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March 17, 2020

**Via Email**

Jeff S. Jordan  
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Federal Election Commission  
Office of Complaints Examination  
and Legal Administration  
Attn: Christal Dennis, Paralegal  
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***Re: Response to MUR 7708***

Mr. Jordan:

Torres Law Group, PLLC represents respondents in this matter. By this letter, respondents urge the Commission to find no reason to believe any election law has been violated by any of the respondents. Indeed, the complaint provides no basis for such a belief. Instead, it attempts to insinuate that “a candidate and a campaign employee working for a non-profit corporation” means that the non-profit corporation is making in-kind contributions to the campaign. The insinuation is baseless.

*In General.* The complaint acknowledges that it is funded by an extremist anti-worker organization known as “Employment Policies Institute.” A cursory review of its website reveals that this organization is dedicated to suppressing worker wages. See <http://www.epionline.org> Eric Lipton of the New York Times wrote of the group, “The nonprofit group is run by a public relations firm that also represents the restaurant industry, as part of a tightly coordinated effort to defeat the minimum wage increase that the White House and Democrats in Congress have pushed for.” Eric Lipton, New York Times, “Fight Over Minimum Wage Illustrates Web of Industry Ties,” (Feb. 9, 2014) available at <https://www.nytimes.com/2014/02/10/us/politics/fight-over-minimum-wage-illustrates-web-of-industry-ties.html>. By contrast, Eva was elected to the Flagstaff City Council in November 2014 to a four-year term and was instrumental in increasing the minimum wage to \$15.50 per hour. <http://www.evaforcongress.com/about/> Likewise, the Restaurant Opportunities Centers United (ROC) is a nonprofit organization fighting to improve wages and working conditions for the nation’s restaurant workforce. <http://www.rocunited.org/mission/>

As a champion of workers, Eva Putzova, ROC and their supporters are a threat to the anti-worker agenda of EPI and likely the motivation behind this baseless complaint filed with the Commission. ROC never compensated Eva Putzova nor Steven Piasecki for their work on the Eva Putzova for Congress (the “Campaign”) committee. Nothing in the complaint suggests otherwise.

*Facts.* The Complaint accurately states a number of innocuous facts. Eva Putzova is a candidate for Congress. Her campaign contracts with Steven Piasecki for his services as a communications consultant and has compensated him for it. Both are also employed by ROC. [Compl. at 1-2; Exs. A-C.]

Although Mr. Piasecki could legally volunteer his services to the Campaign, 11 CFR § 100.74, he was in fact compensated for his time and that compensation was properly reported to the FEC—as the Complaint concedes. [Compl. at 2, Ex. B fig. 6.] Nothing in the complaint “shows a blurry line between Mr. Piasecki’s work with ROC and his work with the [Campaign].” [*Cf.* Compl. at 2.]

The Complaint provides statistics that aggregate all Twitter usage by the identified accounts over a five-month period. The Complaint suggests that the figures in Exhibit D show “Mr. Piasecki’s digital work for the [Campaign] overlaps with his digital work for the non-profit corporation.” [Compl. at 2.] In fact, Exhibit D shows no such thing. Instead, it shows over a five-month period the accounts were active at generally the same time. In fact, the shape of the histogram is different for each account. The activity does not necessarily overlap with work hours.

The Complaint also attempts to make something of Mr. Piasecki’s move to New York. It is true that Mr. Piasecki contributed to both the ROC and the Campaign Twitter accounts. (He also posted on his personal account which is entirely irrelevant to any of the allegations.) That over a several month period the tweets would shift to reflect his posting from an earlier time zone. That only shows that he works for both groups; not that he was paid by one for the work for the other.

Finally, the Complaint points out to the Commission that Eva Putzova and Steven Piasecki retweeted posts from ROC and the Campaign’s account on their personal accounts. [Compl. Exs. E-F.] This is true. This is legal and frankly bizarre to include in a complaint to the Commission.

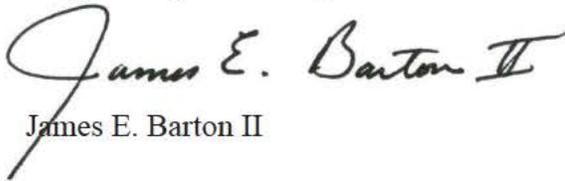
*Legal Analysis.* EPI alleges a violation of “2 USC §30118(a).” For purposes of response, Respondents will assume this means 52 USC §30118(a)’s prohibition on corporate contributions to candidate campaigns. The entire basis of this allegation and the sections of the CFR cited is the claim that ROC paid Steven Piasecki to tweet in support of the Campaign.

Mr. Piasecki never tweeted for the Campaign while he was on the clock for ROC. [Piasecki Decl. ¶ 3.] The data provided in Exhibit D does not demonstrate common

usage among the accounts, other than the absence of tweets in the middle of the night. It certainly does not come close to contradicting the sworn declaration of Steven Piasecki himself. As for the examples of specific tweets in Exhibit F of the Complaint, they only show retweeting by the individual Respondents on their personal account. Note also that Eva Putzova owns both iOS and Android devices with which she engages Twitter. The complaint recklessly relies on the faulty assumption that Ms. Putzova uses only a device or devices with the same operating system.

*Conclusion.* The Commission should find no reason to believe there was a violation of law as alleged in the Complaint. No action should be taken against any of the respondents.

Respectfully submitted,

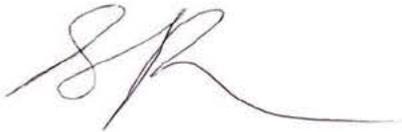


James E. Barton II

I swear that the statements and facts in the above response are true and correct to the best of my knowledge.



Eva Putzova  
On behalf of her self and  
Eva Putzova for Congress



Steven Piasecki

## DECLARATION OF STEVEN PIASECKI

Steven Piasecki declares as follows:

1. I am over eighteen years of age, and have direct knowledge of all statements declared to herein.
2. I am currently employed by the non-profit corporation Restaurant Opportunities Centers United (ROC) and have a contract with the Eva Putzova for Congress (the "Campaign") committee.
3. At no time have I provided any work for the Campaign while being "on the clock" for ROC. ROC has never compensated me for any work provided for the Campaign.

I swear the above is true and correct under penalty of perjury.

  
Steven Piasecki