

# Holland & Knight

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May 17, 2013

Jeff S. Jordan, Esq.  
Federal Election Commission  
Supervisory Attorney  
Complaints Examination &  
Legal Administration  
999 E Street, NW  
Washington, DC 20436

RECEIVED  
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Re: MUR 6724 Response of MichelePAC/Barry Arrington

Dear Mr. Jordan:

This response is submitted on behalf of Many Individual Conservatives Helping Elect Leaders Everywhere Political Action Committee (MichelePAC) and Barry Arrington in his capacity as Treasurer, with respect to the February 28, 2013 letter sent by the Federal Election Commission (FEC or Commission) providing notice of the Complaint filed by Peter Waldron. The Complaint is wholly without merit and consists of unsubstantiated claims, many of which do not constitute violations under the law or Commission regulations. In addition, Mr. Waldron appears to be biased and not a reliable witness. Accordingly, the Commission should find no reason to believe that MichelePAC or Mr. Arrington violated the Federal Election Campaign Act of 1971, as amended (FECA), and should dismiss the Complaint as it applies to MichelePAC and Mr. Arrington.

## Statement of Facts

MichelePAC is a leadership political action committee sponsored by Congresswoman Michele Bachmann. Mr. Arrington is a Colorado based attorney and serves as Treasurer of MichelePAC. Guy Short is a political consultant for MichelePAC and his company is C&M Strategies, Inc. (C&M). Kent Sorenson is an Iowa state senator and political consultant, who performed work for C&M through Grassroots Strategy, Inc. (Grassroots).

## Response

The allegations contained in the Complaint are not supported by evidence, are unreliable, and are insufficient to warrant further Commission action. MichelePAC and Mr. Arrington were not involved in any improper or illegal activities related to Congresswoman Bachmann, Bachmann for President (BFP), Guy Short, or C&M and are not aware of any improper or illegal activities

related to Congresswoman Bachmann, BFP, Guy Short, or C&M. All MichelePAC FEC submissions are believed to be complete and accurate. Mr. Arrington is not aware of any instances where MichelePAC paid for activity related to BFP and is not aware of any attempt to disguise payments to Mr. Sorenson. In the Complaint, Mr. Waldron claims that there is an "agreement among and between Kent Sorenson, C&M Strategies, Inc., Guy Short and BFP and MichelePAC." Compl. at 1. Mr. Arrington is unaware of the agreement Mr. Waldron describes.

#### Guy Short

During 2011 and 2012, Mr. Short provided consulting services to MichelePAC. (See Invoices submitted to MichelePAC by C&M, numbered MPAC0001 to MPAC00022, attached hereto as Exhibit 1). All payments from MichelePAC to C&M are believed to be for legitimate purposes and appear to be documented appropriately and properly invoiced. In addition, MichelePAC accurately and completely disclosed all transactions with C&M in FEC reports. Mr. Arrington is aware Mr. Short also provided consulting services to BFP during 2011 and 2012. Mr. Arrington is not aware of any instances where MichelePAC paid for activity related to BFP or vice versa. Mr. Arrington has no direct relationship with BFP.

#### Kent Sorenson

MichelePAC and Mr. Arrington have no direct relationship with Kent Sorenson, although Mr. Arrington is aware of an agreement between C&M and Grassroots. As part of the services provided to MichelePAC from March 2011 until June 2011, Mr. Short, through C&M, retained the consulting services of Mr. Sorenson, through Grassroots.

MichelePAC did not make any efforts to conceal payments to Mr. Sorenson. By statute, political committees must report the name and address of each person to whom they make expenditures or other disbursements aggregating more than \$200 per calendar year.<sup>1</sup> The statute does not require reporting of payments made to sub-vendors or ultimate payees.<sup>2</sup> By reporting all payments made to C&M, MichelePAC fully complied with its FEC reporting obligations.<sup>3</sup> A sub-itemization of payments made by C&M Strategy to Grassroots Strategy, Inc. was not required. Nevertheless, Mr. Arrington is not aware of any efforts made to conceal payments made to Mr. Sorenson, either by MichelePAC or BFP.

<sup>1</sup> 2 U.S.C. 434(b)(5)(6); see also 11 C.F.R. 104.3(b)(4)(i)(vi) (2012); 11 C.F.R. 104.9(a-b) (2012).

<sup>2</sup> In Advisory Opinion 1983-25, the FEC held that a campaign is required to disclose its payments to a primary vendor, but there is no requirement to disclose the payments to the primary vendor's sub-contractors in connection with the services provided to the campaign. ("[P]ayments to Consultants may be reported as Committee expenditures without further itemization of other entities that receive payments from Consultants in connection with its services under the Committee contract.")

<sup>3</sup> See *id.*

### Other Allegations

Mr. Arrington has no information regarding alleged coordination between any Super PAC and BFP.

Mr. Arrington has no information regarding alleged violations of conflict of interest or whistleblower laws.

