



O'Connor, Haseley, & Wilhelm LLC

November 3, 2020

Mr. Jeff S. Jordan  
Assistant General Counsel  
Office of Complaints Examination and Legal Administration  
Federal Election Commission  
1050 First Street, NE  
Washington, DC 20463

*RE: MUR 7792*

Dear Mr. Jordan:

I write on behalf of the Ohio Democratic Party (“ODP”) to respond to a complaint by Rob Secaur (the “Complaint”) alleging that ODP has violated the Federal Election Campaign Act (the “Act”). As described below, the Commission should find there is no reason to believe that there has been a violation, as ODP has fully complied with the Act and the Commission’s regulations. Accordingly, the Commission should close the file on the Complaint and take no further enforcement action against ODP.

Secaur alleges that ODP violated the Act by making payments to two congressional candidates, Alaina Shearer and Desiree Tims (the “Candidates”). Specifically, Secaur alleges that ODP violated 11 CFR 113.1(g)(1)(i)(I), which requires that . . . What Secaur fails to understand, however, is that ODP acted simply as a payroll service in processing payments from the Candidates’ campaign committees to the candidates. The Candidates’ committees made payments to the candidates through ODP, and ODP properly disclosed each of these transactions on Line 12 of its reports

with the description “Payroll.” ODP did not make any payments to either Candidate out of ODP’s funds.

Secaur cites MUR 7068 (Mowrer for Iowa) as support for his claim that the Commission has previously found this arrangement to be a violation. However, this case dealt with an entirely different matter – Mowrer’s campaign committee made payments to the candidate *after the election ended*. No such facts are alleged here, nor would it even be possible since this complaint was filed before the election.

ODP did not pay either of the Candidates. ODP simply acted as a payroll service and processed payments from the Candidates’ principal campaign committees to the Candidates. ODP did not violate the Act or the Commission’s regulations. The Commission should immediately dismiss this matter. Should you have any questions regarding this response, my daytime number is (614) 208-4375 and my email address is [west@goconnorlaw.com](mailto:west@goconnorlaw.com).

Respectfully Submitted



N. Zachary West  
O’Connor Haseley, & Wilhelm LLC  
531 South Drexel Avenue, Suite 5  
Columbus, OH 43209