



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

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Case Number: ADR 050B  
Source: MUR 5139  
Case Name: Friends of Tim Johnson

### **NEGOTIATED SETTLEMENT**

This matter was initiated by a signed, sworn and notarized complaint filed by David Plouffe, on behalf of the Democratic Congressional Campaign Committee. Following a review of the record and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended ("the FECA"), and to resolve this matter, the Federal Election Commission ("Commission") entered into negotiations with William J. McGinley, Esq., representing Friends of Tim Johnson and James Bray, treasurer ("the Respondents"). 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 the Respondents have addressed all the issues raised in this matter. The parties have agreed to resolve the matter according to the following terms:

1. The Commission has entered into this agreement as part of its responsibility for administering the Federal Election Campaign Act and in an effort to promote compliance of the FECA on the part of the Respondents. The Commission's use of ADR procedures 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. Respondents have voluntarily entered into this agreement with the Commission.
3. The complaint alleges that the Respondents accepted on October 11, 2000 contributions aggregating \$2,200 from the Livingston County (IL) Republican Central Committee for the November 2000 general election. No candidate or political committee shall knowingly accept any contribution in violation of the section of the FECA that prohibits contributions from persons, including committees, that in the aggregate, exceed \$1,000. 2 U.S.C. § 441a(f) and 2 U.S.C. § 441a(a)(1)(A).
4. The Livingston County Republican Central Committee, a local party committee, which is neither registered with the FEC nor a multi-candidate party committee, after learning that they had exceeded the statutory limits for committee contributions, requested and subsequently received a refund of the \$1,200.
5. Respondents acknowledge accepting the subject contributions and in order to avoid similar errors in the future agree that a representative of the Respondents will attend,

during the next twelve months, a Commission sponsored seminar in Washington D.C. for candidate campaign committees.

6. The parties agree that if the Respondents fail 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.
7. This agreement will become effective on the date signed by all the parties and approved by the Commission.
8. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 050B/MUR 5139 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.

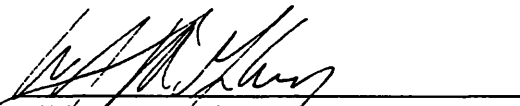
FOR THE COMMISSION:

Allan D. Silberman,  
Director, Alternative Dispute Resolution Office

  
\_\_\_\_\_  
Allan D. Silberman

12-11-01  
\_\_\_\_\_  
Date

FOR THE RESPONDENTS:

  
\_\_\_\_\_  
William J. McGinley, Esq.  
Representing Friend of Tim Johnson  
and James Bray, treasurer

12-10-2001  
\_\_\_\_\_  
Date

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