed his Complaint.

The Response is incorporated herein by reference as Mr. Rodden’s response to the Complaint in MUR 7652. We trust it completely addresses the allegations in the Complaint. Respondent has not violated the Act, and he respectfully requests that the Commission promptly dismiss the Complaint. Respondent also expressly reserves all defenses under the law.

Sincerely,



Douglas Chalmers, Jr.

EXHIBIT 1

RFAI



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

August 27, 2019

PAUL KILGORE, TREASURER
NICOLE RODDEN FOR CONGRESS, INC.
PO BOX 72048
MARIETTA, GA 30007

Response Due Date

10/01/2019

IDENTIFICATION NUMBER: C00707612

REFERENCE: JULY QUARTERLY REPORT (04/01/2019 - 06/30/2019)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 2 item(s):

1. Schedule A of your report discloses one or more contributions that appear to exceed the limits set forth in the Act (see attached). An individual, including a candidate's spouse, may not make contributions to a candidate for federal office in excess of \$2,800 per election. **The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.** (52 U.S.C. § 30116(a) and (f) (formerly 2 U.S.C. § 441a(a) and (f)); 11 CFR § 100.52)

While it is permissible for a candidate to obtain a loan on which his or her spouse's signature is required when jointly owned assets are used as collateral or security for the loan, the value of the candidate's share of the property must equal or exceed the amount of the loan. If the value of the candidate's share of the property is less than the amount of the loan, the difference between the amount of the loan and the value of the candidate's share of the property is considered a contribution from the candidate's spouse. This amount cannot exceed the limits for contributions from individuals. (11 CFR § 100.52 (b)(3) and (4))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you must amend your original report with the clarifying information.

Alternatively, the funds can be retained if, within 60 days of receipt, the

NICOLE RODDEN FOR CONGRESS, INC.

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excessive amount was properly designated for a different election. An excessive contribution is considered properly redesignated if (1) the committee obtains signed written documentation from the contributor(s) authorizing the redesignation of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election; or (2) the committee redesignates by presumption the excessive portion of the contribution for another election, provided that the new designation does not exceed the limitations on contributions made with respect to that election. In this case, the treasurer must notify the contributor of the redesignation in writing within 60 days of the treasurer's receipt of the contribution. The notification must give the contributor an opportunity to request a refund. (11 CFR § 110.1(b)(5)(ii)(B))

A contribution can only be redesignated to a previous election to the extent that the contribution does not exceed the committee's net debts outstanding for that election. (11 CFR § 110.1(b)(3)(i))

If the foregoing conditions for redesignations are not met within 60 days of receipt, the excessive amount must be refunded. (11 CFR § 103.3(b)(1))

If you have not already done so, please inform the Commission of your corrective action immediately in writing and provide photocopies of any refund checks and/or letters redesignating the contributions in question. Refunds are reported on Line 20(a), (b), or (c), as applicable, of the Detailed Summary Page and on a supporting Schedule B of the report covering the period in which they are made. Redesignations are reported as memo entries on Schedule A of the report covering the period in which the authorization for the redesignation is received. (11 CFR § 104.8(d)(2), (3) and (4))

Although the Commission may take further legal action concerning the acceptance of excessive contributions, your prompt action to refund or redesignate the excessive amount will be taken into consideration.

2. Your report fails to provide proper election designations for contributions disclosed on Schedule A supporting Line(s) 11(a)(i). Authorized committees should indicate the election for which the contribution was designated. If no election is designated, the contribution is applied to the next election for the federal office the candidate is seeking after the contribution date. Please be advised that incorrect election designations may result in excessive or impermissible contributions. Please amend your report to clarify election designations "O2019, Runoff" (11 CFR §§ 110.1(b) and 110.2(b))

NICOLE RODDEN FOR CONGRESS, INC.

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Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. For additional information about the report review process or specific filing information for your committee type, please visit <http://transition.fec.gov/rad/>. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1171.

Sincerely,



Jessica Grainger

Sr. Campaign Finance & Reviewing Analyst
Reports Analysis Division

Apparent Excessive, Prohibited, and Impermissible Contributions
Nicole Rodden for Congress, Inc. (C00707612)

Apparent Excessive Contributions from Individuals

Contributor Name	Date	Amount	Election
Rodden, Robert	6/30/19	\$100,000.00	P2020

EXHIBIT 2
RESPONSE TO RFAI

MISCELLANEOUS TEXT (FEC Form 99)

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NAME OF COMMITTEE (In Full)
Nicole Rodden for Congress

FEC IDENTIFICATION NUMBER
C00707612

Mailing Address PO Box 72048

City Marietta	State GA	ZIP Code 30007-2048
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ATTORNEYS AT LAW
5805 STATE BRIDGE ROAD #G77
JOHNS CREEK, GEORGIA 30097
PHONE: 770-630-5927
EMAIL: dchalmers@cpblawgroup.com

September 25, 2019

Jessica Grainger
Sr. Campaign Finance & Reviewing Analyst
Reports Analysis Division
Federal Election Commission
Washington, DC 20463

Dear Ms. Grainger:

This law firm represents Nicole Rodden for Congress, Inc. (C00707612)(the "Committee"). On behalf of the Committee, this responds to your request for additional information (RFAI) dated August 27, 2019.

(1) Loan to Campaign. The first issue referenced in the RFAI concerns the \$100,000 loan that was listed on the Committee's July 2019 quarterly disclosure report as being from Robert Rodden, the candidate's spouse. This loan was actually made almost entirely from personal funds of the candidate Nicole Rodden. An amended report will be filed shortly to correct the reporting of this loan.

By way of explanation, on or about June 18, 2019 the candidate transferred \$88,719.53 from a personal investment account, which was in her name only, to a joint checking account held with her husband. This transfer was done for the purposes of financing the loan to the campaign. On or about June 30, 2019, the joint checking account loaned these personal funds of the candidate, plus an additional \$11,280.47, to the Committee. At the time that the loan was made, the joint checking account had a balance of \$108,303.88. Setting aside the \$88,719.53 that had been transferred in from the candidate, there was \$19,584.35 available for this loan. Pursuant to 11 C.F.R.C. 100.33(c), one half of that amount, or \$9,792.18, is considered personal assets of the candidate. The balance of \$1,488.29 that was also loaned would be considered personal assets of the candidate's spouse. That amount is well within the contribution limits for the 2020 primary election.

Accordingly, the Committee will file an amendment to its July quarterly disclosure report to confirm that \$98,511.71 was a loan to the Committee from the candidate's personal funds, and \$1,488.29 was a contribution from the candidate's spouse.

(2) Election Designations. The RFAI also notes that two contributions were inadvertently allocated to a 2019 Runoff election. The amended disclosure report that is being filed will correct these two election designations.

We believe that this adequately addresses all of the issues set out in the RFAI, but if you have additional questions please do not hesitate to contact me at your convenience. Please note that, out of an abundance of caution, the Committee hereby reserves all available defenses under applicable law. Thank you.

Sincerely,

Douglas Chalmers, Jr.