



FEDERAL ELECTION COMMISSION  
999 E Street, N.W.  
Washington, DC 20463

1395  
Gregory M. Harvey, Esq.  
Montgomery, McCracken, Walker & Rhoads, LLP  
123 South Broad Street  
Philadelphia, PA 19109

May 17, 2001

Dear Mr. Harvey:

Thank you for returning the completed "Commitment to Submit Matter to ADR Program" form to this office. As we previously noted, the case has been designated ADR 016 and should be referenced in all correspondence with the Commission.

The first phase of the program is the negotiation stage. If you will be representing the Robert Casey, Jr. for Auditor General Committee and its treasurer, Thomas Ostrowski, please ensure that you are prepared to negotiate on their joint behalf. If you will not be representing the Committee and Mr. Ostrowski, someone should be designated as their representative with authorization to settle the matter. The objective of the negotiations, during which I will represent the FEC, will be to achieve a mutually agreeable settlement of the issues while promoting compliance with the Act.

After you receive this letter, you or the designated representative 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 a selected representative to negotiate an agreement, we are ready to address this matter and work to resolve it over the phone. Please let us hear from you at your earliest convenience but no later than the next two weeks so that we may concur in the day, time and place for our negotiations. We anticipate that the negotiations should 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 please let us hear from you. In the meantime, I look forward to hearing from you and concluding this matter expeditiously.

Sincerely,



Allan D. Silberman,  
Director, ADR Office

c.c. Gregory M. Harvey, Esq ✓  
Montgomery, McCracken, Walker & Rhoads, LLP

Mr. Stephen D. Dobrosky, Treasurer  
Ed O'Brien for Congress