

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE #3531



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
12/3/2018

2018 DEC -3 AM 10: 28

SENSITIVE

December 3, 2018

MEMORANDUM

TO: The Commission

THROUGH: Alec Palmer *RP vs PAAK*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: *KDR* Kristin D. Roser/Ben Holly *BH*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Withdrawal and Resubmission of Reason To Believe Recommendation – 2018  
October Quarterly Report (Non-Election Sensitive) for the Administrative  
Fine Program

We are withdrawing the document circulated to the Commission on November 29, 2018 in order to remove two committees that filed a report which would exclude them from the administrative fine program for the 2018 October Quarterly Report. The report was received by the Commission after the RTB Recommendation was circulated, but before the vote due date.

Attached is a list of political committees and their treasurers who failed to file the 2018 October Quarterly Report (Non-Election Sensitive) in accordance with 52 U.S.C. § 30104(a). The October Quarterly Report was due on October 15, 2018.

The committees listed on the attached RTB Circulation Report either failed to file the report, filed the report no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for

reports at 11 C.F.R. 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

**Recommendation**

1. Find reason to believe that the political committees and their treasurers, in their official capacity, listed on the RTB Circulation Report violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate letters.

12/3/2018 9:19 AM

**Federal Election Commission**  
**Reason to Believe Circulation Report**  
**2018 OCTOBER QUARTERLY Not Election Sensitive 10/15/2018 H\_S\_P\_UNAUTH**

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3507	C00612796	ADAM BELL POLITICAL CAMPAIGN	ADAM BELL	LOUIS WILLIAM ZONA JR.	\$416,473	0		Not Filed	\$59,496 (est)	\$3,828
3508	C00664763	ANGIE CHIRINO FOR CONGRESS	ANGIE CHIRINO	JORGE MIRABENT	\$111,420	0		Not Filed	\$55,710 (est)	\$3,828
3509	C00670414	BILL HOPKINS FOR CONGRESS	WILLIAM E. HOPKINS JR.	WILLIAM E. HOPKINS JR.	\$224,782	0		Not Filed	\$74,927 (est)	\$3,828
3510	C00636175	BILLY KOVACS FOR CONGRESS	WILLIAM RICHARD KOVACS	BILLY KOVACS	\$144,244	0		Not Filed	\$20,606 (est)	\$667
3512	C00663104	COMMITTEE TO ELECT HP	HAMID PARVIZIAN	DOUNIA METOURI	\$213,822	0		Not Filed	\$106,911 (est)	\$6,380
3513	C00638767	CORI BUSH 2018	CORI BUSH	CORI BUSH	\$239,109	0		Not Filed	\$39,852 (est)	\$1,200
3514	C00657445	DAS FOR CONGRESS	ABHIJIT BEEJ DAS	SEAN SMITH	\$1,268,044	0		Not Filed*	\$230,664*	\$9,214
3515	C00630798	DOROTHY GASQUE FOR CONGRESS	DOROTHY GASQUE	MEGAN JONES	\$134,065	0		Not Filed	\$19,152 (est)	\$667
3516	C00661900	DOUG MCLINKO FOR CONGRESS	DOUG MCLINKO	HELEN SANTIAGO	\$216,980	0		Not Filed	\$54,245 (est)	\$3,828
3517	C00634543	DR KATHIE ALLEN FOR CONGRESS	KATHRYN ALLEN	KATHRYN ALLEN	\$1,738,475	0	11/16/2018	Not Filed**	\$1,766	\$333
3518	C00650929	ETHAN PHAM FOR CONGRESS	ETHAN PHAM	JENNY NGUYEN	\$899,086	0		Not Filed	\$179,817 (est)	\$7,797
3519	C00668137	FRIENDS OF BRENDA JONES	BRENDA JONES	STEPHEN GRADY	\$522,031	0	10/25/2018	10	\$184,605	\$3,255
3520	C00641175	FRIENDS OF EDDIE SUNDQUIST	EDWARD A. SUNDQUIST	ELLIOT S. RAIMONDO	\$238,706	0		Not Filed	\$39,784 (est)	\$1,200
3521	C00630434	FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS	EDWIN SANTANA JR.	TRACY LEE SANTANA	\$117,759	0		Not Filed	\$19,627 (est)	\$667
3522	C00661066	FRIENDS OF RAY LINSENAYER	RAYMOND LINSENAYER	DAVID HAMBURGER	\$115,969	0		Not Filed	\$38,656 (est)	\$1,200
3524	C00649285	GOLDEN FOR CONGRESS	IAN GOLDEN	IAN GOLDEN	\$208,901	0		Not Filed	\$41,780 (est)	\$1,200
3525	C00664086	HART 2020	HART P. CUNNINGHAM	HART C. CUNNINGHAM	\$677,345	0		Not Filed	\$225,782 (est)	\$9,214
3526	C00641035	JEFF BEALS FOR CONGRESS	JEFFREY BEALS	ALLEN BEALS	\$715,694	0		Not Filed	\$119,282 (est)	\$6,380
3527	C00672899	JOSH KIMBRELL FOR CONGRESS	JOSHUA BRETT KIMBRELL	FRANK ROGERS	\$764,307	0		Not Filed	\$254,769 (est)	\$11,341
3528	C00661173	L'ITALIEN FOR CONGRESS	BARBARA L'ITALIEN	ANNETTE GRAMS	\$1,683,650	0	10/26/2018	11	\$250,972	\$5,240
3529	C00674325	LIBERATORE FOR CONGRESS-2018	PHIL LIBERATORE	LOUIS BAGLIETTO JR.	\$475,899	0		Not Filed	\$158,633 (est)	\$7,797
3530	C00660126	MARK MACKENZIE FOR CONGRESS	MARK S. MACKENZIE	RONALD P. GEOFFROY	\$602,493	0	11/5/2018	21	\$18,114	\$268

