

**IN THE MATTER OF**

Elissa for DC

Robert Price, Treasurer

642 4<sup>th</sup> Street, NE

Washington, D.C. 20002

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October 27, 2022,

Docket No: OCF- 2022 FI- 006

**ORDER**

This matter came before the Office of Campaign Finance (OCF) Office of the General Counsel pursuant to a four-and-a-half-page Complaint filed by Karim Marshall (hereinafter Complainant) on August 23, 2022, which was docketed on August 26, 2022. The Complainant alleged that the Elissa for DC Principal Campaign Committee (hereinafter Respondent Committee) and Candidate Elissa Silverman (hereinafter Councilmember Silverman) made an unauthorized in-kind contribution using a “telephonic push poll” to attempt to influence the composition and result of the 2022 Ward 3 Primary Election in violation of D.C. Official Code 1-1163.33(f)(d)(5). The Complainant additionally alleged that the Councilmember illegally used Fair Election Funds to conduct a “telephonic push poll” of Ward 3 voters regarding candidates in the June 21, Primary Election even though she was not a candidate in that election. The Complainant additionally stated that the Councilmember admitted to discussing the poll results with undisclosed persons in Ward 3 in articles published by the DCist and the Washington Post on June 14, 2022. The Complainant also stated that pursuant to the Councilmember’s non-public poll and subsequent discussions with undisclosed persons, two candidates withdrew from the contest prior to the election and endorsed a third candidate who prevailed in the Primary Election.

The Complainant concluded that the Councilmember’s discussion of a non-public poll with candidates while encouraging them to withdraw from the campaign constitutes an impermissible coordination between campaigns.

Pursuant to docketing the complaint, the Office of the General Counsel (OGC) commenced an investigation into the allegations and advised Councilmember Silverman and Respondent Committee Treasurer Robert Price that an investigation was in progress. Following the OGC’s initiation of an investigation, Councilmember Silverman submitted a response via email on August 29, 2022 in which she acknowledged receipt of the Notice and the complaint and stated the following “This is political stunt that has no basis in fact and should be dismissed.” Following the Councilmember’s acknowledgement of receipt of the Notice and complaint, Jason Downs, Esq, entered his appearance as counsel for the Councilmember and the Respondent Committee on August 31, 2022. Mr. Downs requested until September 30, 2022, to respond to the allegations in the Complaint and his request was granted. On September 23, 2022, OCF submitted questions to Mr. Downs to which he submitted responses on October 7, 2022. Mr. Downs requested an additional allotment of time to provide what he termed a “full response” to the allegations and was provided until October 14, 2022.

On October 14, 2022, Mr. Downs submitted a letter via email 5:18 p.m.in which he stated that he would not meet the October 14, 2022, deadline. He also stated that issuance of a decision which could be construed as adverse to the Councilmember could potentially harm her candidacy. Despite the fact that Mr. Downs was advised on at least two occasions that the Ninety-day investigative period set forth in 3 DCMR Section 3704.7 does not accord Respondents 90 days to respond to allegations in complaints, he has insisted upon being provided more time than OCF has allotted. Even though he has been granted two extensions, Mr. Downs has never explained why a “full response” to the allegations in the four- and one-half page complaint could not be submitted by the extended due date of October 14, 2022, and to date OCF has not received the “full response” from the Councilmember or the Respondent Committee.

3 DCMR Section 3704.7 Provides:

Within ninety (90) days of receipt of any complaint, the Director shall:

- (a) Cause evidence to be presented to the Board, if sufficient evidence exists constituting an apparent violation, pursuant to § 3706;
- (b) Dismiss the complaint, if insufficient evidence exists to present the matter, pursuant to § 3705; or
- (c) Impose civil penalties, pursuant to § 3711, upon a determination that a violation of the reporting and disclosure requirements prescribed by the Act and/or Chapters 30-42 of this title has occurred.

Nonetheless, irrespective of Mr. Downs failure to meet the October 14, 2022, extended deadline, the Councilmember’s October 7, 2022, responses to OCF’s questions have provided a record which is sufficient for OCF to render a decision.

The Complainant did not submit any additional information in support of his allegations.

D.C. Official Code Section 1-1161.01 (10B) Provides:

**10B)(A)** "Coordinate" or "coordination" means to take an action, including making a contribution or an expenditure:

(i) At the explicit or implicit direction, request, or suggestion of a public official, a political committee affiliated with a public official, or an agent of a public official or a political committee affiliated with a public official; or

**(ii)** In cooperation, consultation, or concert with, or with other material involvement of a public official, a political committee affiliated with a public official, or an agent of a public official or a political committee affiliated with a public official.

