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By Office of General Counsel at 5:25 pm, Jan 06, 2017

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January 6, 2017

By Email

Federal Election Commission
Office of General Counsel
999 E Street, N.W.
Washington, DC 20463
secretary@fec.gov

Re: Advisory Opinion Request 2016-23 - Socialist Workers Party, the Socialist Workers National Campaign Committee, and committees supporting candidates of the Socialist Workers Party

Dear Commissioners:

On behalf of our clients, the Socialist Workers Party, the Socialist Workers National Campaign Committee, and committees supporting candidates of the Socialist Workers Party (collectively, the "SWP"), we hereby respectfully request that the above-referenced advisory opinion request be re-scheduled until the Commission's meeting on March 9, 2017, so as to allow our clients adequate time to, *inter alia*: (1) address legal and factual arguments that were included in the draft advisory opinion that we received yesterday (the "Draft AO") that have never been raised in previous AOs concerning the SWP or that were based on information from outside of the record; (2) present additional affidavits and other proof to address issues raised by the Draft AO; and (3) correct factual errors included in the Draft AO.

The SWP is unable to provide this information before the FEC's meeting on January 12, 2017, among other reasons, because an SWP leadership meeting is to be held beginning on January 13, 2017.

Failure to reschedule this meeting would constitute a violation of the SWP's due process rights and the Administrative Procedure Act and will prejudice the SWP by precluding it from properly or adequately responding to these issues.

The SWP also reserves the right to have an attorney from our law firm and one or more members of the SWP appear before the Commission as it considers the Draft AO; however, it would be impossible for the SWP to attend a hearing on January 12, 2017 given its leadership meeting. We consider this appearance as a matter of right pursuant to the Commission's stated procedure, as the Drafts AO were first made available to us yesterday at 11:53 AM, less than one week before the public meeting at which the advisory request is scheduled to be heard – January 12, 2017 at 10:00 AM.

Respectfully yours,

A handwritten signature in blue ink, appearing to be "Michael Krinsky", with a large, stylized flourish extending to the left.

Michael Krinsky
Lindsey Frank

cc: Federal Election Commission
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