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2006 AUG 18 P 12:02  
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August 14, 2006

**ATTORNEYS AT LAW**

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CLIENT/MATTER NUMBER  
999100 0130

Mr. Jeff Jordan, Esq.  
Supervisory Attorney, Complaints Examination and Legal Administration  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

RE: MUR 5776

Dear Mr. Jordan:

This Firm represents Talent for Senate, Inc. and James M. Talent, Respondents in the above-referenced Matter Under Review ("MUR 5776").

Attached to this response is the affidavit of Gregg Keller, campaign manager of the Talent for Senate campaign, attesting to the fact that neither he nor others associated with the campaign have knowledge of the identity of the sponsor of the advertisement at issue.

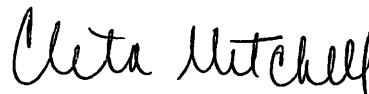
There is no evidence submitted by complainants to the contrary. Simply put, the Talent campaign has no idea who placed or paid for the advertisement.

Further, it would appear that the advertisement at issue is protected pursuant to the Supreme Court's decision in *McIntyre v. Ohio Elections Commission*, 514 U.S. 334 (1995).

Neither Sen. Talent, the Talent for Senate campaign nor its agents or employees have any knowledge or information regarding the advertisement. Accordingly, the Complaint in MUR 5776 as against these Respondents must be dismissed.

Please contact me at (202) 295-4081 if you have further questions.

Sincerely,



Cleta Mitchell, Esq.  
Counsel to Talent for Senate, Inc.

CMI:cmi

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SAN DIEGO/DEL MAR  
SAN FRANCISCO  
SILICON VALLEY

TALLAHASSEE  
TAMPA  
TOKYO  
WASHINGTON, D C

State of Missouri

)

) ss:

MUR 5776

County of

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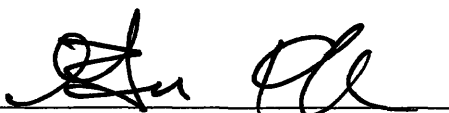
)

**Affidavit of Gregg Keller**

I, Gregg Keller, of lawful age do hereby affirm and state:

1. I am a resident and citizen of the State of Missouri, residing in St Louis County.
2. I am the campaign manager for Talent for Senate, Inc., the principal authorized campaign committee for the reelection of Jim Talent, Republican Senator from Missouri.
3. I have received and reviewed a copy of the FEC complaint filed regarding a newspaper advertisement that appeared in the St. Louis Metro Sentinel Journal which expressed support for the reelection of Sen. Talent.
4. I have no knowledge or information regarding the advertisement, or any other information about it, including who paid for the advertisement.
5. I have asked others associated with the Talent for Senate campaign, including staff, volunteers and friends, and each person has indicated that he/she has no idea who bought the advertisement.
6. Talent for Senate, Inc. did not purchase the advertisement and has no knowledge or information regarding the identity of who did purchase the advertisement.
7. The advertisement is anonymous even to and including the Talent for Senate campaign, Sen. Talent and all associated with our campaign

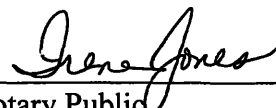
Further Affiant Sayeth Not.

  
Gregg Keller

Before me this 15<sup>th</sup> day of August, 2006, personally appeared Gregg Keller and affirmed under penalty of perjury that the above information is true and correct to the best of his information and belief.

S E A L

My Commission Expires:

  
Notary Public





**FEDERAL ELECTION COMMISSION**  
**Office of General Counsel**  
**999 E Street, NW**  
**Washington, DC 20463**

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2006 AUG 22 P 12:32

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

MUR: 5776  
COUNSEL: Cleta Mitchell  
FIRM: Foley & Lardner, LLP  
ADDRESS: 3000 K Street, NW-Ste 500, Washington, DC 20007  
TELEPHONE - OFFICE: (202) 295-4081  
FAX: (202) 672-5399

The above-named individual 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.

8-21-06

Date

James M. Talent  
Signature Senator James M. Talent Title Senator

RESPONDENT/WITNESS NAME (PRINT): James M. Talent  
Talent for Senate, Inc.  
MAILING ADDRESS: 9467 Dielman Rock Island, Industrial Drive  
St. Louis, MO 63132

TELEPHONE - HOME: ( )

OFFICE: (314) 993-8235

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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