

KILLGORE, PEARLMAN, STAMP, ORNSTEIN & SQUIRES, P.A.

ATTORNEYS AND COUNSELORS AT LAW

RIED J. ARNOLD
WILLIAM J. DENTUS
CHRISTOPHER M. HARNE
CHRISTOPHER W. HAYES¹
FRANK H. KILLGORE, JR.²
KELLEY E. LESTER

2 SOUTH ORANGE AVENUE, 5th FLOOR
ORLANDO, FLORIDA 32801

www.kpsos.com

MARK L. ORNSTEIN³
CRAIG S. PEARLMAN³
GREY SQUIRES-BINFORD³
MARTIN F. STAMP³
MELINDA F. WIMBISH

OF COUNSEL
BRENDA J. NEWMAN

Sender's email address:
mlornstein@kpsos.com

POST OFFICE BOX 1913
ORLANDO, FLORIDA 32802-1913
TELEPHONE: (407) 425-1020
FAX: (407) 839-3635

March 22, 2011

Kathleen Guith, Esquire
Acting Associate General Counsel
For Enforcement
Federal Election Commission
999 E Street NW
Washington DC, 20463
*Via U.S. Mail and
Electronic Transmission: KGuith@fec.gov*

Re: *MUR 6054/Gary J. Scarbrough*

Dear Ms. Guith:

Please allow the following to serve as a response on behalf of Gary J. Scarbrough, with respect to the February 14, 2011 letter sent by the Federal Election Commission ("FEC") reporting indications of violation(s) of 2 U.S.C. §§441f and 441a(a).

The FEC states that it has information that on March 30, 2007, Mr. Scarbrough directed 10-2002, LLC f/k/a Suncoast Ford's ("10-2002") Controller, Kenneth L. Lybarger to issue checks from 10-2002 to himself, M. Osman, Harold H. Glover, and Mr. Lybarger as reimbursement for contributions each made to Vern Buchanan for Congress ("VBFC"). The FEC further states that VBFC refunded the contributions to Messrs. Scarbrough, Osman, Glover and Lybarger on June 18, 2007.

10-2002 and Mr. Scarbrough discovered a mistake was made when the contributions outlined above were reimbursed. Upon learning of the mistake, VBFC was notified and took immediate corrective action by refunding the contributions to each individual. The elapsed time between 10-2002's reimbursement and VBFC's refund of the contributions was less than three (3) months, and *prior* to the FEC's involvement.

RECEIVED
FEDERAL ELECTION
COMMISSION
2011 MAR 23 AM 9:29
OFFICE OF GENERAL
COUNSEL

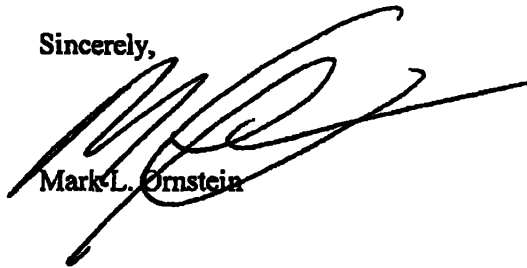
12044311491

Kathleen M. Guith, Esquire
MUR 6054/Scarborough
March 22, 2011
Page 2

In addition, as previously mentioned, 10-2002 was sold on November 30, 2010. The dealership was sold at a loss and has no assets.

Based upon the foregoing, I respectfully request the FEC not pursue enforcement action in this matter as it relates to Mr. Scarborough. If you would, please contact me at your earliest convenience.

Sincerely,



Mark L. Ornstein

MLO/mm

12044311492