**(B)** There shall be a rebuttable presumption that a contribution or an expenditure is coordinated with a public official, a political committee affiliated with a public official, or an agent of a public official or a political committee affiliated with a public official, if:

**(i)** The contribution or expenditure is made based on information that the public official, political committee affiliated with the public official, or an agent of a public official or a political committee affiliated with a public official, provided to the particular person making the contribution or expenditure about its needs or plans, including information about campaign messaging or planned expenditures;

**(ii)** The person making the contribution or expenditure retains the professional services of a person who also provides the public official, political committee affiliated with the public official, or an agent of a public official or a political committee affiliated with a public official, with professional services related to campaign or fundraising strategy;

**(iii)** The person making the contribution or expenditure is a political committee, political action committee, or independent expenditure committee that was established or is or was staffed in a leadership role by an individual who:

**(I)** Works or previously worked in a senior position or in an advisory capacity on the public official's staff or on the public official's principal campaign committee; or

**(II)** Who is a member of the public official's immediate family; or

**(iv)** The contribution or expenditure is made for the purpose of financing, directly or indirectly, the election of a candidate or a political committee affiliated with that candidate, and that candidate has fundraised for the person making the expenditure.

§ 1-1163.35. Penalties.

(a)(1) Except for violations subject to civil penalties identified under paragraph (2) of this subsection, any person who violates any provision of Parts A through E of this subchapter or of subchapter I of Chapter 10 of this title [§ 1-1001.01 et seq.] may be assessed a civil penalty for each violation of not more than \$2,000, or 3 times the amount of an unlawful contribution, expenditure, gift, honorarium, or receipt of outside income, whichever is greater, by the Elections Board pursuant to paragraph (3) of this subsection. For the purposes of this section, each occurrence of a violation

of Parts A through E of this subchapter, and each day of noncompliance with a disclosure requirement of Parts A through E of this subchapter or an order of the Elections Board, shall constitute a separate offense.

(2)(A) A candidate or other person charged with the responsibility under this subchapter for the filing of any reports or other documents required to be filed pursuant to this subchapter who fails, neglects, or omits to file any such report or document at the time and in the manner prescribed by law, or who omits or incorrectly states any of the information required by law to be included in such report or document, in addition to any other penalty provided by law, may be assessed a civil penalty of not more than \$4,000 for the first offense and not more than \$10,000 for the second and each subsequent offense.

The allegations submitted by the Complainant are based upon the fact that the Councilmember made several public admissions that her Principal Campaign Committee financed a poll regarding the June 21, 2022, Primary Election in Ward 3, a contest in which she was not a candidate. The Complainant alleges that the Candidate's use of Fair Elections funds to finance the poll violates D.C. Official Code Section 1-1163.32(d)(5). However, the expenditure of campaign funds on a poll regarding an election in which the Candidate was not on the ballot also raises questions regarding whether other violations may have occurred.

3DCMR Section §3013.1. Provides:

Campaign funds shall be used solely for the purpose of financing, directly or indirectly, the election campaign of a candidate.

In addition, it has been alleged that the Councilmember's discussion of the poll with certain individuals resulted in the untimely withdrawal of two candidates who subsequently endorsed candidate Matthew Frumin and facilitated his victory represents unauthorized coordination between campaigns.

3DCMR Section 4209.6 Provides:

Fair Elections Program funds may not be used for:

- (a) An expenditure for any purpose other than the furtherance of the participating candidate's nomination or election...

D.C. Official Code § 1-1163.32 (d) Provides:

"Coordinate" or "coordination" means to take an action, including making a contribution or an expenditure:

(i) At the explicit or implicit direction, request, or suggestion of a public official, a political committee affiliated with a public official, or an agent of a public official or a political committee affiliated with a public official; or

(ii) In cooperation, consultation, or concert with, or with other material involvement of a public official, a political committee affiliated with a public official, or an agent of a public official or a political committee affiliated with a public official.

