

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 7682  
 Amy McGrath for Senate, Inc., and Chris )  
 Patton in his official capacity as )  
 treasurer; Save America Fund and )  
 Edward Galvin, in his official capacity as )  
 treasurer; Mark L. Nickolas )

CERTIFICATION

I, Viktoria J. Allen, recording secretary of the Federal Election Commission executive session, do hereby certify that on November 09, 2021, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to:
  - a. Find reason to believe that Amy McGrath for Senate, Inc. and Chris Patton in his official capacity as treasurer violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 300.61.
  - b. Find reason to believe that Mark L. Nickolas violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 300.61.
  - c. Find no reason to believe that Save America Fund and Edward Galvin in his official capacity as treasurer violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 300.61 and close the file as to these respondents.
  - d. Enter into conciliation with Amy McGrath for Senate, Inc. and Chris Patton in his official capacity as treasurer and Mark L. Nicholas prior to a finding of probable cause to believe.
  - e. Approve the Conciliation Agreement, as recommended in the First General Counsel's Report dated August 21, 2020.

- f. Approve the Factual & Legal Analyses, as recommended in the First General Counsel's Report dated August 21, 2020.
- g. Approve the appropriate letters.

Commissioners Broussard, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Cooksey, Dickerson, and Trainor dissented.

2. Failed by a vote of 3-3 to:

- a. Find reason to believe that Amy McGrath for Senate, Inc. and Chris Patton in his official capacity as treasurer violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 300.61.
- b. Find reason to believe that Mark L. Nickolas violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 300.61.
- c. Find no reason to believe that Save America Fund and Edward Galvin in his official capacity as treasurer violated 52 U.S.C. § 30125(e) and 11 C.F.R. § 300.61 and close the file as to these respondents.
- d. Enter into conciliation with Amy McGrath for Senate, Inc. and Chris Patton in his official capacity as treasurer and Mark L. Nicholas prior to a finding of probable cause to believe.
- e. Direct the Office of General Counsel to revise the Factual & Legal Analyses,
- f. Dismiss the second statement in Item 2(e) pursuant to *Heckler v. Chaney*.
- g. Revise the Conciliation Agreement,
- h. Send the appropriate letters.

Commissioners Cooksey, Dickerson, and Trainor voted affirmatively for the motion.

Commissioners Broussard, Walther, and Weintraub dissented.

Federal Election Commission  
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November 15, 2021

Date

Attest:

**Vicktoria J Allen**

Digitally signed by Vicktoria J  
Allen  
Date: 2021.11.15 17:34:16 -05'00'

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Vicktoria J. Allen  
Acting Deputy Secretary of the  
Commission