



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Dr. Daniel R. Hightower
1915 State Street
Nashville, TN 37203

November 29, 2000

Dear Dr. Hightower:

Thank you for your letter and for enclosing the completed "Commitment to Submit Matter to ADR Program" form. We have reviewed your case, MUR 5033, and have accepted it for processing in the FEC's ADR program.

The first phase of the program is the negotiation stage. If you have decided not to represent yourself, we suggest that you designate a representative-('s) with authority to engage in negotiations on your behalf with authorization to settle the matter under discussion. The objective of the negotiations, during which I will represent the FEC, will be to achieve a mutually agreeable settlement of the complaint. Our aim during the negotiations will be to promote compliance with the Act while achieving an amicable resolution of the issues.

After you receive this letter, you or your designated representative-('s) should be in touch with this office to select a day and time for the negotiations. While we would welcome the opportunity to sit down in Washington, D.C., with you or your designated representative-('s) to negotiate an agreement, we are prepared to address this matter and work to resolve it over the phone. Please let us hear from you within the next two weeks so that we may concur in the day, time and place for our negotiations. We anticipate that the negotiations will take no more than an hour.

In the event that we are unable to arrive at a settlement of this matter, we will proceed by mutual agreement to Mediation. The Mediation process is described in the material that accompanied our initial letter. If we proceed to Mediation, we will submit 3 names from a list of 15 Mediators who were selected, based on their extensive experience in the private sector, to serve on a panel especially prepared to handle FECA disputes. To assist you in selecting the Mediator for your case, the names of the panel members will be accompanied by brief biographical sketches. While the Mediators are prepared to assist us in resolving this matter, they neither have the authority nor inclination to resolve it for us. That is a matter entirely in our hands.

If you have any questions about the ADR program or the negotiation or mediation procedures please let us hear from you. In the meantime, we look forward to hearing from you and concluding this matter expeditiously.

Sincerely,

Allan D. Silberman,
Director, ADR Office

c.c. Andrew F. Herman, Esq.