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4455 East Camelback Road, Suite A-205
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Holtzman Vogel Josefiak PLLC
45 North Hill Drive, Suite 100
Warrenton, VA 20186

Citizens Clean Elections Commission
1616 West Adams, Suite 110
Phoenix, AZ 85007

MUR 14-007 (Legacy Foundation Action Fund)

**LEGACY FOUNDATION ACTION FUND'S REQUEST FOR
ADMINISTRATIVE HEARING**

Respondent Legacy Foundation Action Fund (“LFAF”), by and through counsel undersigned, pursuant to A.R.S. § 41-1092.03(B) and R2-20-224 hereby appeals that probable cause finding made by the Arizona Citizens Clean Elections Commission on November 20, 2014 and the Order Notice of Appealable Agency Action issued November 28, 2014 in the above-captioned matter.

LFAF requests an administrative hearing challenging the CCEC’s determination of probable cause for reasons including, but not limited to: (1) the CCEC lacks jurisdiction over this matter; (2) LFAF’s advertisement at issue constitutes Constitutionally-protected genuine issue advocacy outside the purview of A.R.S Title 16, Chapter 6, Article 2; (3) Prior to LFAF’s advertisement, the Superior Court had ruled that A.R.S. § 16-901.01(A)’s definition of “expressly advocates” was unconstitutional; and (4) the CCEC is without statutory authority to impose civil penalties against LFAF under A.R.S. § 16-942(B).

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Brian Bergin". The signature is fluid and cursive, with the first name "Brian" being more prominent than the last name "Bergin".

Brian Bergin
Bergin, Frakes, Smalley & Oberholtzer
4455 East Camelback Road, Suite A-205
Phoenix, AZ 85018

A handwritten signature in black ink, appearing to read "Jason Torchinsky". The signature is very stylized and cursive, with the first name "Jason" being the most legible part.

Jason Torchinsky
Holtzman Vogel Josefiak PLLC
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