



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

February 22, 2005

TO: The Commission

THROUGH: James A. Pehrkon
Staff Director

FROM: Allan D. Silberman,
Director, ADR Office

SUBJ: Negotiated Settlement: ADR 215

Attached for your review is a signed negotiated ADR settlement agreement, **ADR 215** (MUR 5593), Jack Davis for Congress and Robert Davis, Treasurer (the "Respondents"). This matter was opened on August 29, 2004 and assigned by the Commission to the ADR Office ("ADRO") on January 4, 2004.

ADR 215/MUR 5593: Complainant contends that Respondents, i.e., Jack Davis for Congress, Jack Davis, and Robert Davis, Treasurer, failed to include disclaimers on campaign material distributed by the Davis campaign committee. The complaint claims that the Committee's mailings, web site, and newspaper advertisements either did not contain the appropriate disclaimer notice or those that did contain some notification did not conform to the requirement of the regulations. Respondents contend that the Committee complied with the "spirit of the law" but acknowledged errors for failing to place disclaimer notices in a printed box as required. Respondents also contend that while some direct mail pieces failed to advise that they were "paid for by Jack Davis", the letters did have his signature.

ADR Director's Recommendation:

- 1) Approve the attached negotiated agreement, **ADR 215**, and subsequently close the file on this matter;
- 2) Dismiss the complaint against Jack Davis and close the file on this matter.