

Law Office of

James C. Thomas III

Briarcliff Village

4131 N. Mulberry Drive, Suite 200

Kansas City, Missouri 64116

Phone: (816) 584-9393; Fax: (816) 584-9394

James@jct3law.com

RECEIVED
FEDERAL ELECTION
COMMISSION

2010 DEC -3 PM 12: 26

OFFICE OF GENERAL
COUNSEL

December 2, 2010

VIA FEDERAL EXPRESS

Jeff S. Jordan
Supervising Attorney
Complaints Examination &
Legal Administration
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: Billy Long for Congress
Matter Number: MUR 6427

Dear Mr. Jordan:

I am counsel for Billy Long for Congress (the "Committee"). The Committee has received your letter dated November 15, 2010 addressed to Mr. Ron Neville, as treasurer of the Committee. Essentially identical letters were sent to the Committee's candidate, Billy Long (the "Candidate") and James Harris of The J. Harris Company, a consultant to the Committee (the "Consultant"). I have interviewed all of these letter recipients and am making this response on behalf of all of them. In that regard, I have enclosed a Statement of Designation of Counsel for each of these letter recipients.

Your letter states that you have received a complaint that indicates that the Committee may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). Your letter attaches a complaint (the "Complaint"). The Complaint has been submitted by Neil R. Reiff, apparently an attorney with Sandler, Reiff & Young, P.C., who states that he is counsel for Scott Eckersley for Congress. Mr. Reiff claims that an e-mailed press release (the "Press Release") stating that Scott Eckersley was suspending his campaign has some connection to the Committee, the Candidate and/or the Consultant. However, any connection is vague and unclear and speculative at best.

The Candidate, the Committee and the Consultant had no involvement with the distribution of the Press Release to the media and had no knowledge of the Press Release prior to its distribution to the media. The Committee first learned of the Press Release when the person handling the Committee's public relations received a call from the media. This person sent a message to both the Candidate and the Consultant about the call from the media regarding the

12044322108

Mr. Jeff S. Jordon,
Supervising Attorney
Complaints Examination &
Legal Administration
Federal Election Commission
November 30, 2010

Press Release. The Candidate first heard about the Press Release when he received a call from a friend that said his wife had just seen a KSPR 33 News Break, which announced that Eckersley had dropped out of the race. The Candidate then circulated a text message to members of the campaign team, including the Consultant. The Consultant first heard about the Press Release when he received a communication from the Committee's public relations person followed by a text message from the Candidate and a call from the campaign staff. The treasurer first learned of the Press Release in a communication from the Candidate.

The Complaint accurately notes that the withdrawal of Eckersley was shared by those connected with the campaign through various communications, including text messages, phone calls and social media vehicles (e.g., Twitter). However, this was merely sharing information these people obtained from the media. The Complaint infers that the fact that the Consultant sent a "tweet" about the withdrawal of Eckersley and later withdrew that "tweet" somehow implies involvement in the initial distribution of the Press Release. This is not the case. The Consultant withdrew the "tweet" because it became known that the Press Release was a fake.

The Press Release did not originate with the Committee, the Candidate or the Consultant. I have included affidavits from the Candidate, the Consultant and the treasurer for the Committee in which they each state that they had no involvement with the distribution of the Press Release to the media and had no knowledge of the Press Release prior to its distribution to the media.

Any claim that the Committee, the Candidate or the Consultant had any connection to the Press Release is not only factually incorrect, but it simply has no rational basis. The Candidate was running in a very favorable Republican district in a very favorable Republican election cycle. Polling data near the time when the Press Release was sent had the Candidate with a significant lead. This polling data proved true when the Candidate won the election by more than a two to one margin with the Candidate receiving 141,010 votes to Eckersley's 67,545 votes.

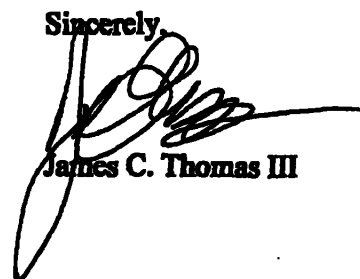
If anyone had a reason to send out the Press Release, it was Eckersley. He was way down in the polls. The pre-primary report filed with the FEC showed him at more than an 11 to 1 disadvantage in fund raising. The Press Release gave him substantial free media coverage the weekend before the election. Any potential negative impact of the initial appearance that he was withdrawing would have been offset by the opportunity the media gave Eckersley to say bad things about the Candidate and his campaign advisors. I, of course, am not claiming that Eckersley or his campaign is the one that sent out the Press Release. I have no information to support such a claim. I am simply pointing out that it would be more logical for Eckersley or someone with his campaign to have sent out the Press Release because the only one who could possibly gain anything from a fake press release controversy was Eckersley.

