



In the Matter of )  
 Save Missouri Values; )  
 Cabell Hobbs, ) MUR 8027  
     in his official capacity as )  
     Treasurer. )

## INTRODUCTION

The Complaint in this matter alleges that Save Missouri Values (“SMV”)—a super PAC supporting Eric Schmitt’s candidacy for U.S. Senate—engaged in impermissible “coordination [with Schmitt’s Senate campaign] through employment of common vendor[s].”<sup>1</sup> The Federal Election Commission’s (“FEC” or “Commission”) coordination rules, however, “do[] not presume coordination from the mere presence of a common vendor.”<sup>2</sup>

The Complaint fails to allege *how* SMV’s use of the three common vendors at issue violates the coordination rules. In fact, even a cursory examination of SMV’s FEC reports will confirm that none of the vendors at issue created, produced, or distributed any of SMV’s communications, which is a prerequisite for the coordination rules to even apply. Accordingly, SMV’s use of the common vendors was not “coordination,” and the Commission should find **no reason to believe** that SMV violated the Federal Election Campaign Act of 1971, as amended (“FECA”), or the Commission’s regulations.

## DISCUSSION

The Commission’s coordination rules “do[] not presume coordination from the mere presence of a common vendor.”<sup>3</sup> Rather, a super PAC’s use of a vendor that also provides services to a candidate the super PAC is supporting only triggers the coordination rules if the common vendor is employed “to create, produce, or distribute” the super PAC’s communications.<sup>4</sup> The common vendor conduct standard “does not apply to the activities of

<sup>1</sup> MUR 8027, Complaint at 8.

<sup>2</sup> FEC, Explanation and Justification for Final Rules on Coordinated and Independent Expenditures, 68 Fed. Reg. 421, 437 (Jan. 3, 2003) (*hereinafter*, “Coordination E&J”).

<sup>3</sup> *Id.*

<sup>4</sup> 11 C.F.R. § 109.21(d)(1); *see also* Coordination E&J at 435 (“a common vendor is a commercial vendor *who is contracted to create, produce, or distribute a communication by the person paying for that*

persons who do not create, produce, or distribute communications as a commercial venture.”<sup>5</sup>

The Complaint identifies “three common vendors[:] MGS Consulting, Holloway Consulting, and Gober Group, PLLC.”<sup>6</sup>

MGS Consulting and Holloway Consulting are fundraising consultants.<sup>7</sup> The Gober Group is a law firm.<sup>8</sup> None of these vendors is in the business “creat[ing], produc[ing], or distribut[ing] communications as a commercial venture.”<sup>9</sup> Nor did any of these vendors in fact provide such services to SMV, as even a cursory examination of SMV’s FEC reports<sup>10</sup> will confirm.

Accordingly, SMV’s use of the three common vendors at issue did not even fall within the ambit of the Commission’s coordination rules, let alone violate them.

### CONCLUSION

For the reasons discussed above, the Commission should find no reason to believe that SMV violated the FECA or the Commission’s regulations.

We further note that the Complaint’s allegations against SMV are so cursory and deficient that the Complaint did not even bother to name SMV as a respondent.<sup>11</sup> To the extent that the FEC’s Office of Complaints Examination and Legal Administration (“CELA”)

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*communication* after that vendor has, during the same election cycle, provided any one of a number of listed services to a candidate who is clearly identified in that communication, or his or her authorized committee, or his or her opponent or the opponent’s authorized committee, or a political party committee, or an agent of any of the foregoing”) (emphasis added).

<sup>5</sup> Coordination E&J at 436.

<sup>6</sup> Complaint at 8.

<sup>7</sup> See Holloway Consulting, Inc., at <https://hollowayconsulting.com/>.

<sup>8</sup> See The Gober Group, at <https://gobergroup.com/>.

<sup>9</sup> Coordination E&J at 436.

<sup>10</sup>

[https://www.fec.gov/data/disbursements/?data\\_type=processed&committee\\_id=C00776385&recipient\\_name=gober+group&recipient\\_name=holloway&recipient\\_name=mgs&two\\_year\\_transaction\\_period=2022](https://www.fec.gov/data/disbursements/?data_type=processed&committee_id=C00776385&recipient_name=gober+group&recipient_name=holloway&recipient_name=mgs&two_year_transaction_period=2022).

<sup>11</sup> See Complaint at 1.

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determined SMV should be named as an additional respondent, CELA should have dismissed the complaint against SMV outright under the Commission's Enforcement Prioritization System as a "low-rated matter."

Sincerely,

A handwritten signature in black ink, appearing to read "Chris K. Gober", with a long horizontal flourish extending to the right.

Chris K. Gober

Eric Wang

Counsel to Save Missouri Values, and

Cabell Hobbs, in his official capacity as Treasurer



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

**STATEMENT OF DESIGNATION OF COUNSEL**

Provide one form for each Respondent/Witness

E-MAIL: [cela@fec.gov](mailto:cela@fec.gov)

**ARMUR/RR/P-MUR#** 8027

Name of Counsel: Chris K. Gober, Eric Wang

Firm: The Gober Group PLLC

Address: 14425 Falcon Head Blvd., Bldg. E-100

Austin, TX 78738

Office#: (512) 354-1787 Fax#: (877) 437-5755

Mobile#: \_\_\_\_\_

E-mail: politicallaw@gobergroup.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.

7/19/2022	<p>DocuSigned by: <i>Cabell Hobbs</i> 4B74A4F4A5A948F...</p>	Treasurer
Date	(Signature - Respondent/Agent/Treasurer)	Title

Cabell Hobbs  
(Name – Please Print)

**RESPONDENT:** Save Missouri Values  
(Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: 101 W. Argonne Dr. #151  
(Please Print)

Saint Louis, MO 63122

Home#: \_\_\_\_\_ Mobile#: \_\_\_\_\_

Office#: \_\_\_\_\_ Fax#: \_\_\_\_\_

E-mail: compliance@rightsidecompliance.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.