



The Federal Election Commission
Washington, DC 20463

AUG 12 2008

Marc E. Elias, Esq.
Perkins Coie, LLP
607 14th Street, NW
Washington, DC 20005

RE: MUR 5785
Pederson 2006 and Jeff Marella,
in his official capacity as treasurer
James E. Pederson


Dear Mr. Elias:

On March 6, 2007, your clients were notified that the Federal Election Commission ("Commission") found reason to believe that Pederson 2006 and Jeff Marella, in his official capacity as treasurer (the "Committee") and James E. Pederson violated 2 U.S.C. §§ 434(a)(6)(B)(iii) and (iv), and that the Committee violated 11 C.F.R. §§ 400.21(a) and 400.22(a). On June 26, 2008, the Supreme Court issued its decision in *Davis v. FEC*, 128 S. Ct. 2759 (2008) and found Sections 319(a) and 319(b) of the Bipartisan Campaign Reform Act of 2002 — the so-called "Millionaires' Amendment" (the "Amendment") — unconstitutional because they violate the First Amendment to the U.S. Constitution. The Court's analysis in *Davis* precludes enforcement of the reporting requirements of the Amendment. Therefore, after considering the circumstances of this matter, the Commission determined on July 29, 2008 to take no further action as to the Committee and Mr. Pederson, and closed the file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003).

If you have any questions, please contact me at (202) 694-1598.

Sincerely,


Ruth Heilizer
Attorney

28044210479