

BOWERS LAW OFFICE LLC

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Columbia, South Carolina 29250

RECEIVED

By OGC/CELA at 3:02 pm, Jun 22, 2022

Phone: 803-753-1099

butch@butchbowers.com

June 21, 2022

RE: MUR 8006

cela@fec.gov

Dear Mr. Lockett:

I have been retained to represent the Fry For Congress campaign and David Cole in his official capacity as treasurer regarding the above-referenced complaint filed by Mr. Don Watson of Myrtle Beach, South Carolina. Your letter to Mr. Cole was dated June 7, 2022, therefor this response is timely.

For the reasons set forth below, Mr. Watson's complaint should be summarily dismissed with prejudice. As an initial matter, it is clear and unambiguous that this complaint is factually barren and is nothing more than a fishing expedition filled with conjecture, innuendo, and personal "sour grapes." The complaint is short on both facts and the law, but there is certainly no shortage of subjective language like this:

1. "Fry *appears to have...*" (p.1 of the Complaint);
2. "ostensibly (p. 2);
3. *appears to link back* (p.3);
4. "...*what appeared to be* a large, pricey announcement event (p. 4);
5. "*it appears...*(p.5);
6. "*ostensibly* free goods....(p.7);
7. "*one is left to assume....*(p.7);
8. "*It strains credibility....*(p. 8)

Of course, none of these thin allegations actually rise to the level of "evidence."

The Complainant's preferred candidate, the incumbent U.S. House member Tom Rice, lost the Republican primary election for the U.S. House of Representatives for District 7 in South Carolina by more than 20,000 votes, thus avoiding a run-off. As it turns out, the Complainant is married to Rep. Rice's Chief of Staff, Ms. Jennifer Watson.

Thus, it is patently clear and obvious that this complaint was filed by a man who wanted his spouse to remain Chief of Staff for a member of Congress. Moreover, it is not lost on my client that this complaint was filed on June 7, 2022, a mere seven days before the primary

election, in a likely attempt to “rattle” my client. The timing is certainly suspect, but obviously, that tactic did not work.

As the facts and exhibits below will make clear, this complaint is completely without merit and should be dismissed. I will address each of the four issues raised by the Complainant seriatim.

- I. The Complainant alleges that Mr. Fry illegally used his state campaign in furtherance of his federal candidacy. That is simply false and defamatory, as Mr. Watson has not established a single fact in his complaint that would support his theory. There is not a scintilla of evidence to establish the type of illegal conduct that the Complainant claims “amounts to an egregious violation of the Act.”
- II. The Complainant alleges that Mr. Fry’s campaign has accepted illegal corporate in-kind contributions. This absurd allegation is also false and defamatory. The Complainant’s loose interpretation of the law leads him to believe that “one is left to assume that Fry’s campaign accepted them [goods and services] free of charge”.

In fact, there were no disbursements to Grand Strand Brewing for Mr. Fry’s August 5, 2021 announcement because it was a “pay your own way” event. Moreover, the Complainant quarrels with my client because he did not make any payments to The Edition for his February 24th event in Hartsville. But he completely ignores the fact that The Edition is owned by the Town of Hartsville. Accordingly, the Complainant’s misguided assumption that Mr. Fry’s campaign accepted goods and services is simply not true.

- III. The Complainant alleges that Mr. Fry failed to disclose any funds expended on testing-the-waters activities prior to becoming a federal candidate. Yet again, the Complainant is too far out over his skis and devolves into vicious ad hominem attacks without any actual facts to support his absurd claims. Absent any actual facts to support his version of the truth, this allegation, like all others before it, must fail for want of any actual evidence.
- IV. The Complainant alleges that the Palmetto Post cannot avail itself of the media exemption because a woman named Audrey Hudson is allegedly a paid staffer for the Fry campaign. Like the three other charges the Complainant makes, this claim also comes up dry. Ms. Hudson is a supporter of Fry the campaign, and she has supported his campaign with her own contributions. But Ms. Hudson is not a staffer on the Fry campaign, nor has she ever received any money from the campaign. Furthermore, any social media posts from Ms. Hudson supporting the Fry campaign were exclusively and uniquely her own content.

Wherefore, on behalf of the Fry for Congress campaign, we respectfully request that the instant complaint be dismissed with prejudice.

Respectfully,

BOWERS LAW OFFICE LLC

Karl S. Bowers, Jr.



FEDERAL ELECTION COMMISSION
1050 First Street, NE
Washington, DC 20463

RECEIVED

By OGC/CELA at 4:46 pm, Jan 14, 2023

STATEMENT OF DESIGNATION OF COUNSEL

Provide one form for each Respondent/Witness

EMAIL cela@fec.gov

FAX 202-219-3923

AR/MUR/RR/P-MUR# 8006Name of Counsel: Butch BowersFirm: Bowers Law Office, LLCAddress: 1419 Pendleton StreetColumbia, SC 29201

Office#: _____ Fax#: _____

Mobile#: _____

E-mail: Butch@butchbowers.com

The above-named individual and/or firm is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

11-15-2022

Date

(Signature - Respondent/Agent/Treasurer)

David Cole

(Name - Please Print)

Treasurer

Title

Russell Fry for Congress

RESPONDENT:

(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address:
(Please Print)Surfside Beach SC 29575

Home#: _____ Mobile#: _____

Office#: 843 448 2019 Fax#: 843 448 8589E-mail: David@grandstrandcpas.com

This form relates to a Federal Election Commission matter that is subject to the confidentiality provisions of 52 U.S.C. § 30109(a)(12)(A). This section prohibits making public any notification or investigation conducted by the Federal Election Commission without the express written consent of the person under investigation.

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