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BETH FORSYTHE
Partner
(612) 492-6747
FAX (612) 340-2868
forsythe.beth@dorsey.com

December 10, 2021

VIA ELECTRONIC MAIL

Roy Q. Lockett
Acting Associate General Counsel
Complaints Examination & Legal Administration
Federal Election Commission
Attn: Christal Dennis, Paralegal
1050 First Street, NE
Washington, DC 20463
Email: cela@fec.gov

Re: MUR 7913 Mankato Place 1, LLC's Response to Complaint Supplement

Dear Mr. Lockett and Ms. Dennis:

Campaign Legal Center's Complaint Supplement confirms there is no reason to believe our client, Mankato Place 1, LLC ("Mankato Place"), violated the Federal Election Campaign Act of 1971 ("the Act") with regard to Representative Hagedorn's campaign operations. The FEC should immediately close this matter as it relates to Mankato Place, and end the stress and expense it is unnecessarily inflicting on Mankato Place's members.

As detailed in Mankato Place's September 9, 2021 Response, the Complaint failed to alleged facts sufficient to show Friends of Hagedorn used physical space in Brett's Building ("Brett's Building") or the adjoining Mankato Place mall (collectively, the "Property") during Mankato Place's period of ownership, which did not begin until April 2019. The July 16, 2021 Office of Congressional Ethics ("OCE") Report and November 19, 2021 Complaint Supplement offer nothing new against Mankato Place. There is simply no evidence that Mankato Place violated the Act.

CLC in its Supplement cites two *new* statements from the OCE Report it claims are relevant here, but neither relates to Mankato Place's period of ownership.¹ One statement is from Peter Su, who testified he toured Rep. Hagedorn's official district office and a campaign office located in the basement of Brett's Building. Supp. at 3 (citing OCE Report at 20). The OCE Report does not specify the date of Peter Su's visit, but says "Su's statements appear to be substantiated by ... photographic evidence." OCE Report at ¶ 86. That photographic evidence is from July 2018, nearly a year before Mankato Place purchased Brett's Building. OCE Report ¶¶ 83-84. The second statement is from a Republican National Committee field organizer who visited the district office and campaign office during the 2018 election cycle and posted a photograph on social

¹ In reality these *new* statements are not new at all. In its Complaint, CLC alleged "[p]otos, event invitations, and news reports show Friends of Hagedorn physically occupying 11 Civic Center Plaza [Brett's Building], Suite 7 during the 2018 cycle." Compl. ¶ 8. These new statements are directly related to Paragraph 8 of the Complaint.



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media dated July 2018, which again was prior to Mankato Place's ownership. Supp. 3 (citing OCE Report at 19).

CLC's lack of evidence tying the Hagedorn campaign's occupancy of space in Brett's Building to any time during Mankato Place's ownership is consistent with the statements of Mankato Place member Michael Kahler. As Kahler detailed in support of Mankato Place's initial Response, his diligence pre-purchase included review of building occupancy records, lease agreements, and a March 2019 walk-through of the building, none of which indicated Friends of Hagedorn occupied any space in the Property by April 2019. Kahler has visited the Property approximately ten times since purchase, and has never seen any evidence that Friends of Hagedorn has occupied any space on the Property. The CLC cites no evidence in the Record that Friends of Hagedorn occupied physical space in the Property after Mankato Place purchased it in April 2019.

CLC also fails to cite any evidence that Mankato Place knew Friends of Hagedorn used 11 Civic Center Plaza, Suite 7 as its mailing address at any point during Mankato Place's ownership. Neither of Mankato Place's two members had ever seen any evidence of use of a Mankato Place mailbox by Friends of Hagedorn, and neither of them is or has ever been on Friends of Hagedorn's mailing lists or otherwise received Hagedorn mailings that they can recall, so had never been aware of any purported use of that address before receiving the Complaint.

The continuing unsubstantiated attacks on Mankato Place are detrimentally impacting its members. Those of us who work in this field understand parties like Mankato Place who have no culpability or exposure often get swept into investigations that put them in the spotlight for a period of time, and ultimately see the spotlight fade and the allegations shelved. But for folks like the members of Mankato Place who have never been the target of federal agency or commission investigation, any suggestion by the government that they may have violated the law is extremely stressful and something they take very seriously. Mankato Place has incurred significant expense to hire attorneys to help them tell their story and try to bring reason into the equation, by pointing out facts like there is no evidence the Friends of Hagedorn's campaign occupied space in Brett's Building during Mankato Place's period of ownership. CLC has had two opportunities now to make credible allegations against Mankato Place, and has failed to do so. This should stop.

As offered with our initial submission on September 9, 2021, we are happy to discuss the allegations, Mankato Place's response to those allegations, or anything else that will assist the FEC in making a fair and fast determination regarding whether there is any reason to believe Mankato Place violated the Act. Mankato Place believes strongly that there is no reason to believe it violated the Act and that FEC should close this matter as it relates to Mankato Place. We request a call next week for an update on this matter and to discuss next steps.

Kind Regards,

A handwritten signature in black ink that reads 'Beth Forsythe'.

Beth Forsythe