12/3/2018 9:19 AM

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	RTB Penalty
3531	C00664516	MARTY GEARHEART FOR CONGRESS	MARTY GEARHEART	NISHANT GROVER	\$182,662	0		Not Filed	\$60,887 (est)	\$3,828
3532	C00668129	MORGAN DUNN FOR CONGRESS	MORGAN DUNN	CHRIS DUNN	\$248,012	0	10/22/2018	7	\$25,196	\$472
3533	C00634873	NEILL FOR ILLINOIS	NEILL MOHAMMAD	ANDREW NALL	\$426,285	0	10/29/2018	14	\$4,776	\$118
3534	C00647313	OMAR VAID FOR CONGRESS	OMAR M. VAID	OMAR VAID	\$394,840	0		Not Filed	\$65,807 (est)	\$3,828
3536	C00647560	REUBEN FOR CONGRESS	REUBEN D'SILVA	BREON KING	\$155,773	0		Not Filed	\$38,943 (est)	\$1,200
3537	C00661256	ROEL GARCIA FOR CONGRESS	ROEL GARCIA	ROCIO GARCIA	\$102,778	0		Not Filed	\$25,695 (est)	\$1,200
3538	C00640755	ROZA CALDERON FOR CONGRESS 2018	ROZA I. CALDERON	MICHAEL WILIAMS	\$129,499	1		Not Filed	\$32,375 (est)	\$1,500
3539	C00662130	SOL FLORES FOR CONGRESS	SOL FLORES	JENNIFER MAY	\$657,974	0		Not Filed	\$164,494 (est)	\$7,797
3540	C00652388	SULLIVAN FOR CONGRESS	JOE SULLIVAN	JOE SMENTEK	\$488,841	0	11/26/2018	Not Filed**	\$27,269	\$1,200
3542	C00649368	TIM RICH FOR CONGRESS	TIMOTHY A. RICH	TIMOTHY A. RICH	\$136,614	0		Not Filed	\$45,538 (est)	\$1,200
3543	C00629881	TO ELECT JENNY MARSHALL	JENNIFER MARSHALL	MONICA A. VALLIER	\$234,551	0		Not Filed	\$39,092 (est)	\$1,200
3544	C00614305	VOLUNTEERS FOR NEHLEN	PAUL NEHLEN	PAUL NEHLEN	\$405,238	0		Not Filed	\$57,891 (est)	\$3,828
3545	C00658450	VOTE SANGARI	SARGIS SANGARI	JOSEPH TAMRAZ	\$137,316	0		Not Filed	\$45,772 (est)	\$1,200
3546	C00662338	ZACH SCOTT FOR CONGRESS	ZACH SCOTT	JULIE KEMP	\$111,848	0		Not Filed	\$27,962 (est)	\$1,200

\* Per CFR § 104.18, this committee is required to file electronic reports. The committee filed the 2018 October Quarterly Report on paper; therefore, the report is considered not filed. Although not considered an acceptable filing, the financial activity on the paper report was used to calculate the committee's level of activity for the reporting period.

\*\* The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)
	)
Withdrawal and Resubmission of Reason	)
To Believe Recommendation - 2018	)
October Quarterly Report (Non-Election	)
Sensitive) for the Administrative Fine	)
Program:	)
ADAM BELL POLITICAL CAMPAIGN, and ZONA, LOUIS WILIAM JR. as treasurer;	) AF# 3507
ANGIE CHIRINO FOR CONGRESS, and MIRABENT, JORGE MR. as treasurer;	) AF# 3508
BILL HOPKINS FOR CONGRESS, and HOPKINS, WILLIAM E. JR. as treasurer;	) AF# 3509
BILLY KOVACS FOR CONGRESS, and KOVACS, BILLY as treasurer;	) AF# 3510
COMMITTEE TO ELECT HP, and METOURI, DOUNIA as treasurer;	) AF# 3512
CORI BUSH 2018, and BUSH, CORI as treasurer;	) AF# 3513
DAS FOR CONGRESS, and SMITH, SEAN as treasurer;	) AF# 3514
DOROTHY GASQUE FOR CONGRESS, and JONES, MEGAN as treasurer;	) AF# 3515
DOUG MCLINKO FOR CONGRESS, and SANTIAGO, HELEN as treasurer;	) AF# 3516
DR KATHIE ALLEN FOR CONGRESS, and ALLEN, KATHRYN DR. as treasurer;	) AF# 3517
ETHAN PHAM FOR CONGRESS, and NGUYEN, JENNY as treasurer;	) AF# 3518
FRIENDS OF BRENDA JONES, and GRADY, STEPHEN as treasurer;	) AF# 3519
FRIENDS OF EDDIE SUNDQUIST, and RAIMONDO, ELLIOT S. as treasurer;	) AF# 3520
FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS, and SANTANA, TRACY LEE as treasurer;	) AF# 3521

Federal Election Commission  
 Certification for Administrative Fines  
 December 04, 2018

Page 2

FRIENDS OF RAY LINSENAYER, and	AF# 3522
HAMBURGER, DAVID as treasurer;	
GOLDEN FOR CONGRESS, and	) AF# 3524
GOLDEN, IAN as treasurer;	)
HART 2020, and CUNNINGHAM, HART	) AF# 3525
C. as treasurer;	)
JEFF BEALS FOR CONGRESS, and	) AF# 3526
BEALS, ALLEN as treasurer;	)
JOSH KIMBRELL FOR CONGRESS, and	) AF# 3527
ROGERS, FRANK as treasurer;	)
L'ITALIEN FOR CONGRESS, and	) AF# 3528
GRAMS, ANNETTE as treasurer;	)
LIBERATORE FOR CONGRESS-2018,	) AF# 3529
and BAGLIETTO, LOUIS JR as treasurer;	)
MARK MACKENZIE FOR CONGRESS,	) AF# 3530
and GEOFFROY, RONALD P as treasurer;	)
MARTY GEARHEART FOR CONGRESS,	) AF# 3531
and GROVER, NISHANT as treasurer;	)
MORGAN DUNN FOR CONGRESS, and	) AF# 3532
DUNN, CHRIS as treasurer;	)
NEILL FOR ILLINOIS, and NALL,	) AF# 3533
ANDREW as treasurer;	)
OMAR VAID FOR CONGRESS, and	) AF# 3534
VAID, OMAR as treasurer;	)
REUBEN FOR CONGRESS, and KING,	) AF# 3536
BREON as treasurer;	)
ROEL GARCIA FOR CONGRESS, and	) AF# 3537
GARCIA, ROCIO as treasurer;	)
ROZA CALDERON FOR CONGRESS	) AF# 3538
2018, and WILIAMS, MICHAEL as	)
treasurer;	)
SOL FLORES FOR CONGRESS, and	) AF# 3539
MAY, JENNIFER as treasurer;	)
SULLIVAN FOR CONGRESS, and	) AF# 3540
SMENTEK, JOE as treasurer;	)
TIM RICH FOR CONGRESS, and RICH,	) AF# 3542
TIMOTHY A as treasurer;	)
TO ELECT JENNY MARSHALL, and	) AF# 3543
VALLIER, MONICA A as treasurer;	)
VOLUNTEERS FOR NEHLEN, and	) AF# 3544
NEHLEN, PAUL as treasurer;	)
VOTE SANGARI, and TAMRAZ, JOSEPH	) AF# 3545
MR. as treasurer;	)
ZACH SCOTT FOR CONGRESS, and	) AF# 3546
KEMP, JULIE as treasurer;	)