### Peter Waldron

The unfounded claims contained in the Complaint are being made by Peter Waldron, a disgruntled political consultant with questionable motives. Mr. Waldron has gone to great lengths to seek media attention for himself,<sup>4</sup> and to bring negative attention to Congresswoman Bachmann, BFP, MichelePAC, Guy Short, and C&M.<sup>5</sup> Mr. Waldron's claims in the Complaint are dubious and his past business dealings have ended in controversy.<sup>6</sup> In most cases, Mr. Waldron's Complaint fails to articulate a violation of FECA or any other law. In all cases, Mr. Waldron's claims contained in the Complaint should be scrutinized and rejected.

### Conclusion

The Complaint is unreliable and makes allegations against MichelePAC that are not based on any evidence. Based on the foregoing, I request that the Commission not take any action in this matter as it relates to MichelePAC and Barry Arrington.

Sincerely yours,

HOELAND & KNIGHT LLP

Christopher DeLacy

Enclosure

<sup>4</sup> For example, upon information and belief, Mr. Waldron is currently seeking funding to produce a movie portraying his life. See *The Ultimate Price Movie - Story of Peter E. Waldron*, <http://www.theultimateprice.com/> (last visited May 13, 2013).

<sup>5</sup> See, e.g., Kevin Diaz, "Man of mystery" is behind Michele Bachmann campaign cases, Minneapolis Star Tribune (April 2, 2013) available at <http://www.startribune.com/200976111.html?refer=y>; Garance Framle-Ruta, *Bachman Staffer Arrested for Terrorism in Uganda in 2006*, The Atlantic (Aug. 17, 2011) available at <http://www.theatlantic.com/politics/archive/2011/08/bachmann-staffer-arrested-for-terrorism-in-uganda-in-2006/243711/>.

<sup>6</sup> Sharon Tubbs, *Program for black youths 'gone'*, St. Petersburg Times (July 18, 1999) available at [http://www.sptimes.com/News/71899/news\\_pf/SouthPinellas/Program\\_for\\_black\\_youths.html](http://www.sptimes.com/News/71899/news_pf/SouthPinellas/Program_for_black_youths.html).

# EXHIBIT 1

1-2024-2025

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

2/17/2011

Billing Cycle: February

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
1.28	CPAC Organization	NA	NA	\$14,085.00
Total				\$14,085.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0000

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

2.2.11

Billing Cycle: February

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Description	Hours	Hourly Rate	Total
2.2.11	CPAC Organization	NA	NA	\$3,750.00
Total				\$3,750.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC000C

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

1/28/2011

Billing Cycle: 1/1/11-1/31/11

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Description	Hours	Hourly Rate	Total
1.28	CPAC Organization	NA	NA	\$5,285.00
Total				\$5,285.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0001

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

1.20.11

Billing Cycle: February

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Description	Hours	Hourly Rate	Total
1.20.11	CPAC Organization	NA	NA	\$2,975.00
Total				\$2,975.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0000



# Coast 2 Coast

2310 S. Industrial Hwy  
Ann Arbor, MI 48104

Toll Free: 877-845-9071  
Fax: 734-585-3472  
Email: CC@Coast2CoastBus.com

## Charter Contract

Contract Number: 1000		Confirmation Date: 2/3/2011		Quantity Ordered: 1 - 55 PASSENGER	
Billing Address: CM STRATEGIES 1617 PARKDALE CIRCLE NORTH  ERIE CO 80516				Ordered By: ASHLEY GROSSMAN	
				Phone: (612) 267-6986	
				Fax:	
				Date of Departure: 2/9/2011	
				Report Time: 8:00 AM	
Departure Point: MAPLE GROVE, MN - CHURCH OF THE OPEN DOOR -9060 ZANZIBAR LANE N. STOP IN TOLEDO, OHIO FOR PICK UP TO BE ADVISED				Destination: WASHINGTON, DC	
Return Leave Time: 7:00 PM		Return Date: 2/12/2011		Return Arrival Time: 7:00 PM	
				Return Arrival Date: 2/13/2011	
Detailed Information Regarding Charter Needs: COMP ROOM FOR DRIVER					
<p style="text-align: center;"><b>Total Charge: \$7,800.00</b></p> <p><u>This Contract is to confirm our cost specifications. To insure accuracy, please review the above information and contact us immediately with any discrepancies or changes that need to be made. Make the changes on the copy you sign and return to us with your deposit/payment. Coast 2 Coast, LLC is not responsible for any items lost, stolen, or left on the bus at the end of the trip.</u></p> <p>The cost of our services is based in part on the time involved and/or the mileage traveled. Any deviation from the original charter order may incur additional charges. Should the actual charter involve more mileage, time and/or incidental charges than originally contracted for, a revision reflecting the additional cost will be made and resubmitted for payment.</p> <p>A Deposit of: <u>\$0.00</u> Is due in our office on or before:</p> <p>Payment in FULL is due in our office on or before: <u>FEBRUARY 7, 2011</u></p> <p>The deposit must be made by the date provided to assure that you coach(s) are reserved. If a charter is cancelled 14 days prior to your departure your deposit will be refunded.</p> <p style="text-align: center;">If cancellation is not made 14 days prior to departure date, deposit will be forfeited.</p> <p style="text-align: center;">Thank you for choosing Coast 2 Coast, LLC. We look forward to providing you with a comfortable and safe experience!</p> <p>_____ Signature Authorizing Charter Cost</p> <p>_____ Date</p>					

