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Federal Election Commission  
Washington, DC 20463

**MEMORANDUM**

**SENSITIVE**

TO: The Commission

THROUGH: James A. Pehrkon *Not for file*  
Staff Director

FROM: Allan D. Silberman *[Signature]*  
Director, ADR Office

BY: Lynn M. Fraser *[Signature]*  
Assistant Director, ADR Office

SUBJECT: Negotiated Settlement ADR 156  
Conservative Leadership PAC and David Fenner, Treasurer

DATE: July 26, 2004

Attached for your review is a signed agreement for ADR 156 (RAD 04-02) - Respondents Conservative Leadership PAC and David Fenner, Treasurer. This case originated with a referral from RAD on February 9, 2004, and was assigned to the ADR Office on March 4, 2004.

**ADR 156/RAD 04-02:** RAD made the referral as Respondents failed to disclose contributor information for approximately 79% of contributions received from individuals itemized on reports covering the 2001-2002 election cycle. Respondents also failed to provide adequate purposes for \$51,816.60 in disbursements disclosed during the same period. Respondents attempted to file amended paper reports in July 2003, but as Respondents met the electronic filing threshold in 2001, they were required to file electronically. Respondents were also required to file an amended Statement of Organization when their address changed.

Respondents contend that the violations occurred due to difficulties with filing software provided by a consultant. Respondents stated that the original files, with information about contributors, were never returned to them by the consultant.

Respondents sent a check for the civil penalty with the executed agreement.

**ADR Director's Recommendation:** We recommend that the Commission approve the negotiated settlement for ADR 156, and that we subsequently close the file on this matter and send the appropriate letters.

*Silberman*



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Tuesday, July 27, 2004 4:00

BALLOT DEADLINE: Wednesday, August 04, 2004 4:00

COMMISSIONER: MASON, McDONALD, SMITH, THOMAS, TONER, WEINTRAUB

SUBJECT: **Negotiated Settlement: ADR 156/RAD 04-02  
Conservative Leadership PAC and David  
Fenner, Treasurer. Memorandum from the  
Director, ADR Office dated July 26, 2004.**

- ( ) I approve the recommendation(s)
- ( ) I object to the recommendation(s)
- ( ) I am recused from voting.

COMMENTS: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

A definite vote is required. All ballots must be signed and dated. Please return  
ONLY THE BALLOT to the Commission Secretary. Please return ballot no later  
than date and time shown above.

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION