



Brett G. Kappel

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July 11, 2016

**VIA E-MAIL**

Jeffery S. Jordan  
Federal Election Commission  
Office of Complaints Examination  
and Legal Administration  
999 E Street, NW  
Washington, DC 20436

**Re: MUR 7087/Designation of Counsel Statements and Request for Extension of Time to Respond to Complaint**

Dear Mr. Jordan:

Enclosed please find three Statement of Designation of Counsel forms authorizing me to act as counsel in the above-entitled action for Representative Alan Grayson, the Committee to Elect Alan Grayson (the "Committee"), the Sibylline Fund General Partner LLC, the Sibylline Fund Management Co., LLC, and the Sibylline Fund LP. Please note that Carla Coleman is no longer the treasurer for the Committee. Dustin Anderson replaced Ms. Coleman as the treasurer of the Committee on September 21, 2015.

The complaint in MUR 7087 was received by these five respondents on June 29, 2016. As you know, 11 C.F.R. § 111.6(a) provides that a respondent may file a written response to a complaint within fifteen (15) days of receiving it. Accordingly, responses to the complaint in MUR 7087 are due this Thursday, July 14, 2016. I respectfully request, however, that the Federal Election Commission ("the Commission") extend the deadline to respond to the complaint by sixty (60) days until September 12, 2016.

A sixty day extension in this matter is warranted for several reasons. First, although I have initiated an investigation into the allegations of the complaint, there will not be sufficient time to

complete that effort and file a written response on behalf of the five respondents by Thursday. Congress is scheduled to recess on Friday and will not return until September 6, 2016. Accordingly, it will be difficult to obtain information during the next several weeks from Rep. Grayson, his campaign staff, and other witnesses that might have information necessary to respond to the complaint. In addition, I will be away from July 21, 2016 to July 29, 2016 on a long-planned trip.

Second, and more importantly, there is substantial reason to believe that the filing of this complaint was timed deliberately by Rep. Grayson's political opponents to interfere to the maximum extent possible with Rep. Grayson's Senate campaign during the final seven weeks leading up to the August 30, 2016 primary election in Florida. The complaint initiating this matter was submitted to the Commission by the American Democracy Legal Fund ("ADLF") on June 17, 2016. The allegations of the complaint, however, are based entirely on an Office of Congressional Ethics report that was released on April 6, 2016. The ADLF could have prepared and filed this complaint months ago, yet they delayed filing until the point where preparing a response would maximize interference with Rep. Grayson's Senate campaign. The bad faith of the ADLF is self-evident. The complaint was signed and notarized on June 7, 2016, but rather than file the complaint with the Commission, the ADLF instead immediately provided it to various media outlets, including, but not limited to, the *Palm Beach Post*,<sup>1</sup> the *Miami Herald*,<sup>2</sup> and the *Tampa Bay Times*.<sup>3</sup> Indeed, it appears that generating negative press for Rep. Grayson was one of the principal purposes for the ADLF complaint given that it was not filed with the Commission until ten days after it was signed and notarized. The Commission should not allow the enforcement process to be so nakedly manipulated for transparent political purposes..

Accordingly, for all of the above reasons I respectfully request that the Commission extend the time to respond to the complaint by sixty (60) days until September 12, 2016. Thank you for your attention to this matter, and please do not hesitate to contact me if you have any questions.

Sincerely,

  
Brett G. Kappel

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<sup>1</sup> See John Kennedy, *Grayson hit with FEC complaint by Clinton ally*, the *Palm Beach Post*, <http://postonpolitics.blog.palmbeachpost.com/2016/06/08/grayson-hit-with-fec-complaint-by-clinton-ally/> (last visited July 8, 2016).

<sup>2</sup> See Patricia Mazzei, *Alan Grayson hit by ethics complaint from group aligned with Clinton*, the *Miami Herald*, <http://miamiherald.typepad.com/nakedpolitics/2016/06/alan-grayson-hit-by-ethics-complaint-from-group-aligned-with-clinton.html> (last visited July 8, 2016).

<sup>3</sup> See Adam C. Smith, *Group aligned with Hillary Clinton files ethics complaint against Alan Grayson*, the *Tampa Bay Times*, <http://www.tampabay.com/blogs/the-buzz-florida-politics/group-aligned-with-hillary-clinton-files-ethics-complaint-against-alan/2280703> (last visited July 8, 2016).

Enclosures

1. Designation of Counsel Statement  
on Behalf of Alan Grayson
2. Designation of Counsel Statement  
on Behalf of the Committee to Elect Alan Grayson
3. Designation of Counsel Statement  
on Behalf of the Sibylline Fund General Partner, LLC  
the Sibylline Fund Management, Co, LLC and the  
Sibylline Fund LP

c: Donna Rawls (via e-mail)

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**FEDERAL ELECTION COMMISSION**  
999 E Street, NW  
Washington, DC 20463

**STATEMENT OF DESIGNATION OF COUNSEL**  
**Please use *one* form for each Respondent/Entity/Treasurer**  
**FAX (202) 219-3923**

**MUR #** 7087

**NAME OF COUNSEL:** Brett G. Kappel

**FIRM:** Akerman LLP

**ADDRESS:** 750 Ninth Street, N.W., Suite 750

Washington, D.C. 20001

**TELEPHONE- OFFICE** ( 202 ) 824-1712

**FAX** ( 202 ) 393-5959 **Web Address** www.akerman.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.

7/6/16 Alan Grayson Candidate  
**Date** **Respondent/Agent -Signature** **Title(Treasurer/Candidate/Owner)**

**RESPONDENT:** Alan M. Grayson  
(Committee Name, Company Name, or Individual Named in Notification Letter)

**MAILING ADDRESS:** \_\_\_\_\_  
(Please Print)

Orlando, FL 32837

**TELEPHONE- HOME** ( \_\_\_\_\_ ) \_\_\_\_\_

**BUSINESS** ( \_\_\_\_\_ ) \_\_\_\_\_

Information is being sought as part of an investigation being conducted by the Federal Election Commission and the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) apply. This section prohibits making public any investigation conducted by the Federal Election Commission without the express written consent of the person under investigation



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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.

07/06/2016 [Signature] Treasurer  
Date Respondent/Agent -Signature Title(Treasurer/Candidate/Owner)

RESPONDENT: Committee to Elect Alan Grayson  
(Committee Name, Company Name, or Individual Named in Notification Letter)

MAILING ADDRESS: P.O. Box 533616  
(Please Print)

Orlando, FL 32853-3616

TELEPHONE- HOME (        )                                     

BUSINESS (        )                                     

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7/6/16 *Alan Gray* Member for LLC entities and Limited Partner for LP entity  
**Date** **Respondent/Agent - Signature** **Title(Treasurer/Candidate/Owner)**

**RESPONDENT:** The Sibylline Fund General Partner, LLC, and the Sibylline Fund Management Co., LLC, and the Sibylline Fund LP  
**(Committee Name, Company Name, or Individual Named in Notification Letter)**

**MAILING ADDRESS:** \_\_\_\_\_  
**(Please Print)**

Orlando, FL 32837

**TELEPHONE- HOME** ( \_\_\_\_\_ ) \_\_\_\_\_

**BUSINESS** ( \_\_\_\_\_ ) \_\_\_\_\_

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