

SANDLER REIFF

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August 19, 2020

WWLP-22News
1 Broadcast Center
Chicopee, Ma 01013

EGGB-TV, WGGB-TV, WSHM-TV
1300 Liberty St.
Springfield, MA 01104

Re: "Last" Advertisement by Justice Democrats

Via email by Eileen.Cole@westernmassnews.com, Gerard.Dunn@wwlp.com

To whom it may concern:

I write on behalf of Justice Democrats PAC ("Justice Democrats"), a "PAC with Non-Contribution Account" registered with the Federal Election Commission (ID # C00630665), regarding an advertisement entitled "Last" (the "Advertisement")¹. The Advertisement is currently running on your station.

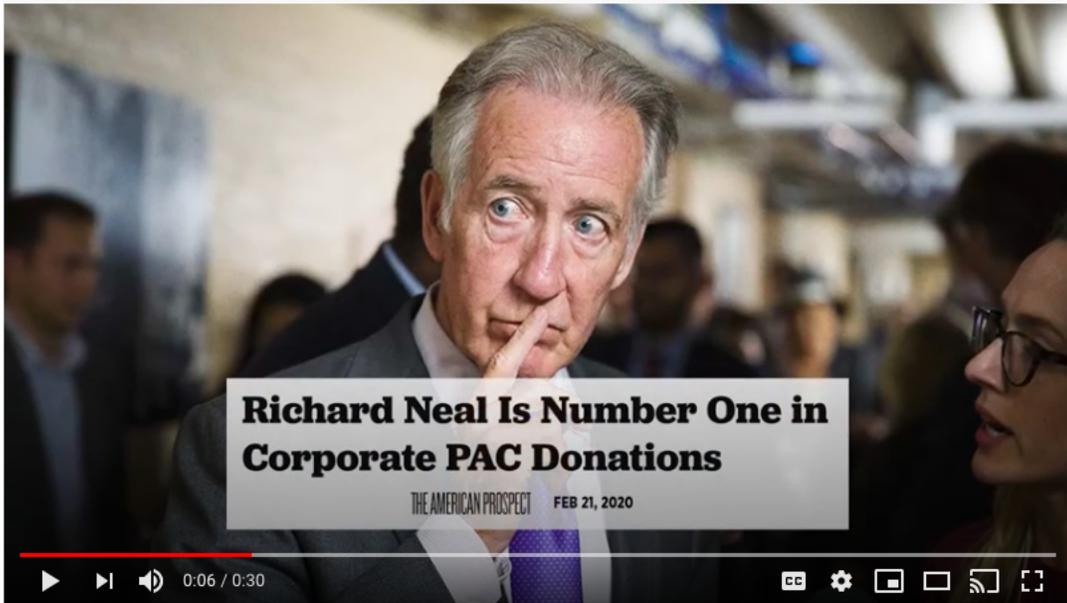
We understand that you have received a letter from Brian G. Svoboda of the law firm Perkins Coie. (representing Congressman Neal, and the Richard E Neal for Congress Committee, collectively "the Neal Campaign") charging that Justice Democrats has made false statements in its Advertisement. ***The claims made in the Advertisement are not false, and are fully substantiated.***

Before deciding how to respond to the letter from the Neal Campaign and its counsel, we ask that you review the substantiation for the Advertisement contained in this letter.

The Neal Campaign makes one core argument in its letter – that the Advertisement states (in voice) that "*Last year, Neal took more money from corporations than any other Member of Congress*", when he had actually taken more money from "corporate political action committees" than any other Member of Congress. This argument is not valid from a legal perspective – ***as on-screen during this voiceover, the Advertisement states that "Richard Neal is Number One in Corporate PAC Donations."*** The communication later specifically states that Neal is "First in Corporate PACs, last in Town Halls."

¹ The Advertisement can be found at <https://www.youtube.com/watch?v=3UDHgfXYzfQ>.

Screenshots of this are below, as is currently airing on your stations.



From this, the Neal Campaign's assertions are frivolous – it could not be clearer that the Advertisement is accusing Neal of accepting more funds from *corporate political action committees* than any other Member of Congress. Justice Democrats in no way accused the Neal Campaign of violating campaign finance law by accepting contributions from general treasuries

of corporations – it is simply highlighting a politically-sensitive (but legally permissible) practice.²

The Neal Campaign has not established that the Advertisement is false – to the contrary, they state that the core of the claim above is **true** – that Neal has accepted more contributions in the last year from corporate political action committees than any other Member of Congress. The Neal Campaign does not dispute this.

Since they have not properly substantiated their attempted rebuttal of the Advertisement, we trust that you will continue to air the Advertisement. Your station should continue to air Justice Democrats’ “Last” advertisement, despite the Neal Campaign’s assertions. The statements made in the Advertisement are fully substantiated.

If you have any questions regarding this letter or regarding the Advertisement, please do not hesitate to contact me at mitrani@sandlerreiff.com.

Sincerely,



David Mirani
Counsel to Justice Democrats

² See, e.g. The Atlantic, “Why So Many Democratic Candidates are Dissing Corporate PACs” (August 23, 2018), available at <https://www.theatlantic.com/politics/archive/2018/08/why-so-many-democratic-candidates-are-ditching-corporate-pacs/568267/> (last accessed August 19, 2020).