(10)(A) "Contribution" means:

(i) A gift, subscription (including any assessment, fee, or membership dues), loan (except a loan made in the regular course of business by a business engaged in the business of making loans), advance, or deposit of money or anything of value (including contributions in cash or in kind), made for the purpose of financing, directly or indirectly:

(I) The election of a candidate;

(II) Any operations of a political committee, political action committee, or independent expenditure committee; or

(III) The campaign to obtain signatures on any initiative, referendum, or recall measure, or to bring about the ratification or defeat of any initiative, referendum, or recall measure;

(ii) A transfer of funds between:

(I) Political committees;

(II) Political action committees;

(III) A political committee and a political action committee; or

(IV) Candidates;

(iii) The payment, by any person other than a candidate, a political committee, political action committee, or independent expenditure committee of compensation for the personal services of another person that are rendered to such candidate or committee without charge or for less than

reasonable value, or the furnishing of goods, advertising, or services to a candidate's campaign without charge or at a rate which is less than the rate normally charged for such services; and

[(iv)] An expenditure that is coordinated with a public official, a political committee affiliated with a public official, or an agent of any person described in this sub-subparagraph.

(B) Notwithstanding subparagraph (A) of this paragraph, the term “contribution” does not include:

(i) Personal or other services provided without compensation by a person (including an accountant or an attorney) volunteering a portion or all of the person's time to or on behalf of a

candidate, political committee, political action committee, or independent expenditure committee.

D.C. Official Code Section 1-1163.32 (d) Provides:

(d) A participating candidate shall not make expenditures for the following:

(1) Legal expenses not directly related to acts taken under [this chapter](#) or the [Elections Code](#);

(2) Payment of any penalty or fine imposed pursuant to federal or District law;

(3) Compensation to the participating candidate or a member of the participating candidate's immediate family, except for reimbursement of out-of-pocket expenses incurred for campaign purposes, including the participating candidate's childcare expenses;

(4) Clothing and other items or services related to the participating candidate's personal appearance;

(5) Contributions, loans, or transfers to another candidate's political committee or a political action committee.

Pursuant to OCF's submission of questions to the Councilmember through counsel the responses were received on October 7, 2022.

When asked whether she commissioned (financed) a poll in Ward 3 prior to the June 21, 2022, Primary Election, the Councilmember provided the following response:

“Councilmember Silverman commissioned two polls related to the Democratic Primary Election. First, on June 7, 2022, Councilmember Silverman commissioned Amplify, Inc. to conduct a poll related to the Democratic Primary Election (the “Amplify Poll”). The Amplify Poll was conducted using an automated voter survey. The poll used automated dialing to deliver a pre-recorded survey to capture a snapshot of Ward 3 voter opinion. Respondents were asked to record their opinion to five questions by pressing numbers on their phone. The five questions asked, “If the election were held today, who would you support,” and proceeded to poll the following elections: Mayor of D.C., Ward 3 Democratic Primary, Council at Large, Council Chair, and D.C. Attorney General. A script of the Amplify Poll is being disclosed with these responses as Attachment 1. Of the 12,333 voters dialed by Amplify’s system, only sixty-four (64) completed the entire survey. Because of the low engagement with the survey, the margin for error was 12%. Amplify provided an Excel spreadsheet with the raw response data and survey report. The spreadsheet and survey report are being disclosed with these responses as Attachment 2 and Attachment 3, respectively. Second, also on June 7, 2022, Councilmember Silverman commissioned TargetSmart Communications LLC to conduct a poll related to the Ward 3 Council Democratic Primary Election (the “TargetSmart Poll,” and together with the Amplify Poll, the “Polls”). The TargetSmart Poll was conducted using live-caller representatives to conduct a survey of Ward 3 voters. TargetSmart call-center representatives made 346 successful contacts with voters. TargetSmart call-center representatives contacted voters through a mix of landlines, cell phones, and text messages, and recorded each respondents’ answers to the questions. TargetSmart call-center representatives asked respondents a number of demographic, voter-frequency, and voteropinion questions. Question number seven (7) stated: “[I]f the June Democratic primary election for City Council in your district were held today, for whom would you vote?” TargetSmart’s survey report is being disclosed with these responses at Attachment 4. The margin for error for the TargetSmart Poll was 5.3%.”

When asked what was the purpose or objective of the Poll and how it related to her At-Large campaign:

The Councilmember provided the following response:

