

**From:** [Alejandro J. Figueroa](#)  
**To:** [CELA](#)  
**Subject:** MUR 7772  
**Date:** Monday, August 24, 2020 5:52:25 PM  
**Attachments:** [FFP - FEC Response 08.24.20v2.pdf](#)

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On behalf of Foundation for Progress, Inc., attached please find a formal request for extension of time to respond to the referenced Complaint.

Should you have any questions, please do not hesitate to contact the undersigned

Sincerely,  
AF

**Alejandro J. Figueroa**  
Managing Partner

**Miramar Group, LLC**  
PO Box 10051  
San Juan, PR 00908  
Tel. 787-934-0805

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August 24, 2020

**CONFIDENTIAL – VIA E-MAIL**

Jeff S. Jordan  
*Assistant General Counsel*  
Complaints Examination &  
Legal Administration  
Federal Election Commission  
Washington, D.C. 20463  
[cela@fec.gov](mailto:cela@fec.gov)

**RE: MUR 7772**

Dear Mr. Jordan:

We are in receipt of your letter dated August 11, 2020 and have reviewed the frivolous Complaint referenced therein. We have been engaged as counsel to Foundation for Progress, Inc., (“FFP”) in connection with this matter. In light of the circumstances described below, FFP hereby respectfully requests an extension of time to respond and formally request the summary dismissal of the Complaint.

As a threshold matter, it must be stressed that the Complaint must be scrutinized taking into account that it was filed by Mr. Jorge Dávila-Torres, who was the Campaign Director for the gubernatorial primary campaign of Puerto Rico’s constitutional governor, Wanda Vázquez-Garced, who lost the primary on August 16, 2020 by a substantial margin. The instant Complaint, as FFP intends to demonstrate, forms part of a campaign of harassment, intimidation and free speech violations against an entity that engaged in constitutionally protected political expression consisting of lawful political donations to a duly registered Super PAC, Salvemos a Puerto Rico. Without any factual support, the Complaint generally and frivolously asserts that FFP and another entity “laundered funds” for Comité Amigos Pedro Pierluisi. This assertion is false and outrageous, since any and all donations executed by FFP are legal in nature and have been duly reported to all corresponding federal and state agencies. There is no evidence to the contrary but only political attacks, retaliation and speculation.

As the undisputed facts show, without any prior notice or due process guarantees, effective on July 10, 2020, the Complainant, Mr. Jorge Dávila, in his capacity as Campaign Director, issued a press conference in which he alleged that FFP and the Super PAC, Salvemos a Puerto Rico, had undertaken coordinated communications in violation of applicable federal statutes. On that same day, the Secretary of State for the Commonwealth of Puerto Rico, who is a direct subordinate of Governor and ex Candidate Wanda Vázquez Garced, notified the cancellation of the corporate registry for FFP. The aforementioned cancellation was executed in clear violation of the entity's due process rights and in contravention of Puerto Rico's General Corporations Act and applicable caselaw. The sole reason for the intervention by the Puerto Rico Department of State in this matter is the fact that FFP had made donations to a Super PAC that was engaged in constitutionally protected speech against Governor Wanda Vázquez Garced. This is tantamount to political persecution and retaliation.

In light of said gross constitutional violations, FFP filed a Request for Preliminary Injunction, a Request for Permanent Injunction and Complaint for Declaratory Judgement in State Court (San Juan, PR) against the Puerto Rico State Department and the Secretary of State. FFP alleges that Department of State illegally, arbitrarily and capriciously canceled the Certificate of Incorporation of the FFP, said government action having the intention and/or effect of illegally suppressing the legitimate exercise of freedom of political expression that FFP holds, in accordance with the prevailing constitutional order. The Complaint requests the immediate restoration of FFP's Corporate Registry and an injunction against the Department of State for purposes of avoiding additional retaliation. Additionally, FFP alleges violations of its constitutional free speech rights, since the Department of State executed the adverse actions solely as a result of its involvement in the opposition campaign against the Governor.

The San Juan Superior Court scheduled an Injunction hearing on the aforementioned matter for Wednesday August 26, 2020 at 1:30 PM. The undersigned counsel respectfully understands that the outcome of the aforementioned state court legal action is highly relevant for purposes of the legal defenses that FFP intends to raise in the instant proceeding, since it will show (i) that the Puerto Rico Government has taken retaliatory and unconstitutional adverse actions against FFP merely for the reason that the entity exercise its right to freedom of expression consisting of making lawful political donations to a Super PAC, and (ii) the frivolous Complaint filed by Mr. Dávila before the FEC is part of said retaliation.

In view of the importance of the state court action to an adequate response on FFP's part to the referenced Complaint, we respectfully request that an extension of time to respond be granted until the Puerto Rico San Juan Superior Court has issued a ruling on the requested legal remedies. The undersigned counsel will promptly inform the Federal Elections Commission about any ruling in the case.

The present request is filed in good faith, without any intent to delay and with the sole purpose of guaranteeing FFP's rights.

Sincerely,

A handwritten signature in blue ink, appearing to be 'AJF' or similar initials, written on a light-colored background.

Alejandro J. Figueroa  
Counsel to Foundation for Progress, Inc.