

From: O'Donnell, Neil T.
To: CELA
Subject: MUR # 7049
Date: Monday, October 17, 2016 5:44:14 PM

Dear Ms. Ross:

Thank you for sending us Mr. Whittaker's September 13, 2016 supplement to his prior FEC complaint. I am responding as co-counsel for Margaret for Alaska to that supplemental material.

Mr. Whittaker's complaint is primarily directed to the Alaska Democratic Party. Margaret Stock is running for the U.S. Senate as an Independent (see official State of Alaska Voter Pamphlet linked below). The Alaska Democratic Party (ADP) has made its voter database available to Margaret for Alaska at considerable cost to Margaret for Alaska. Mr. Whittaker has not identified any law, regulation or other basis that would prohibit the ADP from taking this action, much less any reason why it would be impermissible for Margaret for Alaska to purchase use of the database if made available to her campaign by the ADP. His complaint should be dismissed.

Although legally irrelevant, by way of background, I note that no serious candidate ran in the Democratic Party primary in Alaska. The individual who won, Ray Metcalfe, is not running a serious campaign. As of a minute ago, the FEC website does not list Mr. Metcalfe having filed a single financial activity report to the commission. Mr. Metcalfe's main platform is that the leadership of the ADP, many former Alaska politicians, and Alaska's most recent Democratic Senator, Mark Begich, are all "hacks" and "corrupt."

If any additional information is requested or required, please do not hesitate to contact me.

Neil O'Donnell, co-counsel for Margaret for Alaska, Inc.

LINKS:

<https://elections.alaska.gov/election/2016/General/OEPBooks/20194%20AK%20Region%20II%20book.pdf>

<http://www.ktuu.com/content/news/Mark-Begich-backs-independent-in-US-Senate-race-396271901.html>

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