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March 27, 2019

Jeff S. Jordan
Assistant General Counsel
Complaints Examination & Legal Administration
Federal Election Commission
1050 First Street, NE
Washington, DC 20463

VIA EMAIL: cela@fec.gov

Re: MUR 7561: Response to Complaint from Susan Wiles

Dear Mr. Jordan:

We are writing this letter on behalf of Susan Wiles in response to the Complaints filed (by the same person) in the above-referenced matter. The rambling, incoherent Complaints contain a kitchen sink of conspiracy theories, copies of tweets from admitted “troll” accounts with no context or relevance, and conclusory allegations with absolutely no support. While we understand that because the Second Amended Complainant specifically (albeit somewhat bizarrely) named Wiles as a respondent, Federal Election Commission (the “Commission”) staff were obligated to send her a notification letter in this matter. The Commission, however, must recognize that the insufficiency of the Complaints, and should find no believe a violation of the Federal Election Campaign Act of 1971 (the “Act”) or the Commission’s regulations occurred.

Legal Standard

The Act and Commission regulations prohibit the making of, or knowing acceptance of, contributions from foreign nationals.¹ A foreign national is an individual who is not a U.S. citizen and who is “not lawfully admitted for permanent residence.”² The term also includes a foreign government, political party, or business entity.³

¹ See 52 U.S.C. 30121(a); 11 C.F.R. § 110.20; see also Advisory Opinion 2006-15 (TransCanada Corp.).

² See 52 U.S.C. 30121(b); 22 § U.S.C. 611(b).

³ See *id.*

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The Commission may find “reason to believe” only if a complaint sets forth sufficient, specific facts, which, if proven true, would constitute a violation of the Act.⁴ Unwarranted legal conclusions from asserted facts or mere speculation will not be accepted as true.⁵ Moreover, the Commission will dismiss a complaint when the allegations are refuted with sufficiently compelling evidence.⁶ As explained in more detail below, the allegations made in the Complaints here do not support a reason to believe finding in this matter.

Discussion and Analysis

Summarizing the Complaint and two Amended Complaints is a difficult task because it’s unclear what the Complainant is trying to allege, particularly in regard to Susan Wiles, other than some general accusation that Wiles and the Florida GOP “obtained contributions from foreign nationals and foreign organizations.”⁷ Unfortunately these types of fabricated complaints are typical for Complainant. In the past three years, Complainant has filed nine complaints with the Florida Elections Commission, all of which were determined to be legally insufficient.⁸ Similarly, since 2010, Complainant has filed twelve complaints with the Florida Commission on Ethics, eleven of which were found to be legally insufficient, and the other was dismissed after an investigation.⁹ Having (correctly) found no recourse at the state level, Complainant has now started a new campaign to file frivolous complaints at the federal level. Let us not mince words: The filing of over twenty frivolous complaints is an abuse of process, and Complainant has shown time and time again that nothing he submits is true, nothing he says should be believed, and nothing he alleges should be given the benefit of the doubt.

Take for example the various entities Complainant labels as “shell companies,” like September Group. September Group is a political affairs consulting firm in Wyoming. Numerous federal campaigns have reported expenditures to the September Group. Complainant’s basis for alleging that September Group is a shell company is that the company’s website “features a variety of middle aged men with only young and attractive women” and in his opinion “[m]uch of the ‘talent’ biographies appear fictitious.” Similarly, Complainant apparently concluded that Ventura Media Partners, Inc. is a shell company because he was unable to find a corporate filing

⁴ See 11 C.F.R. § 111.4(a), (d).

⁵ See MUR 4960, Commissioners Mason, Sandstrom, Smith and Thomas, Statement of Reasons (Dec. 21, 2001).

⁶ See *id.*

⁷ It does not appear that Wiles is mentioned at all in the Original or First Amended Complaints.

⁸ The insufficient Florida complaints are Case Nos. 2016-781, 2016-778, 2016-404, 2016-403, 2016-319, 2016-318, 2016-314, 2016-299, and 2016-317.

⁹ The ethics complaints are Matter Nos. 10-021, 10-022, 10-101, 16-096, 16-162, 16-163, 16-164, 16-165, 16-166, 16-167, 16-179, and 16-201.

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with the California Secretary of State. That entity has been registered in California since 2011.¹⁰ The dots Complainant is attempting to connect in support of his conspiracy theory fall apart even under the slightest scrutiny.

We could go on for pages poking holes in Complainant's various imagined activities that form the basis of the Complaints, explaining how, for instance, attaching links to pornographic tweets from troll accounts is not evidence of any campaign finance violation, but it is unnecessary. Suffice it to say, each and every "allegation" in the Complaints is false, and Susan Wiles emphatically denies every "allegation" contained in the Complaints.

Susan Wiles did not solicit, knowingly or otherwise, any contributions from foreign nationals. She did not receive, knowingly or otherwise, any contributions from foreign nationals. She did not pay or ask any Russian lobbyist or the Russian Intelligence Service to assist any campaigns. No evidence was provided by Complainant to support these outrageous claims, and we have attached a signed affidavit from Wiles denying these false accusations.

Conclusion

In attenuated and unsubstantiated arguments, Complainant has not submitted a single piece of reliable evidence to support his allegations. In contrast, Wiles has submitted a sworn affidavit rebutting each and every allegation. In light of this, we respectfully request that the Commission recognize the legal and factual insufficiency of the Complaint on its face and find no reason to believe a violation occurred.

Thank you for your prompt consideration of this matter, and please do not hesitate to contact us directly at (202) 572-8663 with any questions.

Respectfully submitted,



Charles R. Spies
Derek H. Ross
Clark Hill PLC

Richard E. Coates
Coates Law Firm, PL

Counsel to Susan Wiles

¹⁰ See <https://businesssearch.sos.ca.gov/Document/RetrievePDF?Id=03430912-14467671>.

AFFIDAVIT

My name is SUSAN WILES. I have personal knowledge of the facts set forth herein and hereby swear and affirm as follows:

1. I have reviewed the Complaint and two Amended Complaints (the "Complaints") filed in FEC MUR 7561 and allegations therein.
2. Beginning in September 2018, I chaired Ron DeSantis' Florida gubernatorial general election campaign.
3. Based on my personal knowledge, I believe that every alleged violation of the Federal Campaign Finance Act and Federal Election Commission regulations contained in the Complaints is false, and I wholeheartedly deny these allegations.
4. To the best of my knowledge, I have never solicited or received a contribution from a foreign national.
5. To the best of my knowledge, I never interacted with any foreign agents for the purpose of soliciting their assistance for any political campaign.



 Susan Wiles

The foregoing instrument was sworn before me this 26th day of March, 2019, by Susan Wiles.

District
 State of Columbia
 County of _____
 On this 26th day of March, 2019.



 Notary Public

DAVID GLASS
 NOTARY PUBLIC DISTRICT OF COLUMBIA
 My Commission Expires June 14, 2023

