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May 7, 2021

**VIA EMAIL**

Lisa Stevenson  
 Acting General Counsel  
 Federal Election Commission  
 1050 First Street, NE  
 Washington, DC 20463

Re: MUR 7893 – Response to Complaint

Dear Ms. Stevenson:

I write on behalf of my client William Wachtel in response to the complaint filed in the above-referenced matter (the “Complaint”).<sup>1</sup>

Despite the Complaint’s sweeping speculation, there is no reason to believe that Mr. Wachtel made a contribution in the name of another in violation of the Federal Election Campaign Act of 1971, as amended (“FECA” or the “Act”).<sup>2</sup> The Complaint, which was filed by a disgruntled former employee,<sup>3</sup> does not describe a single instance where Mr. Wachtel either advanced funds or reimbursed anyone for making a contribution.<sup>4</sup>

<sup>1</sup> This response is filed timely pursuant to an extension granted by Commission staff. Because the Complaint does not contain any allegations against Mr. Wachtel’s law firm, Wachtel Misry LLP, the firm will not be filing a separate response.

<sup>2</sup> Mere speculation, without more, does not provide a basis for the Commission to make a reason to believe finding. See Statement of Reasons of Comm’rs Mason, Sandstrom, Smith & Thomas at 3, MUR 4960 (Hillary Rodham Clinton for US Senate Exploration Committee, Inc.) (“[P]urely speculative charges, especially when accompanied by a direct refutation, do not form an adequate basis to find reason to believe that a violation of FECA has occurred.”).

<sup>3</sup> The complainant, Theodore Mukamal, voluntarily left Mr. Wachtel’s law firm to “run” for President. See <https://docquery.fec.gov/pdf/058/202005209232825058/202005209232825058.pdf> (filed FEC statement of Candidacy) and <https://docquery.fec.gov/pdf/966/202005209232824966/202005209232824966.pdf> (filed FEC Statement of Organization). He is currently an “artist and activist” who appears as a Donald Trump impersonator under the alias “Tootsie Warhol.” See <https://www.tootsiewarhol.com/artist-cv>. See also <https://www.linkedin.com/in/theodore-mukamal/>; <https://queenseagle.com/all/ex-prosecutor-runs-anti-trump-campaign-to-make-america-smart-again>.

<sup>4</sup> It is all the more remarkable that the Complaint is devoid of any factual allegations given that while the complainant served as Mr. Wachtel’s Chief of Staff from January 2016 until November 2019, the complainant had unfettered access to Mr. Wachtel’s emails and, in his words, would be present for “the majority of [Mr. Wachtel’s] calls and meetings.”

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While it is true that Mr. Wachtel has a history of asking his friends and family to support the causes and candidates that he believes in, as sworn to in the affidavit accompanying this letter, Mr. Wachtel has never advanced funds or reimbursed anyone for making a contribution. Also enclosed with this letter are affidavits from Mr. Wachtel's daughter Madeline Wachtel, Helen Petulla, Paul Goodman, and Roy Moskowitz, each of which directly refutes the irresponsible speculation and insinuation contained in the Complaint.

Because Mr. Wachtel has not given funds or anything else of value, whether through an advance or a reimbursement, for the purpose of making a political contribution, the Commission should find no reason to believe that he violated the Act or Commission regulations and dismiss the Complaint.

Sincerely,



Brad C. Deutsch  
*Counsel to William Wachtel*

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Compounding the Complaint's reckless speculation, it should be noted that much of the Complaint is focused either on non-federal elections or on activity that falls outside the Act's statute of limitations. *See* 28 U.S.C. § 2462.

BEOFRE THE FEDERAL ELECTION COMMISSION

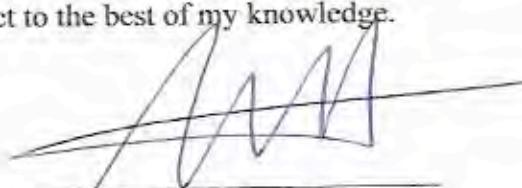
MUR 7893

AFFIDAVIT OF WILLIAM WACHTEL

I, William Wachtel, state the following:

1. My name is William Wachtel. I am over the age of eighteen.
2. I have never requested or directed anyone to make a political contribution for which I offered or promised to either advance or reimburse them for the contribution.
3. I have never offered or promised to reimburse anyone for any political contribution.
4. I have not furnished anyone with funds, or anything else of value, for the purpose of making any political contributions, whether through an advance or through a reimbursement.

I swear that the above statement is true and correct to the best of my knowledge.