Federal Election Commission  
Certification for Administrative Fines  
December 04, 2018

Page 3

CERTIFICATION

I, Dayna C. Brown, Secretary and Clerk of the Federal Election Commission, do hereby certify that on December 04, 2018 the Commission took the following actions on the Withdrawal and Resubmission of Reason To Believe Recommendation - 2018 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated December 03, 2018, on the following committees:

AF#3507 Decided by a vote of 4-0 to: (1) find reason to believe that ADAM BELL POLITICAL CAMPAIGN, and ZONA, LOUIS WILLIAM JR. in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3508 Decided by a vote of 4-0 to: (1) find reason to believe that ANGIE CHIRINO FOR CONGRESS, and MIRABENT, JORGE MR. in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3509 Decided by a vote of 4-0 to: (1) find reason to believe that BILL HOPKINS FOR CONGRESS, and HOPKINS, WILLIAM E. JR. in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3510 Decided by a vote of 4-0 to: (1) find reason to believe that BILLY KOVACS FOR CONGRESS, and KOVACS, BILLY in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter.

Federal Election Commission  
Certification for Administrative Fines  
December 04, 2018

Page 4

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3512 Decided by a vote of 4-0 to: (1) find reason to believe that COMMITTEE TO ELECT HP, and METOURI, DOUNIA in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3513 Decided by a vote of 4-0 to: (1) find reason to believe that CORI BUSH 2018, and BUSH, CORI in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3514 Decided by a vote of 4-0 to: (1) find reason to believe that DAS FOR CONGRESS, and SMITH, SEAN in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3515 Decided by a vote of 4-0 to: (1) find reason to believe that DOROTHY GASQUE FOR CONGRESS, and JONES, MEGAN in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3516 Decided by a vote of 4-0 to: (1) find reason to believe that DOUG MCLINKO FOR CONGRESS, and SANTIAGO, HELEN in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3517 Decided by a vote of 4-0 to: (1) find reason to believe that DR KATHIE ALLEN FOR CONGRESS, and ALLEN, KATHRYN DR. in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3518 Decided by a vote of 4-0 to: (1) find reason to believe that ETHAN PHAM FOR CONGRESS, and NGUYEN, JENNY in her official capacity as treasurer

Federal Election Commission  
Certification for Administrative Fines  
December 04, 2018

Page 5

violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3519 Decided by a vote of 4-0 to: (1) find reason to believe that FRIENDS OF BRENDA JONES, and GRADY, STEPHEN in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3520 Decided by a vote of 4-0 to: (1) find reason to believe that FRIENDS OF EDDIE SUNDQUIST, and RAIMONDO, ELLIOT S. in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3521 Decided by a vote of 4-0 to: (1) find reason to believe that FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS, and SANTANA, TRACY LEE in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3522 Decided by a vote of 4-0 to: (1) find reason to believe that FRIENDS OF RAY LINSENAYER, and HAMBURGER, DAVID in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3524 Decided by a vote of 4-0 to: (1) find reason to believe that GOLDEN FOR CONGRESS, and GOLDEN, IAN in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3525 Decided by a vote of 4-0 to: (1) find reason to believe that HART 2020, and CUNNINGHAM, HART C. in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission  
Certification for Administrative Fines  
December 04, 2018

Page 6

AF#3526 Decided by a vote of 4-0 to: (1) find reason to believe that JEFF BEALS FOR CONGRESS, and BEALS, ALLEN in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3527 Decided by a vote of 4-0 to: (1) find reason to believe that JOSH KIMBRELL FOR CONGRESS, and ROGERS, FRANK in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3528 Decided by a vote of 4-0 to: (1) find reason to believe that L'ITALIEN FOR CONGRESS, and GRAMS, ANNETTE in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter.

Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3529 Decided by a vote of 4-0 to: (1) find reason to believe that LIBERATORE FOR CONGRESS-2018, and BAGLIETTO, LOUIS JR in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3530 Decided by a vote of 4-0 to: (1) find reason to believe that MARK MACKENZIE FOR CONGRESS, and GEOFFROY, RONALD P in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3531 Decided by a vote of 4-0 to: (1) find reason to believe that MARTY GEARHEART FOR CONGRESS, and GROVER, NISHANT in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3532 Decided by a vote of 4-0 to: (1) find reason to believe that MORGAN DUNN FOR CONGRESS, and DUNN, CHRIS in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money

Federal Election Commission  
Certification for Administrative Fines  
December 04, 2018

Page 7

penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3533 Decided by a vote of 4-0 to: (1) find reason to believe that NEILL FOR ILLINOIS, and NALL, ANDREW in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3534 Decided by a vote of 4-0 to: (1) find reason to believe that OMAR VAID FOR CONGRESS, and VAID, OMAR in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3536 Decided by a vote of 4-0 to: (1) find reason to believe that REUBEN FOR CONGRESS, and KING, BREON in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3537 Decided by a vote of 4-0 to: (1) find reason to believe that ROEL GARCIA FOR CONGRESS, and GARCIA, ROCIO in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3538 Decided by a vote of 4-0 to: (1) find reason to believe that ROZA CALDERON FOR CONGRESS 2018, and WILIAMS, MICHAEL in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3539 Decided by a vote of 4-0 to: (1) find reason to believe that SOL FLORES FOR CONGRESS, and MAY, JENNIFER in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission  
Certification for Administrative Fines  
December 04, 2018

Page 8

AF#3540 Decided by a vote of 4-0 to: (1) find reason to believe that SULLIVAN FOR CONGRESS, and SMENTEK, JOE in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3542 Decided by a vote of 4-0 to: (1) find reason to believe that TIM RICH FOR CONGRESS, and RICH, TIMOTHY A in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3543 Decided by a vote of 4-0 to: (1) find reason to believe that TO ELECT JENNY MARSHALL, and VALLIER, MONICA A in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3544 Decided by a vote of 4-0 to: (1) find reason to believe that VOLUNTEERS FOR NEHLEN, and NEHLEN, PAUL in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#3545 Decided by a vote of 4-0 to: (1) find reason to believe that VOTE SANGARI, and TAMRAZ, JOSEPH MR. in his official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission  
Certification for Administrative Fines  
December 04, 2018

Page 9

AF#3546 Decided by a vote of 4-0 to: (1) find reason to believe that ZACH SCOTT FOR CONGRESS, and KEMP, JULIE in her official capacity as treasurer violated 52 U.S.C. § 30104(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate letter. Commissioners Hunter, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

December 6, 2018  
Date

  
\_\_\_\_\_  
Dayna C. Brown  
Secretary and Clerk of the Commission



December 6, 2018

Nishant Grover, in official capacity as Treasurer  
 Marty Gearheart for Congress  
 P.O. Box 124  
 Bluefield, WV 24701

C00664516  
 AF#: 3531

Dear Mr. Grover:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file an October Quarterly Report of Receipts and Disbursements every calendar year. This report, covering the period July 1, 2018 through September 30, 2018, shall be filed no later than October 15, 2018. 52 U.S.C. § 30104(a). Because records at the Federal Election Commission ("FEC") indicate that this report was not filed within thirty (30) days of the due date, the report is considered not filed for the purpose of calculating the civil money penalty. You should file this report if you have not already done so.

