



**Federal Election Commission  
Washington, DC 20463**

October 3, 2005

Jerry Deas, Treasurer  
Mike Lott for Congress  
511 Pine Street NW  
Magee, MS 39111-3417

Re: ADR 273  
Mike Lott for Congress and Jerry Deas, Treasurer

Dear Mr. Deas:

Enclosed is the signed copy of the agreement resolving the complaint filed on October 22, 2004 with the Federal Election Commission ("FEC/Commission") against Mike Lott for Congress and Jerry Deas ("Respondents"). The agreement for ADR 273 (MUR 5579) was approved by the Commission on September 30, 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. 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 brought to the attention of the FEC by the Gene Taylor for Congress Committee regarding an alleged violation of the

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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 273  
Source MUR 5579  
Case Name Lott for Congress Committee

## **NEGOTIATED SETTLEMENT**

This matter was initiated by a signed, sworn and notarized complaint filed by Gene Taylor for U.S. Congress. 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 Jerry Deas representing the Lott for Congress Committee and Jerry Deas, 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 complaint. 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. The Complainant, Gene Taylor for U.S. Congress, alleged that Respondents failed to file the September 15, 2004 Quarterly Report, and the October 13, 2004 Pre-General Report. The Complainant further alleges that Respondents stated to the media that the Committee received \$100,000 in contributions.
4. The federal statute and implementing regulations required that the treasurer of the principal campaign committee of a candidate for Congress must file reports disclosing the committee's financial activities according to a schedule. The FECA goes on to state that in any calendar year during which there is a regularly scheduled election for which the candidate is seeking election, the treasurer shall file the following reports: a pre-election report, which shall be filed no later than the 12<sup>th</sup> day before any election in which such candidate is seeking election, and which shall be complete as of the 20<sup>th</sup> day before such election; a post-general election report, which shall be filed no later than the 30<sup>th</sup> day after any general election in which the candidate sought election, and which shall be complete as of the 20<sup>th</sup> day after such general election; and additional quarterly reports, which shall be filed no later than the 15<sup>th</sup> day after the last day of each calendar quarter, and which shall be complete as of the last day of each calendar quarter; except that the report for the quarter ending December 31, shall

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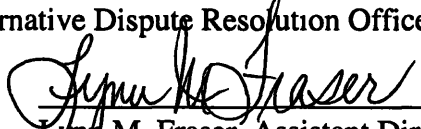
be filed not later than January 31<sup>st</sup> of the following calendar year. 2 U.S.C. § 434(a)(2),

5. Respondents acknowledge an inadvertent violation of FECA due to inexperienced staff. Respondents argued that the Complainant was incorrect in the allegations raised as there is no quarterly report due September 15. The Committee conceded that the 2004 October Quarterly, due October 15, was prepared manually and received by the Commission on October 18, 2004. When Respondents were notified by the Commission that the report must be electronically filed, Respondents filed the 2004 October Quarterly Report electronically on December 2, 2004. The late filing of the 12 Day Pre-General Report, also referenced in the complaint, was due to staff error, but was resolved by the Office of Administrative Review with the payment of a civil penalty in April 2005.
6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) work with Commission staff to terminate the committee; and (b) pay a civil penalty of \$2,000.
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 submit any unpaid civil penalty to the U.S. Treasury for collection or 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.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 273 (MUR 5579), 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

9/30/05  
Date Signed

FOR THE RESPONDENTS:

  
Jerry Deas, Treasurer  
Representing Lott for Congress Committee  
and Jerry Deas, Treasurer

9/12/05  
Date Signed

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