

November 3, 2006

Federal Election Commission
ADR Office
999 E Street, NW.
Washington, D.C. 20463

Re: ADR 327

Dear Ms. Fraser,

Thank you for the opportunity to take part in the Commission's Alternative Dispute Resolution program. This program seems to be a perfect fit for cases such as ours.

Chuck Clay wants nothing more than to be able to terminate his unsuccessful congressional campaign from the 2004 election cycle. We are optimistic that we will be able to do just that after completing this process.

Our initial response to the reports analysis division that you reference in your letter summarizes our position. While we are not able to point to someone or something specific, the fact is that sloppiness and the disbanding of the campaign staff were the major factors in the erroneous report. We did not pay enough attention to rectifying the situation in a timely fashion and we now realize that. We prolonged the situation by not proactively taking steps to resolve it. Without a doubt, the fact that the campaign workers previously charged with those duties were no longer around was a large factor. In all honesty, the urgency associated with campaign was no longer there after the defeat.

At no time was there any intent to deceive our opponents, the public or the Commission. We do believe that all activity has been correctly reported at this point and has been available to anyone for over two years now. We realize that there are consequences for our actions. At the same time, we would like to point out that there was nothing malicious in any of these actions and do believe it is relevant that this campaign is not and has not been active for over two years. Mr. Clay has not run for office since and has no immediate intentions to do so. He would simply like to correct this situation and move on.

We would like to propose a conference call with the ADR office, Mr. Clay, Paul Kilgore from PDS and the Clay for Congress campaign manager. Hopefully by getting everyone on the phone together we can convey the atmosphere and the circumstances of the time that contributed to the error being made in the first place. The campaign outsourced the reporting duties and a failure of communication between the campaign and PDS around

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and shortly after the election is now apparent. We will do everything to accommodate your schedule in arranging for this call. Please let us know what times work for you.

Mr. Clay invested significant personal funds in his campaign. We realize that civil penalties are one of the options available to the ADR office. In deciding the resolution to our case we would ask that this be considered along with the fact that, again, the campaign was unsuccessful and is dormant. Again, there was never any intent to mislead anyone with the reports and the accurate reports have been available for quite some time.

Thank you for the opportunity to respond. We look forward to hearing from you soon.

Sincerely,

Paul Kilgore
Professional Data Services
Clay for Congress

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