The Act permits the FEC to impose civil money penalties for violations of the reporting requirements of 52 U.S.C. § 30104(a). 52 U.S.C. § 30109(a)(4). On December 4, 2018, the FEC found that there is reason to believe ("RTB") that Marty Gearheart for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) by failing to file timely this report on or before October 15, 2018. Based on the FEC's schedules of civil money penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at the RTB stage is \$3,828. Please see the attached copy of the Commission's administrative fine regulations at 11 CFR §§ 111.30-111.55. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. *See* <http://www.fec.gov/af/af.shtml>. 11 CFR § 111.34. Your payment of \$3,828 is due within forty (40) days of the finding, or by January 13, 2019, and is based on these factors:

Sensitivity of Report: Not Election Sensitive  
 Level of Activity: \$60,887  
 Number of Days Late: Not Filed  
 Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Challenge the RTB Finding and/or Civil Money Penalty**

If you should decide to challenge the RTB finding and/or calculated civil money penalty, you must submit a written response to the FEC's Office of Administrative Review, 1050 First Street, NE, Washington, DC 20002. Your response must include the AF# (found at the top of page 1 under your committee's identification number) and be received within forty (40) days of the Commission's RTB finding, or January 13, 2019. 11 CFR § 111.35(a). Your written response must include the reason(s) why you are challenging the RTB finding and/or calculated civil money penalty, and must include the factual basis supporting the reason(s) and supporting documentation. The FEC strongly encourages that documents be submitted in the form of affidavits or declarations. 11 CFR § 111.36(c).

The FEC will only consider challenges that are based on at least one of three grounds: (1) a factual error in the RTB finding; (2) miscalculation of the calculated civil money penalty by the FEC; or (3) your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 CFR § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) a failure of Commission computers or Commission-provided software despite your seeking technical assistance from Commission personnel and resources; (2) a widespread disruption of information transmissions over the Internet that is not caused by a failure of the Commission's or your computer systems or Internet service provider; and (3) severe weather or other disaster-related incident. 11 CFR § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to: (1) negligence; (2) delays caused by vendors or contractors; (3) treasurer and staff illness, inexperience or unavailability; (4) committee computer, software, or Internet service provider failures; (5) failure to know filing dates; and (6) failure to use filing software properly. 11 CFR § 111.35(d).

The "failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver" of your right to present such argument in a petition to the U.S. District Court under 52 U.S.C. § 30109. 11 CFR § 111.38.

If you intend to be represented by counsel, please advise the Office of Administrative Review. You should provide, in writing, the name, address and telephone number of your counsel and authorize counsel to receive notifications and communications relating to this challenge and imposition of the calculated civil money penalty.

## **2. If You Choose Not to Pay the Civil Money Penalty and Not to Submit a Challenge**

If you do not pay the calculated civil money penalty and do not submit a written response, the FEC will assume that the preceding factual allegations are true and make a final determination that Marty Gearheart for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess a civil money penalty.

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA"), as amended by the Debt Collection Improvement Act of 1996, 31 U.S.C. § 3701 *et seq.* The FEC may take any and all appropriate

action authorized and required by the DCA, as amended, including transfer to the U.S. Department of the Treasury for collection. 11 CFR § 111.51(a)(2).

### **3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, follow the payment instructions on page 4 of this letter. Upon receipt of your payment, the FEC will send you a final determination letter.

## **NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

### **4. Partial Payments**

If you make a payment in an amount less than the calculated civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assesses upon making a final determination.

### **5. Settlement Offers**

Any offer to settle or compromise a debt owed to the Commission, including making a payment in an amount less than the calculated civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assesses upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

This matter was generated based on information ascertained by the FEC in the normal course of carrying out its supervisory responsibilities. 52 U.S.C. § 30109(a)(2). Unless you notify the FEC in writing that you wish the matter to be made public, it will remain confidential in accordance with 52 U.S.C. § 30109(a)(4)(B) and 30109(a)(12)(A) until it is placed on the public record at the conclusion of this matter in accordance with 11 CFR § 111.42.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Aimee Wechsler in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130. If you have questions regarding the submission of a challenge, please contact the Office of Administrative Review at our toll free number (800) 424-9530 (press 0, then ext. 1660) or (202) 694-1660.

On behalf of the Commission,



Caroline C. Hunter  
Chair

---

**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

In accordance with the schedule of penalties at 11 CFR § 111.43, the amount of your civil money penalty calculated at RTB is \$3,828 for the 2018 October Quarterly Report.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative Fine Program Payment form.

This penalty may also be paid by check or money order, made payable to the Federal Election Commission. It should be sent by mail to:

Federal Election Commission  
P.O. Box 979058  
St. Louis, MO 63197-9000

If you choose to send your payment by courier or overnight delivery, please send to:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**

---

FOR: Marty Gearheart for Congress

FEC ID#: C00664516

AF#: 3531

PAYMENT DUE DATE: January 13, 2019

PAYMENT AMOUNT DUE: \$3,828

**RECEIVED***By Office of the Commission Secretary at 9:11 am, Jun 08, 2020*

FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

**SENSITIVE**

June 5, 2020

**MEMORANDUM**

TO: The Commission

THROUGH: Alec Palmer *AP*  
Staff Director

FROM: Patricia C. Orrock *PCO*  
Chief Compliance Officer

Debbie Chacona *DC*  
Assistant Staff Director  
Reports Analysis Division

BY: Kristin D. Roser/Ben Holly *KDR BH*  
Reports Analysis Division  
Compliance Branch

SUBJECT: Withdrawal and Resubmission of Final Determination Recommendation – 2018 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program

We are withdrawing the document circulated to the Commission on September 24, 2019 in order to reflect updates disclosed in filings received by the Commission after the initial submission of this recommendation. On November 30, 2019, Cori Bush for Congress (AF 3513) filed an Amended 2018 October Quarterly Report that disclosed a level of activity higher than that previously reported. On November 9, 2019, Hart 2020 (AF 3525) filed a Miscellaneous Text Submission that disclosed no activity for the 2018 October Quarterly reporting period. The circulation report has been updated to reflect the level of activity and final civil money penalty amounts disclosed on the most recent filings for both committees.

