

James Ostrowski
Attorney at Law

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October 8, 2020

Jeff S. Jordan, Esq.
Assistant General Counsel
Federal Elections Commission
Washington, D. C. 20463

Via email to cela@fec.gov

Re: Duane Whitmer
MUR 7782

Dear Mr. Jordan:

I write in response to the complaint dated August 18, 2020.

Enclosed are designations from Mr. Whitmer and Ms. Auman.

First, I want to point out that Ms. Auman was not involved in the mailings complained of and we are in the process of filing a change of treasurers. She should be dismissed from the proceeding.

With respect to the mailings complained of, while no disclaimer was supplied, the mailings did refer to the campaign website, duanewhitmer.com, which *does* contain the required disclaimer. Thus, no intent to confuse or actual confusion is present here.

Today, I met with the three persons responsible for sending out communications, Mr. Whitmer and two staffers. We reviewed the FEC rules on disclaimers to ensure that all future mailings and communications contain the required disclaimers. I provided a copy of the FEC manual for Congressional candidates.

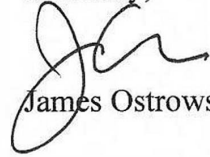
As there is no evidence of intent to confuse, curative action has been taken and because this is Mr. Whitmer's first run for office, we would ask that the complaint be dismissed at this time.

If you need any further information, please let me know.

Thank you.

Jeff S. Jordan, Esq.
October 8, 2020
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Sincerely,



James Ostrowski



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

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# 7782

Name of Counsel: James Ostrowski

Firm: _____

Address: 63 Newport Ave

Office#: 716-435-8918 **Fax#:** _____

Mobile#: _____

E-mail: James Ostrowski @icloud.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.

10-8-2010
 Date

Alyce Auman
 (Signature - Respondent/Agent/Treasurer)

Respondent
 Title

(Name -- Please Print)

RESPONDENT:

Alyce Auman, Treasurer
 (Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: _____
 (Please Print)

Buffalo, NY

Home#: _____ **Mobile#:** _____

Office#: _____ **Fax#:** _____

E-mail: _____

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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Name of Counsel: James Ostrowski

Firm: _____

Address: 63 Newport Ave.

Office#: 71C-435-8918 Fax#: _____

Mobi le#: _____

E-mail: james.ostrowski@icloud.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.

10/8/2020 Duane J. Whitner Respondent
 Date (Signature - Respondent/Agent/Treasurer) Title
Duane J. Whitner
 (Name - Please Print)

RESPONDENT: Duane Whitner for Congress
 (Please print Committee Name/ Company Name/Individual Named in Notification Letter)

Mailing Address: 5608 East Lane
 (Please Print) Lake View N.Y. 14085

Home#: _____ Mobile#: _____

Office#: _____ Fax#: _____

E-mail: duane.whitner@duanewhitner.com

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