



FEDERAL ELECTION COMMISSION
Washington, DC 20463

December 13, 2004

MEMORANDUM

TO: The Commission

THROUGH: James A. Pehrkon
Staff Director

FROM: Allan D. Silberman
Director, ADR Office

SUBJ: Negotiated Settlement: **ADR 162**

Attached for your review is a signed negotiated ADR settlement agreement, **ADR 162** MUR 5412, respondents Carol Moseley Braun for President and Moti Agarwal, Treasurer ("the Respondents"). This case file was opened on February 18, 2004 and assigned to the ADR office on April 21, 2004.

ADR 162: The complaint alleges that the Respondents failed to report on its 2003 Year End Report a debt owed for consulting services performed in October and November 2003. The Complainant, a former consultant to the Braun Committee, contends that the Respondents should have reported a debt of \$1,950 representing the balance due for services rendered. Respondents argue that there is no debt owed the Complainant and therefore, no need to report one. They acknowledged paying the Complainant \$13,750 for services rendered. However, they contend that the Complainant did not provide any evidence to support his claim. Respondents note that they are in the process of reviewing the Complainant's records and indicate they are prepared to amend their report if some evidence or support for the claim is found or provided.

Recommendation: We recommend that the Commission approve the attached negotiated agreement **ADR 162** and subsequently close the file on this matter.