



FEDERAL ELECTION COMMISSION
Washington, DC 20463

August 25, 2005

Thomas Diehl, Treasurer
Magnum for Congress
P.O. Box 1030
Madison, WI 53701

Dear Mr. Diehl:

The Reports Analysis Division (RAD) of the Federal Election Commission ("FEC" or "Commission") determined that matters arising from its recent review of reports filed by the Magnum for Congress Committee and you as Treasurer (the "Respondents") warranted further examination for possible violation of the Federal Election Campaign Act of 1971, as amended. The Commission, thereafter, reviewed the file and voted on August 22, 2005 to assign this matter to the FEC's Alternative Dispute Resolution (ADR) office for processing.

The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with respondents. The ADR Program provides respondents with an opportunity to negotiate, and if necessary, mediate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations and/or mediation are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR office, determined that the case is eligible for processing in the ADR program. If the Committee decides to participate in the Program, i.e., negotiation and/or mediation, it should: 1) indicate in writing a willingness to have their case submitted to the ADR process; 2) agree to participate in the bilateral negotiations and if necessary, mediation; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADR Office and the focus of our subsequent negotiations are described as follow:

RAD determined that 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, filed on January 30, 2005 covering the period from October 14, 2004 through November 22, 2004, disclosing total receipts of \$140,864.39, was the second amended report filed by Respondents. The first amended 30-Day Post General Report, filed on January 3, 2005, disclosed receipts of \$119,639.39. The original 2004 30-Day Post General Report filed by Respondents on December 2, 2004 disclosed total receipts of \$14,470.00.

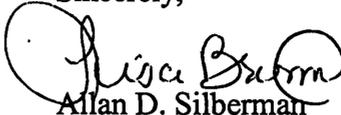
If after reviewing this letter and the enclosed brochure, which describes the ADR program, the Committee would like the matter processed in ADR, you, as Treasurer, need to affirmatively

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indicate that on the enclosed Commitment to Submit Matter to ADR Program form. **Failure to respond affirmatively within fifteen (15) business days of receipt of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, either your case will be sent to the FEC's Office of General Counsel or the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as **ADR 286/RAD 05L-33**. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADR Office at 202-694-1670.

Sincerely,


Allan D. Silberman
for Director, ADR Office

Enclosures:

1. ADR Brochure
2. ADR Commitment Statement

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