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2018 October Quarterly Report (Non-Election Sensitive). The first list represents the committees that have paid the civil money penalty and the second list represents the committees that have not paid the civil money penalty. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 CFR § 111.34 and 11 CFR § 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, sixteen (16) committees disclosed a level of activity after the RTB finding which would result in a lowered civil money penalty. An overview of these cases has been provided below.

Adam Bell Political Campaign (AF 3507) disclosed no activity after the RTB finding (previously estimated to be \$59,496), which would result in no civil money penalty (fine previously assessed to be \$3,828).

Angie Chirino for Congress (AF 3508) disclosed no activity after the RTB finding (previously estimated to be \$55,710), which would result in no civil money penalty (fine previously assessed to be \$3,828).

Bill Hopkins for Congress (AF 3509) filed a Termination Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$998 (previously estimated to be \$74,927), thus the fine would be lowered from \$3,828 to \$333.

Doug McLinko for Congress (AF 3516) filed the 2018 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$31 (previously estimated to be \$54,245), thus the fine would be lowered from \$3,828 to \$31.

Ethan Pham for Congress (AF 3518) disclosed no activity after the RTB finding (previously estimated to be \$179,817), which would result in no civil money penalty (fine previously assessed to be \$7,797).

Friends of Eddie Sundquist (AF 3520) filed the 2018 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$10,259 (previously estimated to be \$39,784), thus the fine would be lowered from \$1,200 to \$667.

Friends of Edwin Santana Jr. for Congress (AF 3521) filed the 2018 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$274 (previously estimated to be \$19,627), thus the fine would be lowered from \$667 to \$274.

Friends of Ray Linsenmayer (AF 3522) disclosed no activity after the RTB finding (previously estimated to be \$38,656), which would result in no civil money penalty (fine previously assessed to be \$1,200).

Hart 2020 (AF 3525) disclosed no activity after the RTB finding (previously estimated to be \$225,782), which would result in no civil money penalty (fine previously assessed to be \$9,214).

Josh Kimbrell for Congress (AF 3527) filed the 2018 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$2,744 (previously estimated to be \$254,769), thus the fine would be lowered from \$11,341 to \$333.

Liberatore for Congress-2018 (AF 3529) disclosed no activity after the RTB finding (previously estimated to be \$158,633), which would result in no civil money penalty (fine previously assessed to be \$7,797).

Omar Vaid for Congress (AF 3534) filed the 2018 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$23,524 (previously estimated to be \$65,807), thus the fine would be lowered from \$3,828 to \$667.

Roel Garcia for Congress (AF 3537) filed the 2018 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$113 (previously estimated to be \$25,695), thus the fine would be lowered from \$1,200 to \$113.

Sol Flores for Congress (AF 3539) filed the 2018 October Quarterly Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$319 (previously estimated to be \$164,494), thus the fine would be lowered from \$7,797 to \$319.

Vote Sangari (AF 3545) disclosed no activity after the RTB finding (previously estimated to be \$45,772), which would result in no civil money penalty (fine previously assessed to be \$1,200).

Zach Scott for Congress (AF 3546) filed a Termination Report after the RTB finding and disclosed an actual level of activity which would result in a lowered civil money penalty than that assessed at RTB. The committee disclosed total receipts and disbursements of \$3,774 (previously estimated to be \$27,962), thus the fine would be lowered from \$1,200 to \$333.

For your information, one (1) committee disclosed a change in treasurer after the RTB finding. An overview of this case has been provided below.

To Elect Jenny Marshall (AF 3543) filed an Amended Statement of Organization after the RTB finding designating Jennifer Marshall as Treasurer.

### **RAD Recommendation**

- (1) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports violated 52 U.S.C. § 30104(a) and assess the final civil money penalties so indicated.

(2) Make a final determination that the political committees and their treasurers, in their official capacity, listed on the attached reports with no activity, violated 52 U.S.C. § 30104(a) and will not be assessed a civil money penalty.

(3) Send the appropriate letters.

**Federal Election Commission  
FD Circulation Report Fine Paid  
2018 OCTOBER QUARTERLY Not Election Sensitive 10/15/2018 H\_S\_P\_UNAUTH**

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
3517	DR KATHIE ALLEN FOR CONGRESS	KATHRYN ALLEN	C00634543	KATHRYN ALLEN	11/16/2018	Not Filed*	\$1,766	0	12/04/2018	\$333	\$333	3/20/2019	\$1,033**
3530	MARK MACKENZIE FOR CONGRESS	MARK S. MACKENZIE	C00660126	RONALD P. GEOFFROY	11/05/2018	21	\$18,114	0	12/04/2018	\$268	\$268	12/24/2018	\$268
3536	REUBEN FOR CONGRESS	REUBEN D'SILVA	C00647560	BREON KING		Not Filed	\$38,943 (est)	0	12/04/2018	\$1,200	\$1,200	1/17/2019	\$1,200

\* The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

\*\* The committee overpaid the civil money penalty assessed at RTB; therefore, we will issue a refund for the difference.

**Federal Election Commission**  
**FD Circulation Report Fine Not Paid**  
**2018 OCTOBER QUARTERLY Not Election Sensitive 10/15/2018 H\_S\_P\_UNAUTH**

