



Jeffrey C. Zilba
Attorney & Counselor at Law

May 14, 2007

Ms. Tracey Ligon
999 E. Street, N.W.
Washington, D.C. 20463

Re: MUR 5871 – Philip Swy

Dear Ms. Ligon:

As you are aware, the undersigned represents Mr. Swy relative to the referenced case. Please consider this correspondence as Mr. Swy's response to your undated letter concerning this matter.

Mr. Swy acknowledges that he was provided funds by Mr. Joseph Restivo, a co-worker of his at MTS Seating, to purchase a ticket to a Bush-Cheney campaign fundraiser in Columbus, Ohio in 2004. Mr. Swy denies, however, that he committed a knowing and voluntary violation of the Act (2 U.S.C. §441f). Mr. Swy submits that he was informed by Mr. Restivo that the contribution had to be made in the name of the attendee for security purposes at the fundraiser. He further submits that he had no knowledge that by accepting the funds from Mr. Restivo, so that he could attend this fundraiser, was illegal or improper. Specifically, he was told by Mr. Restivo (the brother-in-law of Thomas Noe, a Bush-Cheney "Pioneer") that he (Restivo) was covering the costs of Mr. Swy's attendance at the event as his guest but that Mr. Swy had to personally write the check to the campaign because the instrument had to match the name of the attendee. In other words, as already stated, Mr. Swy was advised that for security reasons Mr. Restivo and/or Mr. Noe could not buy the tickets in bulk and distribute them to their guests. I submit that in a post-911 world this rationale is especially credible to a person unfamiliar with campaign finance law. Had Mr. Swy, a person with no criminal record and a conscientious American and a non-politico known that this conduct was illegal, he would not have accepted the invitation from Mr. Restivo.

In view of the foregoing, we respectfully submit that the pending matter against Mr. Swy be withdrawn/dismissed forthwith.

Very truly yours

Jeffrey C. Zilba

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2007 MAY 15 A 11:00