




FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

February 4, 2005

TO: The Commission

THROUGH: James A. Pehrkon
Staff Director

FROM: Allan D. Silberman 
Director, ADR Office

SUBJ: Negotiated Settlement: **ADR 209**

Attached for your review is a signed negotiated ADR settlement agreement, **ADR 209** (MUR 5483), respondents Bruderly for Congress and David Bruderly, Treasurer (the "Respondents"). This case file was assigned to the ADR office on November 22, 2004.

ADR 209/MUR 5483: Complainant alleges that Respondents filed a false and misleading report with the Commission when it submitted its April 2004 Quarterly report. The subject report, which according to Respondents was filed five days late, lists 0 receipts and 0 expenditures for the first three months of the year. In a supplemental submission, Complainant argues Respondents erroneously listed on the July 2004 Quarterly report contributions for the Quarter of \$16,600.59 and total contributions for the election cycle of \$81,939.00. This was after reporting total contributions for the election cycle of \$26,076.41 on the first quarterly report for 2004. The complaint further contends that Respondents listed on the April 2004 Quarterly report \$44,331.26 in total disbursements for the election cycle and \$16,562.81 for disbursements for the quarter on the July 2004 Quarter report. This was after Respondents had reported 0 total disbursements for first quarter of 2004. The Complainant points out that the latter listing represents a reduction in total disbursements for the quarter of \$27,768.45. The Complainant also notes that Respondents second quarter 2004 report listed total disbursements of \$16,562.81 for the quarter as well as for the election cycle although the previous quarterly report listed total disbursements of \$44,331.26. Respondents contend that they filed as accurately and as quickly as possible and are unable to explain the discrepancies between the information reported and that which forms the basis of the complaint.

Recommendation:

We recommend that the Commission approve the attached negotiated agreement **ADR 209** and subsequently close the file on this matter.

25-19-006-0325