

Holtzman Vogel

HOLTZMAN VOGEL BARAN TORCHINSKY & JOSEFIAK PLLC

July 18, 2023

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By OGC/CELA at 4:20 pm, Jul 18, 2023

Federal Election Commission
Office of Complaints Examination &
Legal Administration
Attn: Trace Keays, Paralegal
1050 First Street, NE
Washington, DC 20463

Re: Response of Team Rick Scott, Let's Get to Work PAC, Rick Scott for Florida to MUR 8146

Dear Mr. Keays:

This response is submitted by undersigned counsel on behalf of Team Rick Scott, Let's Get to Work PAC, and Rick Scott for Florida ("Respondents"). The Complaint alleges that Respondents violated the Federal Election Campaign Act ("FECA") by accepting a contribution from ECN Capital Corporation ("ECN Capital") and Mr. Michael Lepore in violation of FECA's prohibitions on contributions from foreign nationals. Specifically, the Complaint alleges that ECN Platinum made a federal contribution on October 4, 2020¹, giving a combined \$10,600 to Sen. Rick Scott's authorized campaign committee, Rick Scott for Florida, and leadership PAC, Let's Get to Work PAC, through Scott's joint fundraising committee, Team Rick Scott.

Respondents accepted this contribution in full compliance with federal law. At the time the contribution was accepted, Respondents had no reason to believe that the contributor may be a foreign national. To the contrary, Respondents satisfied their "best efforts" obligations to the letter of the law, and the reply card clearly prohibits contributions from foreign nationals. In fact, the receipt of the Complainant's letter was the first time they had any indication the contribution may have been impermissible. The contribution form submitted by the donor alongside the contribution listed the contributor as "ECN Platinum, LLC", a partnership, with the contribution attributable to Mr. Lepore, and stated that the donor's address was "777 S. Flagler Drive, Suite 800 East, West Palm Beach, Florida 33401." See Exhibit A. In keeping with normal procedure and with no reason to question the information provided, Respondents accepted and reported the contribution from ECN Platinum, LLC and Mr. Lepore based on the information received.

To reiterate, Respondents did not at the time, and do not currently, have any direct or specific evidence that the contribution at issue was from a foreign national. Indeed, Respondents exercised best efforts to determine the legality of the contribution as required under 11 C.F.R. § 103.3(b), and never had any reason to believe the contribution was unlawful. In no way did Respondents knowingly accept a contribution made by a foreign national. However, out of an abundance of

¹ For the avoidance of confusion, this contribution was not accepted on October 4, 2020, but rather on November 4, 2020. Respondents assume this is the same contribution and that Complainant simply erred in its factual assertion, as this is the only contribution received from ECN Capital or Mr. Lepore.

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caution, and in light of further information received, Respondents have refunded this contribution to Mr. Lepore, and are no longer in possession of the funds.

For the reasons set forth above, we urge the Commission to dismiss this matter and take no further action.

Sincerely,

A handwritten signature in black ink, appearing to read 'JF Johnson', written in a cursive style.

Jessica Furst Johnson
Holtzman Vogel Baran Torchinsky & Josefiak PLLC
Counsel for Team Rick Scott, Let's Get to Work PAC, Rick Scott for Florida

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Attachment A

TEAM RICK SCOTT



Yes! I'm With Rick!

PLEASE FIND ENCLOSED A GENEROUS CONTRIBUTION OF:

☒ \$21,200

☐ \$10,600

☐ \$5,000

☐ Other

Please Make Checks Payable To:

Team Rick Scott
PO BOX 76024
Washington, DC 20013

* Note: The first \$5,000 of an individual donation goes to the Lets Get To Work PAC, the next \$2,800 goes to Rick Scott for Florida primary account and the second \$2,800 goes to Rick Scott for Florida general account.

Contributor Information

Name: ECN Platinum, LLC

Address: 777 S. Flagler Drive, Suite 800 East

City: West Palm Beach State: FL Zip: 33401

Occupation/Employer: _____

Spouse Occupation/Employer: N/A

Email: abuyea@ecncapitalcorp.com

Cell #: _____ Work Number: [REDACTED]

Signature: _____

Spouse Signature: _____

Credit Card Information

☒ Mastercard ☐ Visa ☐ AMEX ☐ Discover

Name as it appears: Michael Lepore

Billing Address: 777 South Flagler Drive Suite 800 E West Palm Beach, FL 33401

Card Number: [REDACTED]

Expiration Date: [REDACTED] Security Code: [REDACTED]

Signature: Michael Lepore

FLCALL



**TEAM
RICK SCOTT
NOTICE**

Team Rick Scott ("JFC") is a joint fundraising committee composed of **Rick Scott for Florida** and **Let's Get to Work PAC** (each, a "Committee," and, collectively, the "Committees"). Any contribution to the JFC permissible under the Federal Election Campaign Act, as amended ("FECA"), from contributors who have not exceeded their applicable Federal contribution limits, shall be allocated among the Committees pursuant to FECA and the formula set forth in this Notice.

Contributions Made by an Individual or Federal Non-Multicandidate Political Committee:

Individuals or federal non-multicandidate PACs may contribute up to \$10,600 annually. Such contributions shall be allocated in the following order:

1. Let's Get to Work PAC shall receive any contribution not exceeding \$5,000 annually.
2. Rick Scott for Florida shall receive any contribution not exceeding \$5,600, designating up to \$2,800 to the primary election and up to \$2,800 to the general election, provided such limits apply.

Contributions Made by a Federal Multicandidate Political Committee:

Multicandidate PACs may contribute up to \$15,000 annually. Such contributions shall be allocated in the following order:

1. Let's Get to Work PAC shall receive any contribution not exceeding \$5,000 annually.
2. Rick Scott for Florida shall receive any contribution not exceeding \$10,000, designating up to \$5,000 to the primary election and up to \$5,000 to the general election, provided such limits apply.

Contributions to **Team Rick Scott** or to any participating Committee individually are not deductible as charitable donations for federal income tax purposes. Contributions from corporations, labor organizations, national banks, federal government contractors, foreign nationals without green cards, and other federally impermissible sources are prohibited. The contributor's signature designates his or her contribution to the elections described above. Contributions that exceed a donor's contribution limit to a participating Committee shall be reallocated to the remaining Committees according to this allocation formula to the extent permitted by FECA. Any contributor may designate his or her contribution to a specific participant Committee to the extent permitted by FECA. Federal law requires us to use our best efforts to collect and report the name, mailing address, occupation, and name of employer of each individual whose aggregate contributions exceed \$200 in an election cycle or calendar year, as applicable.



Paid for by Team Rick Scott, a joint fundraising committee authorized by and composed of
Rick Scott for Senate and The Let's Get to Work PAC.
Team Rick Scott, PO Box 76024, Washington, DC 20013