

**POLI & BALL, P.L.C.**  
ATTORNEYS AT LAW

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November 24, 2008

**VIA CERTIFIED MAIL,  
RETURN RECEIPT REQUESTED  
AND FIRST CLASS MAIL**

Mr. Joel Fox  
SCA  
P.O. Box 32045  
Mesa, Arizona 85275-2045

**Re: Request for Records Pursuant to A.R.S. § 16-904(I)**

Dear Mr. Fox:

As you know, this office has been retained as counsel to Maricopa County Recorder Helen Purcell and County Elections Director Karen Osborne in connection with the above-captioned matter to fulfill the function of the County Attorney's office pursuant to ARS §16-924. We have reviewed your undated response to our initial Request for Information. Your assertion that SCA is not a Political Committee because it was not originally organized to influence elections ignores the language of A.R.S. § 16-901(19), which includes in its definition of Political Committee "any association or combination of persons that is organized **or conducted** or combined for the purpose of influencing the result of any election. . . ." Whatever the original intent, once you made the decision to contribute SCA funds to the Arizona Republican Party, you transformed SCA into a Political Committee.

As such, it and you, as SCA's *defacto* treasurer, are subject to all of the recordkeeping requirements of A.R.S. § 16-904. The purpose of this letter is to request that pursuant to A.R.S. § 16-904(I), you provide this office copies of the records A.R.S. § 16-904(d), (F), (G) and (H) require you to preserve on behalf of SCA.

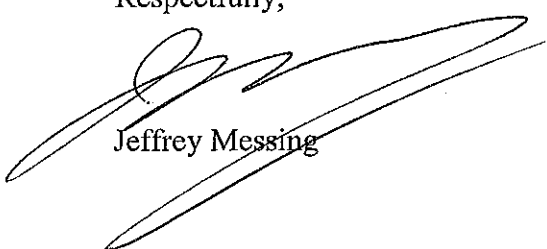
We look forward to receiving your response by the close of business on Monday, December 1, 2008. You should be aware that your failure to comply with this request could subject you to civil penalty of three times the amount of money you/SCA has received or

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expended in violation of the recordkeeping requirements of Section 16-904. *See* A.R.S. § 16-904(J).

Respectfully,



Jeffrey Messing