



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2005 NOV 18 A 9:16  
November 17, 2005

**MEMORANDUM**

**SENSITIVE**

**TO:** The Commission

**THROUGH:** Robert J. Costa   
Acting Staff Director

**FROM:** Allan D. Silberman   
Director, ADR Office

**SUBJ:** ADR 286 – Magnum for Congress and Thomas Diehl, Treasurer  
Recommendation to Approve Settlement Agreement

Attached for your review is a signed negotiated ADR settlement agreement pertaining to **ADR 286/RR 05L-33**, Magnum for Congress and Thomas Diehl, Treasurer (the “Respondents”). This matter was opened on June 30, 2005 and assigned to the ADR Office (ADRO) on August 22, 2005.

RAD determined that Magnum for Congress and Thomas Diehl, Treasurer (the “Respondents”) amended their 2004 30-Day Post General Report disclosing additional receipts totaling \$126,394.39 over the amount disclosed on the original 30-Day Post General Report. The amended report disclosing total receipts of \$140,864.39 was the second amended report filed by Respondents. The first amended 30-Day Post General Report disclosed receipts of \$119,639.39. The original 2004 30-Day Post General Report filed by Respondents disclosed total receipts of \$14,470.00. Prior to filing the initial 30-Day Post General Report, Respondents advised RAD that they were having software problems and would be unable to file the Report on time. The following month, a RFAI was sent to Respondents requesting clarification on the increase in receipts not disclosed on the Committee’s original filing. Respondents advised that the increase in activity not previously reported was due to “data base errors”. Respondents also advised that a staff member had inadvertently deleted all entries made after October 14, 2004.

**Recommendations:**

- 1) Approve the attached Settlement Agreement pertaining to Magnum for Congress and Thomas Diehl, Treasurer.
- 2) Approve the appropriate letters.
- 3) Close the file on this matter.

26190263574