



FEDERAL ELECTION COMMISSION
WASHINGTON, D C 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

JAN 22 2007

Thomas C. Sawyer

Akron, OH 44310

RE: MUR 5743

Dear Mr. Sawyer:

On November 28, 2006 the Federal Election Commission reviewed the allegations in your complaint dated May 2, 2006 and found that, on the basis of the information provided in your complaint and information provided by the respondents, there is no reason to believe Betty Sutton, Betty Sutton for Congress and David Joseph Quolke, in his official capacity as treasurer, violated 2 U.S.C. § 441a. In addition, the Commission, in an exercise of prosecutorial discretion, *see Heckler v Chaney*, 470 U.S. 821 (1985), dismissed this matter as it pertains to EMILY's LIST and Judy Lichtman, in her official capacity as treasurer, and OH Women Vote! – A Project of EMILY's List. Accordingly, on November 28, 2006, the Commission closed the file in this matter. However, the Commission admonished EMILY's List and Judy Lichtman, in her official capacity as treasurer, that in-kind contributions that exceed a political committee's applicable contribution limits for the costs of a coordinated communication are a violation of 2 U.S.C. § 441a.

Documents related to the case will be placed on the public record within 30 days. *See* Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). A Statement of Reasons will also follow.

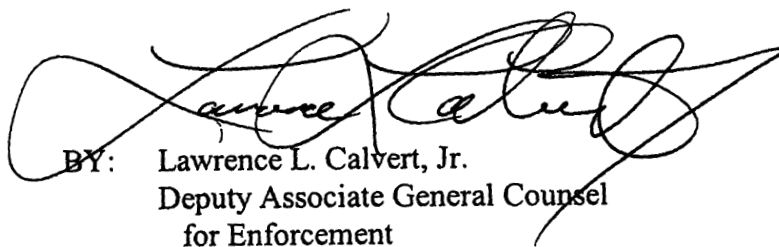
The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

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If you have any questions, please contact April Sands, the attorney assigned to this matter at (202) 694-1650.

Sincerely,

Lawrence H. Norton
General Counsel


BY: Lawrence L. Calvert, Jr.
Deputy Associate General Counsel
for Enforcement

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