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May 9, 2012

Jeff Mackey
Franklin County Board of Elections
280 E. Broad Street
Columbus, Ohio 43215

Re: Franklin County Democratic Party

Dear Mr. Mackey:

I am legal counsel to the Franklin County Democratic Party and am responding to your letter dated April 18, 2012, which seeks additional information concerning a debt listed on the amended 2009 Post-General Election Report.

The listed debt was in connection with the Party's 2007 and 2009 "coordinated campaigns" for the Columbus City Council elections. Conducting coordinated campaigns through a political party is a common practice both at the state and county party levels and by both the Democratic and Republican Parties. It is one of the reasons that political parties exist and goes to their core function, which is to promote the election of their candidates. It is also common for both the Democratic and Republican Parties to use the services of fund raising consultants.¹

The 2007 and 2009 coordinated campaigns for Columbus City Council used the services of Melissa K. Barnhart (now RMB Consultants, LLC) to conduct fund raising for the coordinated campaigns. There was no written contract between the Party and RMB and no specific agreement that services would be invoiced to the Party or payments would be made by the Party. However, following the 2009 general election, starting in early 2011, the Party, out of a sense of moral obligation, made several payments to RMB in recognition of the substantial services that had been provided to the coordinated campaigns. The payments, all of which were timely reported on the Party's campaign finance reports filed with your office, were as follows: \$6,000 on 3/8/11, \$2,000 on 10/31/11, \$2,500 on 12/13/11, \$2,500 on 12/28/11, \$2,500 on 1/19/12, \$1,500 on 3/19/12, and \$3,500 on 3/26/12.

The Party did not list any outstanding obligation to RMB on Form 31-N because, as stated above, the Party does not believe that there is a legally binding obligation, only a moral obligation. However, after incorrect inferences that were recently made in statements to a newspaper reporter by the Party's political opposition that attempted to link the Party's properly disclosed payments to RMB to the 2012 election campaign cycle, the Party's legal counsel advised that one option to put the payments in their context would be to amend the Party's reports by showing a debt on Form 31-N and listing the payments on Form 31-N. The Party

¹ I mention this only because I do not understand the statement in your letter about the "unique nature" of the debt.