WILLIAM WACHTEL

5/3/2021

Date

**BEOFRE THE FEDERAL ELECTION COMMISSION**

**MUR 7893**

**AFFIDAVIT OF MADELINE WACHTEL**

I, Madeline Wachtel, state the following:

1. My name is Madeline Wachtel. I am over the age of eighteen.
2. William Wachtel is my father.
3. I have made several political contributions in my lifetime, including some contributions when I was a minor.
4. Any political contribution I ever made was done so voluntarily using my own personal funds.
5. Neither my father William Wachtel, nor anyone else, has ever given me funds or anything else of value, whether through an advance or a reimbursement, for the purpose of making a political contribution.
6. My father William Wachtel never offered or promised to reimburse me for any political contribution I made.
7. My father William Wachtel never reimbursed me for any political contributions I made.

I swear that the above statement is true and correct to the best of my knowledge.



MADELINE WACHTEL

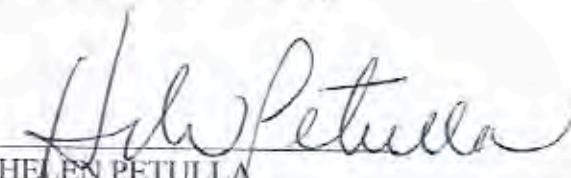
5/03/21  
Date

**BEFORE THE FEDERAL ELECTION COMMISSION****MUR 7893****AFFIDAVIT OF HELEN PETULLA**

I, Helen Petulla, state the following:

1. My name is Helen Petulla. I am over the age of eighteen.
2. I have worked for William Wachtel since 1983 and I currently serve as Mr. Wachtel's Executive Assistant.
3. I have never observed William Wachtel give funds or anything else of value, whether through an advance or a reimbursement, to anyone for the purpose of making a political contribution.
4. I have never observed William Wachtel offer or promise to reimburse anyone for making a political contribution.
5. Any political contribution I ever made was done so voluntarily using my own personal funds.
6. Neither William Wachtel, nor anyone else, has ever given me funds or anything else of value, whether through an advance or a reimbursement, for the purpose of making a political contribution.
7. William Wachtel never offered or promised to reimburse me for any political contribution I made.
8. William Wachtel never reimbursed me for any political contributions I made.

I swear that the above statement is true and correct to the best of my knowledge.

  
HELEN PETULLA  
5/3/2021  
Date

BEOFRE THE FEDERAL ELECTION COMMISSION

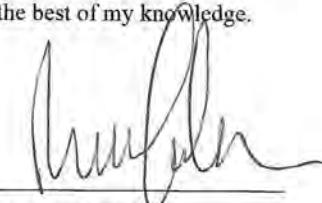
MUR 7893

AFFIDAVIT OF PAUL GOODMAN

I, Paul Goodman, state the following:

1. My name is Paul Goodman. I am over the age of eighteen.
2. I have been close friends with William Wachtel since 1966.
3. Any political contribution I ever made was done so voluntarily using my own personal funds.
4. Neither William Wachtel, nor anyone else, has ever given me funds or anything else of value, whether through an advance or a reimbursement, for the purpose of making a political contribution.
5. William Wachtel never offered or promised to reimburse me for any political contribution I made.
6. William Wachtel never reimbursed me for any political contributions I made.

I swear that the above statement is true and correct to the best of my knowledge.



PAUL GOODMAN

5/3/2021

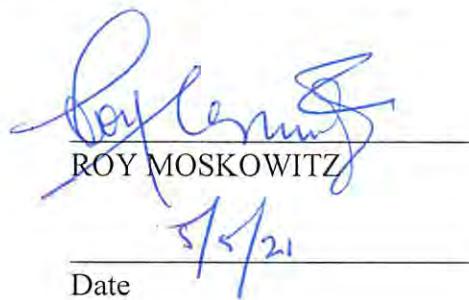
Date

**BEOFRE THE FEDERAL ELECTION COMMISSION****MUR 7893****AFFIDAVIT OF ROY MOSKOWITZ**

I, Roy Moskowitz, state the following:

1. My name is Roy Moskowitz. I am over the age of eighteen.
2. I have been close friends with William Wachtel since 1966.
3. Any political contribution I ever made was done so voluntarily using my own personal funds.
4. Neither William Wachtel, nor anyone else, has ever given me funds or anything else of value, whether through an advance or a reimbursement, for the purpose of making a political contribution.
5. William Wachtel never offered or promised to reimburse me for any political contribution I made.
6. William Wachtel never reimbursed me for any political contributions I made.

I swear that the above statement is true and correct to the best of my knowledge.



\_\_\_\_\_  
ROY MOSKOWITZ  
\_\_\_\_\_  
5/5/21  
\_\_\_\_\_  
Date