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 2/17/11

Billing Cycle: January

Bill to:

## MICHELE-PAC

Attn: Dan Puhl  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
January	Fundraising Consulting	NA	NA	\$4,500
Total				\$4,500.00

### Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0000

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 4/6/11

Billing Cycle: March Expenses

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
March	Iowa Trip Expenses	NA	NA	\$1,627
Total			-	\$1,627.40

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0000

**Airfare**

	Date	Expense	Total
Delta	3/22/2011	365.35	
United	3/25/2011	369.70	
Baggage	3/25/2011	80.00	
			815.05

**Mileage**

Home to DIA (32 miles each way)	3/21/2011	35.20	
			35.2

**Parking/Taxi**

DIA Parking	3/24/2011	72.00	
			72.00

**Hotel**

Hampton	3/24/2011	99.68	
Sheraton	3/24/2011	339.98	
			439.66

**Meals**

airport snack	3/25/2011	12.05	
Lunch (Guy/ryan,faith)	3/24/2011	40.00	
Dinner (Guy/Andy/Faith)	3/22/2011	60.87	
snack sheraton	3/23/2011	8.48	
Lunch (MB, Faith,Guy)	3/23/2011	44.98	
snack sheraton	3/24/2001	6.06	
Lunch	3/24/2011	13.64	
Dinner (Guy/Aaron Dorr, Kent, Ryan, Andy)	3/24/2011	79.41	

			265.49
<b>Total</b>		<b>1627.40</b>	<b>1627.40</b>

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 4/1/11

Billing Cycle: Feb-March

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Description	Hours	Hourly Rate	Total
Feb-March	Fundraising Consulting	NA	NA	\$9,000
Total				\$9,000.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0001

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 5/6/11

Billing Cycle: April

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Description	Hours	Hourly Rate	Total
April	Fundraising Consulting	NA	NA	\$4,500
April	Management Consulting	NA	NA	\$4,675
Total				\$9,175.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0001

# C&M Strategies

1617 Parkdale Circle North  
Erle, CO 80516  
303-834-5936

Billing Date: 6/20/1

Billing Cycle: June

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
April	Fundraising Consulting	NA	NA	\$2,250
April	Management Consulting	NA	NA	\$3,500
Total				\$5,750.00

### Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0001

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 12/5/11

Billing Cycle: NA

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
Dec	Fundraising Project	NA	NA	\$20,000
Total				\$20,000.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936



# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 12/31/11

Billing Cycle: DEC

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
DEC	Management Consulting	NA	NA	\$5,000
Total				\$5,000.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0001

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 12/31/11

Billing Cycle: DEC

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Description	Hours	Hourly Rate	Total
DEC	Fundraising and Research project	NA	NA	\$15,000
Total				\$15,000.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC000

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 7/5/11

Billing Cycle: June 15-30

Bill to:

**MICHELE-PAC**

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription:	Hours	Hourly Rate	Total
April	Management Consulting	NA	NA	\$2,500
Total				\$2,500:00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0001

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 8/2/11

Billing Cycle: July

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
April	Management Consulting	NA	NA	\$5,000
Total				\$5,000.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0001

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 8/31/11

Billing Cycle: August

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
August	Management Consulting	NA	NA	\$5,000
Total				\$5,000.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0001

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 10/3/11

Billing Cycle: Sept

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
Sept	Management Consulting	NA	NA	\$5,000
Total				\$5,000.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0001

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 7/9/12

Billing Cycle: 2012

Bill to:

MICHELE-PAC  
Attn: Dan Puel

Date	Discription	Hours	Hourly Rate	Total
2012	General Consulting	NA	NA	\$3,750
Total				\$3,750.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0001

## C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 4/1/11

Billing Cycle: Feb-March, 2011

Bill to:

### Bachmann for Congress

Attn: Dan Puhl  
PO Box 25950  
Woodbury, MN 55125  
651-260-4648

Date	Description	Hours	Hourly Rate	Total
Feb-March	Management and Fundraising Consulting	NA	NA	\$3,000
Total				\$3,000

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0002



# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 11/1/11

Billing Cycle: October

Bill to:

## MICHELE-PAC

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
Oct	Management Consulting	NA	NA	\$5,000
Total				\$5,000.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0002

# C&M Strategies

1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

Billing Date: 11/30/11

Billing Cycle: Nov

Bill to:

**MICHELE-PAC**

Attn: Dan Puel  
PO Box 251190  
Woodbury, MN 55125

Date	Discription	Hours	Hourly Rate	Total
Nov	Management Consulting	NA	NA	\$5,000
Total				\$5,000.00

Please Remit Payment to:

C&M Strategies  
Attn: Guy Short  
1617 Parkdale Circle North  
Erie, CO 80516  
303-834-5936

MPAC0002