



**Federal Election Commission
Washington, DC 20463**

November 2, 005

Neil Reiff, Esq.
Sandler, Reiff & Young, PC
50 E Street S.E., Suite 300
Washington, DC 20003

Re: ADR 260
Democratic Executive Committee of Florida and Rudy Parker, Treasurer

Dear Mr. Reiff:

Enclosed is the signed copy of the agreement resolving the referral initiated on June 10, 2005 with the Federal Election Commission ("FEC/Commission") against Democratic Executive Committee of Florida and Rudy Parker, Treasurer ("Respondents"). The agreement for ADR 260 (AR 04-09) was approved by the Commission on November 1, 2005 – the effective date of the agreement.

Note that paragraph 9 of the agreement specifies that Respondents shall comply with the terms of this settlement within thirty (30) days of the effective date of the agreement, with the exception of term (c) which must be complied with no later than twelve (12) months after the effective date of the agreement. Please forward to this office, a statement confirming Respondents' compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6.

As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory

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responsibilities regarding violations of federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office
202-694-1665

Enclosure: Agreement

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Federal Election Commission
Washington, DC 20463

Case Number 260
Source. AR 04-09

Case Name Democratic Executive Committee of Florida

NEGOTIATED SETTLEMENT

This matter was initiated the Federal Election Commission ("Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, ("FECA") and resolve this matter, the Commission entered into negotiations with Neil Reiff, Esq., representing the Democratic Executive Committee of Florida, and Rudy Parker, Treasurer ("the Committee" or "Respondents"). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures ("ADR") is authorized in "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. Respondents voluntarily enter into this agreement with the Commission.
3. An audit of reports filed by Respondents revealed various misstatements of financial activity in 2001 and 2002. Specifically the audit disclosed misstatements of beginning cash on hand, receipts, and disbursements in calendar year 2001, and the misstatement of receipts and disbursements in calendar year 2002.
4. The FECA requires that each report a committee files must disclose the amount of cash on hand at the beginning and end of the reporting period, the total of all receipts for the reporting period and the calendar year, and the total of all disbursements for the reporting period and for the calendar year. In addition, certain transactions require itemization on Schedule A or Schedule B. 2 U.S.C. §§ 434(b)(1)-(5); 11 C.F.R. § 104.3.
5. Respondents acknowledge an inadvertent violation of FECA, and state that in response to the Interim Audit, and recommendations of the Audit staff, they filed amended reports to correct the misstatements of financial activity for the years 2001

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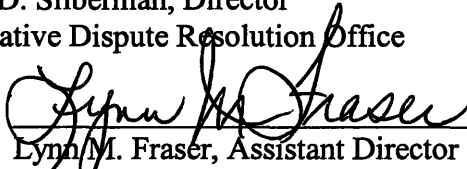
and 2002. In recognizing that the problems occurred due to rapid growth, the Committee took proactive steps to ensure future compliance. The Committee purchased and installed new compliance software, retained the services of an experienced compliance specialist, undertook monthly reconciliation of all financial activity, and contracted for an annual internal audit. In addition, Respondents contend that as a large part of the discrepancy involved non-federal payroll issues, the payroll bank account was closed, and as of January 1, 2004, all payroll is disbursed from the Committee's non-federal bank account.

- 6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) hire a comptroller/accountant; (b) hire a compliance specialist; and (c) send a representative to a FEC seminar within twelve months.
- 7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
- 8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
- 9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms within thirty (30) days from the effective date of this agreement, except compliance with term (c) shall be within twelve (12) months of the effective date of this agreement.
- 10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 260 (AR 04-09), and effectively resolves this matter. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Allan D. Silberman, Director
Alternative Dispute Resolution Office

By:



 Lynn M. Fraser, Assistant Director
 Alternative Dispute Resolution Office



 Date Signed

FOR THE RESPONDENTS:



 Neil Reiff, Esq.
 Representing the Democratic Executive Committee
 of Florida and Rudy Parker, Treasurer



 Date Signed



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADR CASE # 260

DATE SCANNED 12/21/05

SCANNER NO. 1

SCAN OPERATOR S.E.G.

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