“Councilmember Silverman provides the following background on why she commissioned the Polls. In D.C. Council elections for at-large seats, voters may vote for up to two at-large candidates on their ballots. Given that D.C. has a large, Democratic constituency, this typically means that Democratic at-large candidates receive the most votes in each Ward. This has not been the case, however, in recent elections for Ward 3. Councilmember Silverman, who runs as an Independent candidate, has won the most votes in Ward 3—over her Democratic challenger—in each of the last two at-large election cycles. Thus, given that Ward 3 is an important electoral base delivering a sizeable number of votes for her re-election, it is imperative that Councilmember Silverman be well-informed of Ward 3 priorities. Just before Memorial Day this year, two candidates in the Ward 3 Council Democratic Primary Election

contacted Councilmember Silverman to ask for her official endorsement in the election. These candidates were Tricia Duncan and Ben Bergmann. Given the importance of Ward 3 to her electoral success, any Ward 3 endorsement by Councilmember Silverman required substantial vetting. If she endorsed a candidate that either did not win or was not aligned with her interests and priorities, the endorsement could harm her own electoral chances. In electoral politics, strong polling numbers and access to money down the home stretch generally indicate electoral success. In local ward races in D.C., media outlets and civic organizations do not do polling. The money advantage in the race was clear, however. Days after Duncan and Bergmann asked for her endorsement, the Washington Post published an article identifying an outside interest group—Democrats for Education Reform (“DFER”)—that was spending hundreds of thousands of dollars in support of candidate Eric Goulet in the Ward 3 Council Democratic Primary Election. DFER’s spending in Ward 3 was of importance to Councilmember Silverman for at least two reasons. First, in the 2020 election, Councilmember Silverman supported a challenger to an incumbent, D.C. Councilmember that was backed by DFER. In that same election, Councilmember Silverman was critical of DFER’s campaign literature, which drew public attention. Second, in terms of fundraising for specific policies, DFER traditionally raises money from groups and constituents that are aligned with Councilmember Silverman’s opponents. Suffice to say, if DFER was spending money in Ward 3, it was not to align with Councilmember Silverman, her campaign, or the policies that she supports. Thus, when asked to endorse a Ward 3 candidate in the primary election, Councilmember Silverman not only needed to endorse a candidate that aligned with her politically, but also a candidate that had the best chance of defeating Goulet, the DFER-backed candidate. With this background, Councilmember Silverman commissioned the Polls for three reasons. First, and most critically, the Polls informed Councilmember Silverman’s endorsement in Ward 3. As mentioned above, making the correct endorsement was directly related to her own electoral chances because it was imperative that she aligned herself with the winning candidate in Ward 3—an important Ward to her at-large electoral success. Thus, polling the Ward 3 race allowed her to gain valuable electoral information on a decision that was critical to her own at-large race. Second, in selecting the right Ward 3 candidate to endorse, Councilmember Silverman also wanted to back the candidate with the best chance of beating the DFER-backed candidate. This served Councilmember Silverman’s own electoral interests because losing in Ward 3 would significantly weaken DFER as a political influencer for the November general election in which Councilmember Silverman was a candidate. Third, Councilmember Silverman took the opportunity to explore the benefits of a less expensive, automated polling system before she would do polling in the general election. Amplify offered a robust poll of five primary races in Ward 3 at a fraction of the cost of more traditional polling services. For example, TargetSmart would have charged up to \$25,000 for the five primary elections polled through Amplify, which charged just \$1,200. Thus, in conducting a poll with Amplify, Councilmember Silverman received the benefit of sampling a new low-cost polling service offering data in five primary elections which, in turn, allowed her to compare Amplify’s low-cost model with more traditional polling agencies, and on races that were of critical importance to her own electoral success in the general election in November. At bottom,



the Polls were conducted at Councilmember Silverman's sole direction and for her own electoral benefit."

When asked how much the Poll cost, the Councilmember provided the following response:

"The Amplify Poll cost \$1,277.52. The invoice issued to Councilmember Silverman by Amplify is being disclosed with these responses as Attachment 5. The TargetSmart Poll cost \$5,000. The invoice issued to Councilmember Silverman by TargetSmart is being disclosed with these responses as Attachment 6. 5."

When asked what funds were used to pay for the Poll, the Councilmember provided the following response:

"Councilmember Silverman used funds from her Elissa for DC campaign account to pay for the Polls. The funds in the Elissa for DC campaign account are made up of (1) funds the campaign raised on its own consistent with D.C. election law prior to receiving public-matching funds through D.C.'s Fair Elections Program ("FEP"); (2) FEP "base" funds received after qualifying for the ballot; and (3) FEP public-matching funds received after Councilmember Silverman met the qualifying threshold of small-dollar donations from D.C. voters. Expenditures for each poll were listed in Councilmember Silverman's June 10, 2022, campaign-finance report, which is being disclosed with these responses as Attachment 7."

