



FEDERAL ELECTION COMMISSION
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John A. Nadas, Esq.
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Exchange Place
53 State Street
Boston, MA 02109

April 6, 2001

Re: ADR 038

Dear Mr. Nadas:

The Federal Election Commission (FEC) has received the responses to our letter regarding the complaint filed against Dennis and Bernadette Kearney, the Kennedy for Senate 2000 Committee, the Markey for Congress Committee, the Richard E. Neal for Congress Committee and Choate, Hall & Stewart. The Commission has reviewed the replies and voted to refer the matter to the Alternative Dispute Resolution (ADR) Office. This case has been assigned the following number, ADR 038 (MUR 5093). Please refer to this number in all future correspondence.

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The FEC established the ADR program to provide an informal means for resolving complaints and to negotiate directly with respondents. The ADR program provides respondents with an opportunity to negotiate, and if necessary, mediate settlement of a complaint that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If the negotiations and/or mediation are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR office, determined that your case is eligible for processing in that program. To be considered for ADR processing, i.e., negotiation and/or mediation, you must: 1) indicate a willingness to have your case submitted to the ADR process; 2) agree to participate in the bilateral negotiations and, if necessary, mediation; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program. Additional information about the ADR program is provided in the enclosed material.

If after reviewing the material, you would like your case to be identified for ADR processing, you need to affirmatively indicate that desire on the enclosed form. **Failure to respond affirmatively within fifteen (15) days of receipt of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be returned to the Commission's Office of General Counsel.

If you have any questions about the ADR program please contact the ADR office at 202-694-1670.

Sincerely,

Allan D. Silberman,
Director, ADR Office

Enclosure:

- 1 ADR Booklet
- 2 ADR Commitment Statement