

MARK N. MUELLER

• Kernersville, NC 27284

October 15, 2020

Federal Election Commission
Office of Complaints Examination & Legal Administration
1050 First Street, NE
Washington, DC 20463

Dear Mr. Jordan:

I am responding to your notification letter concerning the complaint numbered MUR 7801 (letter postmarked 10/1/2020 and delivered to my address on 10/5/2020). Below is my response.

I worked at New Breed Logistics ("New Breed") and its successor company, XPO Logistics ("XPO"), from March 1997 through September 2016, at which time I voluntarily resigned to pursue other career opportunities (New Breed and XPO, the "Company"). My duties at the Company ranged from supporting contract pricing, contract administration, capital acquisition, and FP&A from 1997 through 2003 reporting to the SVP of Contract Administration. I was promoted in 2003 to Treasurer/Finance Director reporting to the CFO, a position I would hold until the sale of New Breed in 2014. My responsibilities as Treasurer primarily included daily cash management, bank relations, capital acquisition support, corporate FP&A, and managing the equipment leasing function. Following XPO's acquisition of New Breed, my duties consisted of assisting in the integration and transition of my various functional responsibilities in the Company and, finally, to pricing, structuring and marketing 3PL services for XPO's supply chain division.

In my almost 20 years at the Company, I oftentimes worked closely with Louis DeJoy in carrying out my various responsibilities. However, I do not personally recall witnessing or experiencing any of the complaints alleged in MUR 7801. It is true that I contributed to certain Republican fundraisers sponsored by Mr. DeJoy, attending some of these events. I was always invited to contribute; some invitations I accepted, but many I did not. I never felt pressured to contribute, nor was I ever concerned that my job security was dependent on such giving. In fact, between 2002 through 2014, I contributed a total of \$13,200 to nine (9) separate events (i.e. I had to query the FEC database when writing this letter as I could not recall the details, some events from many years back). As a lifetime conservative and registered Republican, I have always voted for GOP candidates and was more than happy to contribute to these campaign causes. Furthermore, of these contributions, the largest was \$5,200 to the Tom Tillis' Victory campaign in 2014. I would add that Tom Tillis sent a personal letter to my son congratulating him for earning his Eagle Scout Award around that time, so we had perhaps some additional motivation to contribute this sum to now Senator Tillis' campaign. We have not participated in Mr. DeJoy campaign fundraisers since October 2014 primarily due to the fact that my wife and I have been funding our children's undergraduate college educations. In addition, I have not been invited to any of Mr. DeJoy's fundraisers since I departed XPO in September 2016.

Regarding the bonuses I received while employed at the Company, to my knowledge as communicated by my managers, all were awarded based on my job performance. I do not recall ever receiving a bonus, or hearing of my colleagues receiving a bonus, as a form of reimbursement for making a political contribution to GOP candidates Mr. DeJoy supported. Nor do I recall Mr. DeJoy ever promising me, or witnessing him ever telling my colleagues, that "I'll get it back to you down the road" for a political contribution to his GOP candidates. Furthermore, for the few company employees I managed that were covered under the Company's bonus plan, such awards were always based on their performance. Importantly, I was never pressured by Mr. DeJoy or by my managers to ask my subordinates to contribute to Mr. DeJoy's fundraisers (and I never did). I would add that as Treasurer of the Company, other than my subordinates, I was not privy to the individual bonus award and approval process (i.e. why people received what they received in any given year), which functioned at a higher level in the Company. But given New Breed was a 3PL company that implemented sometimes dozens of complicated contract start-ups and projects for large public companies around the country every year, what people were awarded in any given year would not have surprised me.

I am available for further discussion _____, but frankly there is nothing more I can add from that provided above. I never witnessed anything consistent with the allegations in the complaint.

Sincerely,



Mark Mueller