

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

FEDERAL ELECTION COMMISSION,

Plaintiff,

vs.

CASE NO.: 3:10-CV-01155-RBD-JRK

SAM KAZRAN a/k/a Sam Khazrawan,

Defendant.

STIPULATED ORDER AND CONSENT JUDGMENT

Upon the consent of the parties, the Court makes the following findings and conclusions:

1. During the relevant time, 11-2001 LLC d/b/a/ Hyundai of North Jacksonville (“HNJ”) was a car dealership located in Jacksonville, FL. Sam Kazran (“Kazran” or “Defendant”) owned 49% of HNJ and operated the dealership. Vernon G. Buchanan owned the remaining 51% of HNJ through 1099 Management Company, LLC.
2. In 2005, Buchanan began his campaign for the 2006 election to Congress in Florida’s 13th Congressional District. Vern Buchanan for Congress (the “Buchanan Campaign”) was Buchanan’s principal campaign committee during the 2006 and 2008 election cycles.
3. In 2005, Kazran instructed HNJ employees to contribute to the Buchanan Campaign and authorized their reimbursement for such contributions with HNJ funds. Kazran authorized HNJ’s reimbursement of \$16,800 in contributions to the Buchanan Campaign in 2005.
4. In 2006, Kazran instructed HNJ employees and others to contribute to the Buchanan Campaign and authorized those individuals’ reimbursement for such contributions with HNJ funds. Kazran authorized HNJ’s reimbursement of \$32,700 in contributions to the Buchanan Campaign in 2006.
5. In 2007, Kazran instructed HNJ employees to contribute to the Buchanan Campaign and authorized their reimbursement for such contributions with HNJ funds. Kazran authorized HNJ’s reimbursement of \$18,400 in contributions to the Buchanan Campaign in 2007.
6. In total, Kazran authorized HNJ’s reimbursement of \$67,900 in purported individual contributions to the Buchanan Campaign, and Kazran instructed HNJ employees and others to make these contributions in their own names.

7. Defendant argues that:
 - a. Congressman Buchanan was the president and managing member of defendant HNJ and completely controlled said entity.
 - b. Congressman Buchanan had a commanding knowledge of election laws far superior to that of the minority owner, Kazran, who had no knowledge of election laws.
 - c. Accordingly, it was only without knowing that any laws may have been unintentionally violated, that Kazran instructed HNJ's employees as set forth above.
8. Based on the foregoing, Defendant Kazran does not admit liability but has entered into this consent judgment to avoid the costs and risks of further litigation.
9. Nevertheless, the Federal Election Campaign Act provides that "[n]o person shall make a contribution in the name of another person." 2 U.S.C. § 441f. The prohibition encompasses "[k]nowingly help[ing] or assist[ing] any person in making a contribution in the name of another," 11 C.F.R. § 110.4(b)(1)(iii), as well as the undisclosed reimbursement of another person for his purported contribution. *Id.* § 110.4(b)(1)(iv)(2).
10. Accordingly, the parties have consented to entry of a judgment for Plaintiff and against Defendant for a non-knowing and non-willful violation of 2 U.S.C. § 441f for the following amounts on the following terms:
 - a. Defendant's counsel, Stok, Folk & Kon will disburse to Plaintiff the \$3000 that Defendant previously deposited into the trust account designated pursuant to the parties' stipulation within five business days from the date of entry of this judgment and Defendant will pay to Plaintiff 25 monthly payments of \$100 per month beginning 30 days from the date of entry of this judgment; provided however, Defendant can satisfy this judgment by paying a total of \$5000 to Plaintiff on or before March 31, 2012.
 - b. If Defendant fails to timely pay any sum due under this judgment and fails to cure the default within five business days of delivery of a notice of default by Plaintiff to Defendant by e-mail at kazran52@aol.com and to Defendant's counsel of record by e-mail and/or facsimile, the Court will enter a final judgment against Defendant for \$20,000 less any sums paid by Defendant under this judgment upon the filing of an affidavit of default by Plaintiff and after five business days notice to Defendant and his counsel as set forth above.
11. Plaintiff accepts the foregoing civil penalty amount because of evidence that Defendant's liabilities exceed his assets.

Based on the foregoing findings,

1. Defendant is liable to Plaintiff for a non-knowing and non-willful violation of 2 U.S.C. § 441f for the following amounts on the following terms:
 - a. Stok, Folk & Kon will disburse to Plaintiff the \$3000 that Defendant previously deposited into the trust account designated pursuant to the parties' stipulation within five business days from the date of entry of this judgment and Defendant will pay to plaintiff 25 monthly payments of \$100 per month beginning 30 days from the date of entry of this judgment; provided however, Defendant can satisfy this judgment by paying a total of \$5000 to Plaintiff on or before March 31, 2012.
 - b. If Defendant fails to timely pay any sum due under this judgment and fails to cure the default within five business days of delivery of a notice of default by Plaintiff to Defendant by e-mail at kazran52@aol.com and to Defendant's counsel of record by e-mail and/or facsimile, the Court will enter a final judgment against Defendant for \$20,000 less any sums paid by Defendant under this judgment upon the filing of an affidavit of default by Plaintiff and after five business days notice to Defendant and his counsel as set forth above.
2. Except for Defendant's obligations under this Stipulated Order and Consent Judgment, Plaintiff hereby releases Defendant from any and all claims and cause of action that were the subject of this action or that relate directly or indirectly to the facts and circumstances that were the subject of this action.
3. Nothing in this Stipulated Order and Consent Judgment limits the Defendant's rights and remedies he may have under the law or equity, and Defendant specifically reserves all rights and remedies he may have against Congressman Buchanan or his related entities; provided, however, that Defendant hereby waives and releases Plaintiff from any claims or causes of action Defendant may have against Plaintiff that relate directly or indirectly to this action.

4. The Court retains jurisdiction of this case, in order to, among other things, implement and carry out the terms of all orders, including this Stipulated Order and Consent Judgment.

Respectfully submitted,

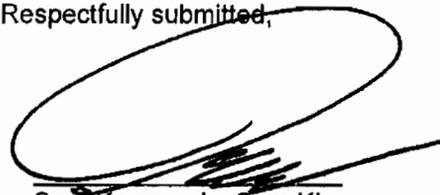
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DONE AND ORDERED in Chambers in Jacksonville, Florida, on February __, 2012.

ROY B. DALTON, JR.
United States District Judge