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
3507	ADAM BELL POLITICAL CAMPAIGN	ADAM BELL	C00612796	LOUIS WILIAM ZONA JR.		Not Filed	\$0	0	12/04/2018	\$3,828	549	NONE
3508	ANGIE CHIRINO FOR CONGRESS	ANGIE CHIRINO	C00664763	JORGE MIRABENT		Not Filed	\$0	0	12/04/2018	\$3,828	549	NONE
3509	BILL HOPKINS FOR CONGRESS	WILLIAM E. HOPKINS JR.	C00670414	WILLIAM E. HOPKINS JR.		Not Filed	\$998	0	12/04/2018	\$3,828	549	\$333
3510	BILLY KOVACS FOR CONGRESS	WILLIAM RICHARD KOVACS	C00636175	BILLY KOVACS		Not Filed	\$20,606 (est)	0	12/04/2018	\$667	549	\$667
3512	COMMITTEE TO ELECT HP	HAMID PARVIZIAN	C00663104	DOUNIA METOURI		Not Filed	\$106,911 (est)	0	12/04/2018	\$6,380	549	\$6,380
3513	CORI BUSH FOR CONGRESS	CORI BUSH	C00638767	CORI BUSH	12/06/2018	Not Filed*	\$89,941	0	12/04/2018	\$1,200	549	\$1,200
3514	DAS FOR CONGRESS	ABHIJIT BEEJ DAS	C00657445	SEAN SMITH	12/26/2018	Not Filed*	\$236,589	0	12/04/2018	\$9,214	549	\$9,214
3515	DOROTHY GASQUE FOR CONGRESS	DOROTHY GASQUE	C00630798	MEGAN JONES		Not Filed	\$19,152 (est)	0	12/04/2018	\$667	549	\$667
3516	DOUG MCLINKO FOR CONGRESS	DOUG MCLINKO	C00661900	HELEN SANTIAGO	12/19/2018	Not Filed*	\$31	0	12/04/2018	\$3,828	549	\$31
3518	ETHAN PHAM FOR CONGRESS	ETHAN PHAM	C00650929	JENNY NGUYEN		Not Filed	\$0	0	12/04/2018	\$7,797	549	NONE
3520	FRIENDS OF EDDIE SUNDQUIST	EDWARD A. SUNDQUIST	C00641175	ELLIOT S. RAIMONDO	03/14/2019	Not Filed*	\$10,259	0	12/04/2018	\$1,200	549	\$667
3521	FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS	EDWIN SANTANA JR.	C00630434	TRACY LEE SANTANA	04/15/2019	Not Filed*	\$274	0	12/04/2018	\$667	549	\$274
3522	FRIENDS OF RAY LINSEN Mayer	RAYMOND LINSEN Mayer	C00661066	DAVID HAMBURGER	02/01/2019	Not Filed*	\$0	0	12/04/2018	\$1,200	549	NONE
3524	GOLDEN FOR CONGRESS	IAN GOLDEN	C00649285	IAN GOLDEN	01/31/2019	Not Filed*	\$25,367	0	12/04/2018	\$1,200	549	\$1,200
3525	HART 2020	HART P. CUNNINGHAM	C00664086	HART C. CUNNINGHAM		Not Filed	\$0	0	12/04/2018	\$9,214	549	NONE
3527	JOSH KIMBRELL FOR CONGRESS	JOSHUA BRETT KIMBRELL	C00672899	FRANK ROGERS	01/28/2019	Not Filed*	\$2,744	0	12/04/2018	\$11,341	549	\$333
3529	LIBERATORE FOR CONGRESS-2018	PHIL LIBERATORE	C00674325	LOUIS BAGLIETTO JR.	01/30/2019	Not Filed*	\$0	0	12/04/2018	\$7,797	549	NONE
3531	MARTY GEARHEART FOR CONGRESS	MARTY GEARHEART	C00664516	NISHANT GROVER		Not Filed	\$60,887 (est)	0	12/04/2018	\$3,828	549	\$3,828
3532	MORGAN DUNN FOR CONGRESS	MORGAN DUNN	C00668129	CHRIS DUNN	10/22/2018	7	\$25,196	0	12/04/2018	\$472	549	\$472
3534	OMAR VAID FOR CONGRESS	OMAR M. VAID	C00647313	OMAR VAID	04/05/2019	Not Filed*	\$23,524	0	12/04/2018	\$3,828	549	\$667
3537	ROEL GARCIA FOR CONGRESS	ROEL GARCIA	C00661256	ROCIO GARCIA	05/15/2019	Not Filed*	\$113	0	12/04/2018	\$1,200	549	\$113
3538	ROZA CALDERON FOR CONGRESS 2018	ROZA I. CALDERON	C00640755	MICHAEL WILIAMS		Not Filed	\$32,375 (est)	1	12/04/2018	\$1,500	549	\$1,500
3539	SOL FLORES FOR CONGRESS	SOL FLORES	C00662130	JENNIFER MAY	01/31/2019	Not Filed*	\$319	0	12/04/2018	\$7,797	549	\$319
3540	SULLIVAN FOR CONGRESS	JOE SULLIVAN	C00652388	JOE SMENTEK	11/26/2018	Not Filed*	\$27,269	0	12/04/2018	\$1,200	549	\$1,200
3542	TIM RICH FOR CONGRESS	TIMOTHY A. RICH	C00649368	TIMOTHY A. RICH		Not Filed	\$45,538 (est)	0	12/04/2018	\$1,200	549	\$1,200
3543	TO ELECT JENNY MARSHALL	JENNIFER MARSHALL	C00629881	JENNIFER MARSHALL		Not Filed	\$39,092 (est)	0	12/04/2018	\$1,200	549	\$1,200
3545	VOTE SANGARI	SARGIS SANGARI	C00658450	JOSEPH TAMRAZ	02/04/2019	Not Filed*	\$0	0	12/04/2018	\$1,200	549	NONE
3546	ZACH SCOTT FOR CONGRESS	ZACH SCOTT	C00662338	JULIE KEMP	05/23/2019	Not Filed*	\$3,774	0	12/04/2018	\$1,200	549	\$333

\* The committee filed their report more than thirty (30) days after the due date; therefore, the report is considered not filed.

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Withdrawal and Resubmission of Final )  
Determination Recommendation - 2018 )  
October Quarterly Report (Non-Election )  
Sensitive) for the Administrative Fine )  
Program: )  
BILL HOPKINS FOR CONGRESS, and ) AF# 3509  
HOPKINS, WILLIAM E. JR. as treasurer; )  
BILLY KOVACS FOR CONGRESS, and ) AF# 3510  
KOVACS, BILLY as treasurer; )  
COMMITTEE TO ELECT HP, and ) AF# 3512  
METOURI, DOUNIA as treasurer; )  
CORI BUSH FOR CONGRESS, and ) AF# 3513  
BUSH, CORI as treasurer; )  
DAS FOR CONGRESS, and SMITH, ) AF# 3514  
SEAN as treasurer; )  
DOROTHY GASQUE FOR CONGRESS, ) AF# 3515  
and JONES, MEGAN as treasurer; )  
DOUG MCLINKO FOR CONGRESS, and ) AF# 3516  
SANTIAGO, HELEN as treasurer; )  
DR KATHIE ALLEN FOR CONGRESS, ) AF# 3517  
and ALLEN, KATHRYN DR. as treasurer; )  
FRIENDS OF EDDIE SUNDQUIST, and ) AF# 3520  
RAIMONDO, ELLIOT S. as treasurer; )  
FRIENDS OF EDWIN SANTANA JR. ) AF# 3521  
FOR CONGRESS, and SANTANA, )  
TRACY LEE as treasurer; )  
GOLDEN FOR CONGRESS, and ) AF# 3524  
GOLDEN, IAN as treasurer; )  
JOSH KIMBRELL FOR CONGRESS, and ) AF# 3527  
ROGERS, FRANK as treasurer; )  
MARK MACKENZIE FOR CONGRESS, ) AF# 3530  
and GEOFFROY, RONALD P as treasurer; )  
MARTY GEARHEART FOR CONGRESS, ) AF# 3531  
and GROVER, NISHANT as treasurer; )  
MORGAN DUNN FOR CONGRESS, and ) AF# 3532  
DUNN, CHRIS as treasurer; )

