



**Federal Election Commission
Washington, DC 20463**

August 16, 2001

Jim Tiemersma
Tiemersma Dairy
29981 Road 60
Visalia, CA 93291

Re: **ADR 027 (MUR 5062)**

Dear Mr. Tiemersma:

Enclosed please find a signed copy of the agreement between Tiemersma Dairy and the Federal Election Commission (FEC/Commission) regarding ADR 027 (MUR 5062). The agreement was approved by the Commission on August 14, 2001.

I need to remind you that the settlement agreement, along with the exchange of correspondence, will be made part of the public record. The FEC is obligated by federal statute to put settlement agreements on the public record. 11 C.F.R. § 111.20(b). Accordingly, the appropriate portions of this file will be forwarded to the Commission's Public Information Office to be placed on the public record.

This agreement resolves the matter that was brought to the attention of the FEC by David Plouffe, Executive Director of the Democratic Congressional Campaign Committee, regarding an alleged violation of the federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually satisfactory conclusion.

Sincerely,

**Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office
202-694-1665**

Enclosure: Agreement

Recipients: Friends & Farmers for Rich Rodriguez for Congress, Craig Boone, Treasurer
Rich Rodriguez Panoche Ginning Company
Danell Brothers, Inc. The Grapery
Tres Panoche Land Company Tiemersma Dairy
Sierra Vista Pharmacy Richard D. Altinus, Esq., Manzanillo Ranch
Willemina Dairy Paul Sullivan, Esq., Gilkey Enterprises
Peggy Stefanopoulos Kathryn E. Donovan, Esq.,
GWF Power Systems Co., Inc.



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Case Number: ADR 027
Source: MUR 5062
Case Name: Friends and Farmers for
Rich Rodriguez for Congress, et al.

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by David Plouffe, Executive Director, Democratic Congressional Campaign Committee. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, ("FECA") and resolve this matter, the Federal Election Commission ("Commission") entered into negotiations with Jim and Pete Tiemersma, representing Tiemersma Dairy ("respondent"). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and respondent addressed all the issues raised in this matter. The parties agreed to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondent. The Commission's use of alternative dispute resolution procedures (ADR) is authorized in "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. Respondent voluntarily entered into this agreement with the Commission.
3. Complainant alleged that Tiemersma Dairy may be a corporation which made a \$200 contribution to the Friends and Farmers for Rich Rodriguez for Congress Committee. The FECA states that no corporation shall make a contribution or expenditure in connection with any election for Federal office. 2 U.S.C. § 441b.
4. Respondent acknowledged that such a contribution was made, but as Tiemersma Dairy is a partnership, and not a corporation, the contribution was legal. Written attribution was provided showing twenty-five percent (25%) portions for each of the four partners. Respondent maintained that the FECA, and relevant regulations, were not violated, and requested the Commission dismiss this matter.

5. After a review of the complaint and response, the Commission determined that any alleged violation of the FECA was unsubstantiated, and agreed to dismiss the matter.
6. This agreement shall become effective on the date signed by the respondent and approved by the Commission.
7. This Negotiated Settlement constitutes the entire agreement between Tiemersma Dairy and the Commission on ADR 027 (MUR 5062), and effectively resolves this matter. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Allan D. Silberman, Director
Alternative Dispute Resolution Office

By: Lynn M. Fraser
Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office

8-14-01
Date Signed

FOR THE RESPONDENT:

Jim Tiemersma
Jim Tiemersma
Tiemersma Dairy

June 5 '01
Date Signed