



FEDERAL ELECTION COMMISSION
Washington, DC 20463

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November 17, 2005

MEMORANDUM

TO: The Commission

SENSITIVE

THROUGH: Robert J. Costa 
Acting Staff Director

FROM: Allan D. Silberman 
Director, ADR Office

SUBJ: ADR 274 – Law Offices of James Sokolove
Recommendation to Approve Settlement Agreement and Dismiss Action against
John Kerry for President, Inc. and Robert Frammer, Treasurer

Attached for your review is a signed negotiated ADR settlement agreement pertaining to ADR 274/MUR 5599, Law Offices of James Sokolove (the "Respondent Sokolove"). This matter was opened on November 1, 2004 and assigned to the ADR Office on July 22, 2005.

The complaint was filed by Timothy O'Brien, Executive Director of the MA Republican Party, on behalf of Ms. Olga McKinney who received a letter from Respondent Sokolove recommending she vote for John Kerry for President ("Respondent Kerry"). The complaint alleges that Respondent Sokolove made a corporate contribution and an illegal independent expenditure when he urged McKinney to vote for John Kerry. The complaint also asserts that Respondent Kerry may have accepted a prohibited corporate contribution from Respondent Sokolove. Respondent Sokolove, a sole proprietorship, acknowledged sending approximately 17,000 letters to clients and other individuals urging they vote for John Kerry. Respondent Sokolove advised that he paid all the costs related to the subject letters, took sole responsibility for the content of the letters and neither received, nor sought assistance from any candidate or campaign committee. Respondent Sokolove acknowledged that he should have filed FEC Form 5 with the Commission, which was submitted ten days after he received the complaint. Respondent Sokolove asserted that there was no coordination or cooperation at any level with any committee associated with the Kerry campaign. Respondent Kerry asserted they had no involvement with the subject letter and urges the matter, as it pertains to Respondent Kerry, be dismissed.

Recommendations:

- 1) Approve the attached negotiated agreement with the Law Offices of James G. Sokolove.
- 2) Dismiss the matter as it pertains to the John Kerry for President, Inc. and Robert Frammer, Treasurer
- 3) Send the appropriate letters.
- 4) Close the file on this matter.

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