



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

SECRET

2005 JUL -6 A 9:55

MEMORANDUM

July 5, 2005

TO: The Commission

THROUGH: James A. Pehrkon
Staff Director

FROM: Allan D. Silberman
Director, ADR Office

BY: Lynn M. Fraser
Assistant Director, ADR Office

SUBJECT: ADR 249 Freshmen PAC and David Metzner, Treasurer
Recommendation to approve Settlement Agreement

SENSITIVE

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to ADR 249 (RR 05L-05), Freshmen PAC and David Metzner, Treasurer ("Respondents" or "Committee"). This case was opened on February 8, 2005 and was assigned to the ADR Office on April 26, 2005.

SUMMARY: RAD referred the Freshmen PAC due to the fact that Respondents filed an amended 2004 July Quarterly Report on August 20, 2004 that disclosed additional disbursements totaling \$213,423.91, a ninety-six percent (96%) increase. The original 2004 July Quarterly Report, filed on July 15, 2004, disclosed \$220,065.18 in disbursements for Other Federal Operating Expenditures. The amended report disclosed \$433,489.09 for the same category of disbursements. The Committee responded to the RFAI that two disbursements dated in June did not clear with their bank until after June 30, 2004, and thus were omitted from the 2004 July Quarterly Report in error.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of Freshmen PAC and David Metzner, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.

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Silberman

SENSITIVE



FEDERAL ELECTION COMMISSION
Washington, DC 20463

DATE & TIME OF TRANSMITTAL: Wednesday, July 06, 2005 11:00

BALLOT DEADLINE: Thursday, July 14, 2005 4:00

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

SUBJECT: **ADR 249/RR 05L-05 – Freshman PAC and David Metzner, Treasurer. Recommendation to approve Settlement Agreement. Memorandum from the Director, ADR Office dated July 5, 2005.**

- () 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

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