Federal Election Commission  
 Certification for Withdrawal and  
 Resubmission of Final Determination  
 Recommendation - 2018 October Quarterly  
 Report (Non-Election Sensitive) for the  
 Administrative Fine Program  
 June 29, 2020

Page 2

OMAR VAID FOR CONGRESS, and	) AF# 3534
VAID, OMAR as treasurer;	)
REUBEN FOR CONGRESS, and KING,	) AF# 3536
BREON as treasurer;	)
ROEL GARCIA FOR CONGRESS, and	) AF# 3537
GARCIA, ROCIO as treasurer;	)
ROZA CALDERON FOR CONGRESS	) AF# 3538
2018, and WILIAMS, MICHAEL as	)
treasurer;	)
SOL FLORES FOR CONGRESS, and	) AF# 3539
MAY, JENNIFER as treasurer;	)
SULLIVAN FOR CONGRESS, and	) AF# 3540
SMENTEK, JOE as treasurer;	)
TIM RICH FOR CONGRESS, and RICH,	) AF# 3542
TIMOTHY A as treasurer;	)
TO ELECT JENNY MARSHALL, and	) AF# 3543
MARSHALL, JENNIFER as treasurer;	)
ZACH SCOTT FOR CONGRESS, and	) AF# 3546
KEMP, JULIE as treasurer;	)

CERTIFICATION

I, Laura E. Sinram, Acting Secretary and Clerk of the Federal Election Commission, do hereby certify that on June 29, 2020 the Commission took the following actions on the Withdrawal and Resubmission of Final Determination Recommendation - 2018 October Quarterly Report (Non-Election Sensitive) for the Administrative Fine Program as recommended in the Reports Analysis Division's Memorandum dated June 05, 2020, on the following committees:

AF#3509      Decided by a vote of 4-0 to: (1) make a final determination that BILL HOPKINS FOR CONGRESS, and HOPKINS, WILLIAM E. JR. in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so

Federal Election Commission  
Certification for Withdrawal and  
Resubmission of Final Determination  
Recommendation - 2018 October Quarterly  
Report (Non-Election Sensitive) for the  
Administrative Fine Program  
June 29, 2020

Page 3

indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3510 Decided by a vote of 4-0 to: (1) make a final determination that BILLY KOVACS FOR CONGRESS, and KOVACS, BILLY in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3512 Decided by a vote of 4-0 to: (1) make a final determination that COMMITTEE TO ELECT HP, and METOURI, DOUNIA in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3513 Decided by a vote of 4-0 to: (1) make a final determination that CORI BUSH FOR CONGRESS, and BUSH, CORI in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3514 Decided by a vote of 4-0 to: (1) make a final determination that DAS FOR CONGRESS, and SMITH, SEAN in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3515 Decided by a vote of 4-0 to: (1) make a final determination that DOROTHY GASQUE FOR CONGRESS, and JONES, MEGAN in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3516 Decided by a vote of 4-0 to: (1) make a final determination that DOUG MCLINKO FOR CONGRESS, and SANTIAGO, HELEN in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3517 Decided by a vote of 4-0 to: (1) make a final determination that DR KATHIE ALLEN FOR CONGRESS, and ALLEN, KATHRYN DR. in her official

Federal Election Commission  
Certification for Withdrawal and  
Resubmission of Final Determination  
Recommendation - 2018 October Quarterly  
Report (Non-Election Sensitive) for the  
Administrative Fine Program  
June 29, 2020

capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3520 Decided by a vote of 4-0 to: (1) make a final determination that FRIENDS OF EDDIE SUNDQUIST, and RAIMONDO, ELLIOT S. in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3521 Decided by a vote of 4-0 to: (1) make a final determination that FRIENDS OF EDWIN SANTANA JR. FOR CONGRESS, and SANTANA, TRACY LEE in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3524 Decided by a vote of 4-0 to: (1) make a final determination that GOLDEN FOR CONGRESS, and GOLDEN, IAN in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3527 Decided by a vote of 4-0 to: (1) make a final determination that JOSH KIMBRELL FOR CONGRESS, and ROGERS, FRANK in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3530 Decided by a vote of 4-0 to: (1) make a final determination that MARK MACKENZIE FOR CONGRESS, and GEOFFROY, RONALD P in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3531 Decided by a vote of 4-0 to: (1) make a final determination that MARTY GEARHEART FOR CONGRESS, and GROVER, NISHANT in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission  
Certification for Withdrawal and  
Resubmission of Final Determination  
Recommendation - 2018 October Quarterly  
Report (Non-Election Sensitive) for the  
Administrative Fine Program  
June 29, 2020

AF#3532 Decided by a vote of 4-0 to: (1) make a final determination that MORGAN DUNN FOR CONGRESS, and DUNN, CHRIS in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3534 Decided by a vote of 4-0 to: (1) make a final determination that OMAR VAID FOR CONGRESS, and VAID, OMAR in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3536 Decided by a vote of 4-0 to: (1) make a final determination that REUBEN FOR CONGRESS, and KING, BREON in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3537 Decided by a vote of 4-0 to: (1) make a final determination that ROEL GARCIA FOR CONGRESS, and GARCIA, ROCIO in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3538 Decided by a vote of 4-0 to: (1) make a final determination that ROZA CALDERON FOR CONGRESS 2018, and WILLIAMS, MICHAEL in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3539 Decided by a vote of 4-0 to: (1) make a final determination that SOL FLORES FOR CONGRESS, and MAY, JENNIFER in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3540 Decided by a vote of 4-0 to: (1) make a final determination that SULLIVAN FOR CONGRESS, and SMENTEK, JOE in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

Federal Election Commission  
 Certification for Withdrawal and  
 Resubmission of Final Determination  
 Recommendation - 2018 October Quarterly  
 Report (Non-Election Sensitive) for the  
 Administrative Fine Program  
 June 29, 2020

Page 6

AF#3542 Decided by a vote of 4-0 to: (1) make a final determination that TIM RICH FOR CONGRESS, and RICH, TIMOTHY A in his official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3543 Decided by a vote of 4-0 to: (1) make a final determination that TO ELECT JENNY MARSHALL, and MARSHALL, JENNIFER in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.

AF#3546 Decided by a vote of 4-0 to: (1) make a final determination that ZACH SCOTT FOR CONGRESS, and KEMP, JULIE in her official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assess the final civil money penalty so indicated; (2) send the appropriate letter. Commissioners Hunter, Trainor, Walther, and Weintraub voted affirmatively for the decision.