Mr. Jeff S. Jordon,
Supervising Attorney
Complaints Examination &
Legal Administration
Federal Election Commission
November 30, 2010

I hope this assists you in your review of the facts regarding the complaint. The Committee, the Candidate and the Consultant had no involvement with the Press Release. I appreciate that this is an important matter, but the Complaint should be summarily dismissed to the extent of its assertion that the Committee, the Candidate and/or the Consultant had any involvement with the Press Release.

If I can be of further assistance with your investigation, please contact me.

Sincerely,



James C. Thomas III

JCT3/pb
Enclosures



FEDERAL ELECTION COMMISSION

999 E Street, NW
Washington, DC 20468

RECEIVED
FEDERAL ELECTION
COMMISSION

2018 DEC -3 PM 12:42

OFFICE OF GENERAL
COUNSEL

REF:

STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each Respondent/Entity/Treasurer
FAX (202) 218-3922

MUR # 6427

NAME OF COUNSEL: James C. Thomas III

FIRM: Law Office of James C. Thomas III

ADDRESS: 4131 N. Mulberry Drive, Suite 200

Kansas City, MO 64116

TELEPHONE- OFFICE (816) 584-9393

FAX (816) 584-9394

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.

11/29/10

Date

Ron Neville
Respondent/Agent - Signature

Treasurer
Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: Ron Neville - Treasurer

1675-Y E Seminole

MAILING ADDRESS:
(Please Print)

Springfield, MO 65804

TELEPHONE- HOME () _____

BUSINESS (417) 860-6746

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)(2)(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.

Rev. 8/99

12044322111

RECEIVED
FEDERAL ELECTION
COMMISSION

2010 DEC -3 PM 12:27

OFFICE OF GENERAL
COUNSEL



FEDERAL ELECTION COMMISSION
900 E Street, NW
Washington, DC 20463

SECRET

STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each Respondent/Entity/Treasurer.
FAX (202) 219-8822

MUR # 6427

NAME OF COUNSEL: James C. Thomas III

FIRM: Law Office of James C. Thomas III

ADDRESS: 4131 N. Mulberry Drive, Suite 200

Kansas City, MO 64116

TELEPHONE- OFFICE (816) 584-9393

FAX (816) 584-9394

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.

11/29/10

Date

Ron Neville
Respondent/Agent Signature

Treasurer
Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: Billy Long for Congress

1675-F E Seminole

MAILING ADDRESS:
(Please Print)

Springfield, MO 65804

TELEPHONE- HOME ()

BUSINESS (417) 860-6746

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. § 4379(a)(1)(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.

Nov. 2008

12044322112

12044322113



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

RECEIVED
FEDERAL ELECTION
COMMISSION

2010 DEC -3 PM 12: 27

OFFICE OF GENERAL
COUNSEL

4-1

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

MUR # 6427

NAME OF COUNSEL: James C. Thomas III

FIRM: Law Office of James C. Thomas III

ADDRESS: 4131 N. Mulberry Drive, Suite 200

Kansas City, MO 64116

TELEPHONE- OFFICE (816) 584-9393

FAX (816) 584-9394

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.

11/29/10
Date

[Signature]
Respondent/Agent - Signature

Candidate
Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: Billy Long

MAILING ADDRESS: 1675-F E Seminole
(Please Print)

Springfield, MO 65804

TELEPHONE- HOME () _____

BUSINESS (417) 860-6746

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.

Rev. 2006

RECEIVED
FEDERAL ELECTION
COMMISSION

2010 DEC -3 PM 12:27

OFFICE OF GENERAL
COUNSEL

FEDERAL ELECTION COMMISSION

999 E Street, NW

Washington, DC 20463

MUR#

STATEMENT OF DESIGNATION OF COUNSEL

Please use one form for each Respondent/Entity/Treasurer

FAX (202) 218-5823

MUR # 6427NAME OF COUNSEL: James C. Thomas IIIFIRM: Law Office of James C. Thomas IIIADDRESS: 4131 N. Mulberry Drive, Suite 200Kansas City, MO 64116TELEPHONE- OFFICE (816) 584-9393FAX (816) 586-9396

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.

11/29/10

Date

Respondent/Agent-Signature

Title (Treasurer/Candidate/Owner)

NAMED RESPONDENT: James HarrisP. O. Box 74MAILING ADDRESS:
(Please Print)Jefferson City, MO 65102

TELEPHONE- HOME ()

BUSINESS (573) 761-7875

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.

Rev. 2008

12044322114