



**Federal Election Commission
Washington, DC 20463**

August 16, 2001

**Marigail Danell
Danell Brothers, Inc.
8265 Hanford-Armona Road
Hanford, CA 93230**

Re: ADR 027 (MUR 5062)

Dear Ms. Danell:

Enclosed please find a signed copy of the agreement between Danell Brothers, Inc. 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. Altimus, Esq., Manzanillo Ranch
Willemina Dairy	Paul Sullivan, Esq., Gilkey Enterprises
Peggy Stefanopoulos	Kathryn E. Donovan, Esq.,
	GWF Power Systems Co., Inc.

21.19.025.1063



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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 Marigail Danell, representing Danell Brothers, Inc. ("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 Danell Brothers, Inc. made a \$200.00 contribution from corporate funds to Friends and Farmers for Rich Rodriguez for Congress Committee in violation of the FECA. The FECA states that it is unlawful for a corporation to make a contribution or expenditure in connection with any election for Federal office. 2 U.S.C. § 441b.
4. Respondent acknowledged that a contribution was made based on the belief that the contribution was legal. Respondent received a full refund of the contribution. In an effort to resolve this matter, respondent agreed to issue a corporation directive by July 1, 2001 to senior management concerning the FECA prohibition on

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corporations making contributions or expenditures in connection with any election for Federal office.

5. The parties agreed that if Respondent fails to comply with the terms of this settlement, the Commission may undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
6. This agreement shall become effective on the date signed by respondent and approved by the Commission.
7. This Negotiated Settlement constitutes the entire agreement between the respondent Danell Brothers, Inc. 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, Assistant Director
Alternative Dispute Resolution Office

8-14-01
Date Signed

FOR THE RESPONDENT:


Marigail Danell
Danell Brothers, Inc.

6-5-01
Date Signed

DANELL BROS., INC.
CORPORATION DIRECTIVE
JUNE 4, 2001

THIS DIRECTIVE IS TO MAKE ALL OFFICERS AND SHAREHOLDERS OF DANELL BROS., INC. AWARE THAT THE FEDERAL ELECTION CAMPAIGN ACT (FECA) PROHIBITS ANY CORPORATION FROM MAKING A CONTRIBUTION OR EXPENDITURE TOWARDS ANY ELECTION FOR FEDERAL OFFICE.

THE UNDERSIGNED, BEING THE OFFICERS AND SHAREHOLDERS OF DANELL BROS., INC., DO HEREBY ACKNOWLEDGE THAT THEY HAVE READ AND UNDERSTAND THE ABOVE DIRECTIVE AND WILL ABIDE BY IT IN THE FUTURE.



DANNY DANELL, SHAREHOLDER
PRESIDENT



MIKE DANELL, SHAREHOLDER
VICE-PRESIDENT



MARIJAIL DANELL, SECRETARY
TREASURER

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