When asked whether she conducted Polls in any of the other Wards prior to the June 21, 2022, Primary Election, the Councilmember provided the following response:

"Councilmember Silverman did not conduct polls in any other Ward prior to the June 21, 2022, primary election. As stated in her answer to Question 2, Ward 3 has historically been an important Ward to her

own electoral success, and the only Ward race DFER spent money influencing was the Ward 3 race. Thus, there was no reason for Councilmember Silverman to poll other Wards."

When asked with whom she shared the Poll results, the Councilmember provided the following response:

"Councilmember Silverman only sent the Poll results, consisting of Attachments 2, 3, or 4, to what she calls her "kitchen cabinet," a small group of trusted advisors to her campaign."

When asked whether she or anyone connected to her current campaign made any recommendations to any of the candidates or individuals connected to the candidate committees in the Ward 3 Council Primary Election after she received the results of the Poll, the Councilmember provided the following response:

“After reviewing the polling data, Councilmember Silverman called Tricia Duncan and Ben Bergmann separately to inform each candidate that Councilmember Silverman would not be endorsing them in the Ward 3 Council Democratic Primary Election. After Councilmember Silverman informed Duncan and Bergmann that she would not endorse either candidate, they asked for Councilmember Silverman’s thoughts on Ward 3 primary topics. Councilmember Silverman’s responses were tailored to the specific questions asked by each candidate. Specific to Duncan, Duncan asked Councilmember Silverman whether her candidacy might impact the election outcome. Councilmember Silverman told Duncan that vote splitting was a reality. If that concerned Duncan, then she needed to be comfortable staying in the race knowing that that choice could potentially help elect a candidate with whom she disagreed.

Councilmember Silverman further said Duncan needed to do what Duncan felt was right given the investment of herself, her family, and her friends, and only Duncan could make that decision based on what she felt in her gut was the right thing to do based on her goals. If Duncan felt the ultimate goal was making sure DFER and its endorsed candidate did not represent her Ward, then a withdrawal would increase the chances of a non-DFER backed candidate winning. Critically, contrary to inaccurate news reports and the allegations in the Complaint and Request for Investigation, Councilmember Silverman never recommended that Duncan withdraw from the race. Councilmember Silverman advised Duncan that only Duncan could make that decision. Specific to Bergmann, rather than ask whether he should withdraw from the primary race, he asked Councilmember Silverman what she thought Duncan was going to do. Councilmember Silverman advised Bergmann that, while she could not predict what Duncan was going to do, she told Bergmann that she discussed with Duncan concerns over vote splitting in D.C. primary elections. Thus, Councilmember Silverman ultimately shared similar information with Bergmann—that is, while it was ultimately Bergmann’s decision whether to continue his campaign, he needed to square his desire to remain in the race with the thought of contributing to the election of a candidate with whom he disagreed. Like with Duncan, Councilmember Silverman never recommended that Bergmann withdraw from the race. Councilmember Silverman is not aware of anyone from her campaign making any recommendations to any of the candidates or individuals connected to the candidate committees in the Ward 3 Council primary election.”

3 DCMR §3301.4 Provides:

3301.4            Notwithstanding the prohibition set forth in § 3301.3, the following public officials may, as part of their official duties, express their views on a District of Columbia election:

- (a) The Mayor;
- (b) The Chairman of the Council;
- (c) Each Member of the Council;
- (d) The Attorney General;
- (e) The President of the State Board of Education; and
- (f) Each Member of the State Board of Education.

While a fair adjudication of the allegation of unauthorized coordination may require the examination of former Ward 3 Council candidates, Benjamin Bergmann, and Patricia (Tricia) Duncan, it is unlikely that even with their participation, it would be established based on the **record as it exists, including the review of the Financial Reports filed by all candidates involved** in this matter, that there was coordination between the campaigns to make a contribution or expenditure through the requisition of polls which favored a candidate other than Bergmann and Duncan for “the purpose of financing, directly or indirectly, the election of a candidate or a political committee affiliated with that candidate.”

Notwithstanding, the investigation also focused on whether the Respondent Committee and the Councilmember violated provisions of the Fair Elections Act by using Fair Election funds to commission and finance two Polls in connection with the Ward 3 Council Primary Election in which the Councilmember was not on the ballot or otherwise competing. The polls did not query the respondents concerning their “Ward 3 priorities”, and seemingly, of most importance to the policies supported by the Council Member, did not explore the issue of educational reform, which appears to be the underlying basis for her need to “... endorse a candidate that had the best chance of defeating Goulet, the DFER-backed candidate”. The response states ... “Suffice to say, if DFER was spending money in Ward 3, it was not to align with Council Member Silverman, her campaign, or the policies that she supports”. Moreover, one of the CM’s three stated reasons for commissioning the polls, was “the opportunity to explore the benefits of a less expensive, automated polling system before she would do polling in the general election”. Certainly, the test run of polling systems to determine the best option for future use does not justify the expenditure of public funds in a ward race in which she was not a participant.

