



**Federal Election Commission
Washington, DC 20463**

Case Number: ADR 053
Source: MUR 5179
Case Name: Lazio 2000, Inc. and
Anthony J. Picirillo, Treasurer

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by John L. Williams. 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 Michael M. Moriarty, Esq. and Thomas Manisero, Esq., representing Lazio 2000, Inc. and Anthony J. Picirillo as Treasurer ("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 respondents addressed the issues raised in this complaint. The parties agree 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 respondents. 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. Respondents voluntarily enter into this agreement with the Commission.
3. Complainant alleges that respondents failed to pay in full for services rendered by John L. Productions to respondents during the 2000 campaign. He further alleges that the Respondents' 30 Day Post General Report listed in the "Balance on Close" column the debt owed to John L. Productions as being in dispute. Complainant alleges that the debt was not in dispute and should be paid as invoiced.
4. The FECA requires each treasurer of a political committee to file reports of receipts and disbursements in accordance with the schedule set out in

the statute. 2 U.S.C. § 434(a). Treasurers are also required to report the amount and nature of outstanding debts and obligations owed by or to such political committee; and where such debts and obligations are settled for less than their reported amount or value, a statement as to the circumstances and conditions under which such debts or obligations were extinguished and the consideration therefor. 2 U.S.C. § 434(b)(8), *see also* 11 C.F.R. § 104.3(d).

5. Debts and obligations owed by or to a political committee which remain outstanding shall be continuously reported until extinguished. 11 C.F.R. § 104.11. Political committees must report disputed debts in accordance with 11 C.F.R. § 104.3(d) and § 104.11 if the creditor provided something of value to the committee. Until the dispute is resolved, the committee shall disclose on the appropriate reports the amounts paid to the creditor, any amount the political committee admits it owes and the amount the creditor claims is owed. In addition, if a terminating committee and a creditor have been unable to resolve a disputed debt, and the terminating committee files a debt settlement plan covering other debts or other creditors, the terminating committee shall include in the debt settlement plan a brief description as to the nature of the dispute and the status of the terminating committee's efforts to resolve the dispute. 11 C.F.R. § 116.10.
6. Respondents acknowledge that John L. Productions provided services to respondents during the 2000 campaign. Respondents paid \$50,000 on November 9, 2000 on the outstanding debt. Respondents maintain that since some of the charges included in the invoice for \$253,581.93 from John L. Productions were inaccurate, the balance was listed as in dispute as required by the FECA on the 30 Day Post General Report filed December 7, 2000. Specifically, respondents claim that the invoice contained numerous improper items such as fuel charges, laundry charges, food receipts, unauthorized airfare expenses, auto rental charges, CD players, and other personal items. There was a bona fide disagreement as to the amount owed by respondents, and thus it was listed as being in dispute. Respondents continue to report this debt as disputed and will do so until agreement is reached with John L. Productions, or the review of a debt settlement plan including this obligation is completed by the Commission pursuant to 11 C.F.R. § 116.7.
7. Following review of the complaint, respondents' reply and reports filed with the Commission, the ADR Office finds nothing to substantiate a reporting violation of the FECA as alleged in the complaint that is the subject of this case. Accordingly, the Commission concurs by dismissing this matter.

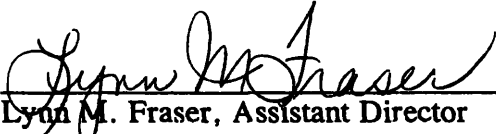
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8. This agreement shall become effective on the date signed by all parties and approved by the Commission.
9. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 053 (MUR 5179), and effectively resolves this matter. 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

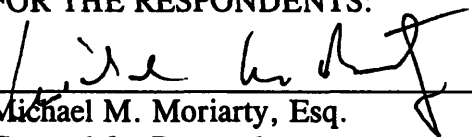
By:



Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office

03/21/02
Date Signed

FOR THE RESPONDENTS:



Michael M. Moriarty, Esq.
Counsel for Respondents

11/28/02
Date Signed