Attest:

**Laura Sinram**

Digitally signed by Laura  
 Sinram  
 Date: 2020.07.27 14:48:45  
 -04'00'

---

Laura E. Sinram  
 Acting Secretary and Clerk of the  
 Commission



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AF

July 30, 2020

Nishant Grover, in official capacity as Treasurer  
 Marty Gearheart for Congress  
 P.O. Box 124  
 Bluefield, WV 24701

C00664516  
 AF#: 3531

Dear Mr. Grover,

On December 4, 2018, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Marty Gearheart for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) for filing late or failing to file the October Quarterly Report. By letter dated December 6, 2018, the Commission notified you of the RTB finding and the civil money penalty calculated at the RTB stage to be \$3,828 in accordance with the schedule of penalties at 11 CFR § 111.43. Within forty (40) days of the FEC's RTB finding, you, as treasurer, were required to either transmit payment of the calculated civil money penalty or submit a written response challenging either the RTB finding or the calculated civil money penalty. You must also file the October Quarterly Report if you have not already done so.

The FEC did not receive payment of the calculated civil money penalty or a written response within the time permitted. The FEC made a final determination on June 29, 2020 that Marty Gearheart for Congress and you, in your official capacity as treasurer, violated 52 U.S.C. § 30104(a) and assessed a civil money penalty in the amount of \$3,828 in accordance with 11 CFR § 111.43. The civil money penalty is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
 Level of Activity: \$60,887  
 Number of Days Late: Not Filed  
 Number of Previous Civil Money Penalties Assessed: 0

At this juncture, the following courses of action are available to you:

**1. If You Choose to Appeal the Final Determination and/or Civil Money Penalty**

If you choose to appeal the final determination, you should submit a written petition, within thirty (30) days of receipt of this letter, to the U.S. District Court for the district in which the committee or you reside, or transact business, requesting that the

MARTY GEARHEART FOR CONGRESS

Page 2 of 4

final determination be modified or set aside. See 52 U.S.C. § 30109(a)(4)(C)(iii). Your failure to raise an argument in a timely fashion during the administrative process shall be deemed a waiver of the respondents' right to present such argument in a petition to the district court under 52 U.S.C. § 30109. 11 CFR § 111.38.

**2. If You Choose Not to Pay the Civil Money Penalty and Not to Appeal**

Unpaid civil money penalties assessed through the Administrative Fine regulations will be subject to the Debt Collection Act of 1982 ("DCA") as amended by the Debt Collection Improvement Act of 1996 ("DCIA"), 31 U.S.C. § 3701 et seq. If you do not pay this debt within thirty (30) days (or file a written petition to a federal district court - see below), the Commission will transfer the debt to the U.S. Department of the Treasury ("Treasury") for collection. Within five (5) days of the transfer to Treasury, Treasury will contact you to request payment. Treasury currently charges a fee of 30% of the civil money penalty amount for its collection services. If the age of the debt is greater than or equal to two years old, Treasury will charge a fee of 32% of the civil money penalty amount for its collection services. The fee will be added to the amount of the civil money penalty that you owe. Should Treasury's attempts fail, Treasury will refer the debt to a private collection agency ("PCA"). If the debt remains unpaid, Treasury may recommend that the Commission refer the matter to the Department of Justice for litigation.

Actions which may be taken to enforce recovery of a delinquent debt by Treasury may also include: (1) offset of any payments, which the debtor is due, including tax refunds and salary; (2) referral of the debt to agency counsel for litigation; (3) reporting of the debt to a credit bureau; (4) administrative wage garnishment; and (5) reporting of the debt, if discharged, to the IRS as potential taxable income. In addition, under the provisions of DCIA and other statutes applicable to the FEC, the debtor may be subject to the assessment of other statutory interest, penalties, and administrative costs.

In accordance with the DCIA, at your request, the agency will offer you the opportunity to inspect and copy records relating to the debt, the opportunity for a review of the debt, and the opportunity to enter into a written repayment agreement.

**3. If You Choose to Pay the Civil Money Penalty**

If you should decide to pay the civil money penalty, follow the payment instructions on page 4 of this letter. You should make payment within thirty (30) days of receipt of this letter.

**NOTICE REGARDING PARTIAL PAYMENTS AND SETTLEMENT OFFERS**

**4. Partial Payments**

## MARTY GEARHEART FOR CONGRESS

Page 3 of 4

If you make a payment in an amount less than the civil money penalty, the amount of your partial payment will be credited towards the full civil money penalty that the Commission assessed upon making a final determination.

### 5. Settlement Offers

Any offer to settle or compromise a debt owed to the Commission, including a payment in an amount less than the civil money penalty assessed or any restrictive endorsements contained on your check or money order or proposed in correspondence transmitted with your check or money order, will be rejected. Acceptance and deposit or cashing of such a restricted payment does not constitute acceptance of the settlement offer. Payments containing restrictive endorsements will be deposited and treated as a partial payment towards the civil money penalty that the Commission assessed upon making a final determination. All unpaid civil money penalty amounts remaining will be subject to the debt collection procedures set forth in Section 2, above.

The confidentiality provisions at 52 U.S.C. § 30109(a)(12) no longer apply and this matter is now public. Pursuant to 11 CFR §§ 111.42(b) and 111.20(c), the file will be placed on the public record within thirty (30) days from the date of this notification.

If you have any questions regarding the payment of the civil money penalty, please contact Ben Holly at Federal Election Commission, 1050 First St., NE, Washington, DC 20002, or our toll free number (800) 424-9530 (at the prompt, press 5) or (202) 694-1130.

Sincerely,



James E. "Trey" Trainor III  
Chair

---

### ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

In accordance with the schedule of penalties at 11 CFR § 111.43, the civil money penalty is \$3,828 for the October Quarterly Report. The payment is due within 30 days of receipt of this letter.

You may remit payment by ACH withdrawal from your bank account, or by debit or credit card through Pay.gov, the federal government's secure portal for online collections. Visit [www.fec.gov/af/pay.shtml](http://www.fec.gov/af/pay.shtml) to be directed to Pay.gov's Administrative

MARTY GEARHEART FOR CONGRESS

Page 4 of 4

Fine Program Payment form. Please use the details below to complete the required fields. For additional payment options, please contact Ben Holly in the Reports Analysis Division at our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

COMMITTEE NAME: Marty Gearheart for Congress

FEC ID#: C00664516

AF#: 3531

PAYMENT AMOUNT DUE: \$3,828

THIS IS THE END OF ADMINISTRATIVE FINE CASE #3531