Further, in the CM’s discussions with Duncan and Bergman, following the polls, to inform the candidates of her decision not to endorse them, she indicates that both were similarly told that “vote splitting was a reality”; that both needed to do what they felt was right given the investment of themselves, their families, and friends; and that if the ultimate goal was making sure DFER and its endorsed candidate did not represent the Ward, then a withdrawal would

increase the chances of a non-DFER backed candidate winning. These discussions were apparently made with a view towards conveying the CM's personal opinions and "needs" as to the desired outcome of the Ward 3 contest, and achieved the results intended. Of significance, the CM, as a participating Candidate in the FEP and a Member of the Legislative Body that enacted the Fair Elections Act, did not counsel either Candidate who were also both certified Participating FEP Candidates who received and expended public funds, and qualified for ballot access, of their commitment to the District Residents who supported their candidacies through the investment of small dollar contributions to continue as Candidates in this contest; and that one of the goals of the Fair Elections Act was to provide an incentive for more candidates to compete in the electoral process.

Thus, Councilmember Silverman should have been an advocate for the integrity of the Fair Elections Program as opposed to suggesting to the candidates whom she decided not to endorse that they could better serve the residents of Ward 3 by reducing the level of "vote splitting".

While the Councilmember is seeking Re-election in the November 8, 2022, General Election as an At-Large Member of the Council who is elected citywide, she chose to expend Fair Election Funds on a poll regarding a Ward Primary Election in which she was not a candidate. Clearly, this was not an acceptable expenditure of campaign funds.

Based on the evidence reviewed, the Elissa for DC Principal Campaign Committee and Councilmember Elissa Silverman are in violation 3DCMR Section 3033.1 and 3DCMR Section 4209.6 pursuant to their expenditure of Fair Election Funds to commission a Poll regarding a Primary Election in which the Councilmember was not a candidate.

**Recommendation**

In view of the foregoing and information included in the record, **I HEREBY RECOMMEND** that the Director Order the Candidate and the Respondent Committee to refund the amount of **\$6,277.52** and all other costs associated with the Amplify and Target Smart Ward 3 Primary Election polls to the Fair Elections Fund.

10/27/2022

**Date**

William SanFord

**William O. SanFord**  
**General Counsel**

**ORDER OF THE DIRECTOR**

**IT IS ORDERED** that the Respondent Committee and the Candidate, Councilmember **Elissa Silverman** shall reimburse the **Fair Elections Fund** the amount of **\$6,277.52** and all other costs associated with the **Amplify and Target Smart-Polls** commissioned and financed by the Council Member regarding the **June 21, 2022, Ward 3 Council Primary Election**.

10/27/2022

**Date**

Cecily E. Collier-Montgomery

**Cecily E. Collier-Montgomery  
Director**

**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that a true copy of the **ORDER** has been served on

Elissa Silverman, Candidate, Robert Price Treasurer and Jason Downs, Esq. via electronic mail at [elissasilverman@gmail.com](mailto:elissasilverman@gmail.com) , [bob@theacorn.com](mailto:bob@theacorn.com) and [jdowns@bhfs.com](mailto:jdowns@bhfs.com) and regular mail at 692 4<sup>th</sup> Street, NE Washington, DC 20002 on this 27th day of October, 2022.

*Natasha Alexander*

**Notice**

Any party adversely affected by an Order of the Director may: (1) file a Motion for Reconsideration (Motion) with the OCF within five (5) days after receipt of an Order, provided that, relevant evidence was omitted from consideration at the hearing (3 DCMR §3709.13); or (2) obtain review of the Order by filing a request for a **hearing *de novo*** with the Board of Elections within fifteen (15) days from the date of issuance of an Order. Any fine imposed by the Director, pursuant to §3711.2 shall become effective on the sixteenth (16<sup>th</sup>) day following the issuance of a decision or Order; provided that, the Respondent does not request a **hearing *de novo*** with the Board of Elections. Fines imposed shall be paid within ten (10) days of the effective date of the issued Order of the Director. Make payment by check or money order, payable to: District of Columbia Treasurer. Send payment to the *Office of Campaign Finance, 1015 Half Street SE, Suite 775, Washington, DC 20003*.