



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

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SENSITIVE

MEMORANDUM

August 3, 2006

TO: The Commission

THROUGH: Patrina M. Clark *PMC*
Staff Director

FROM: Lynn M. Fraser *LMF*
ADR Office

SUBJECT: ADR 334 Bruderly for Congress and David E. Bruderly, Treasurer,
Recommendation to Assign Case

On June 7, 2006, the ADR Office received MUR 5715 to review and determine its appropriateness for ADR processing. Based on that review, we determined that the case is appropriate for ADR, and recommend that it be assigned to the ADR Office.

SUMMARY: Complainant, George C. Shuman, alleges that Bruderly for Congress and David Bruderly, Treasurer, ("Respondents" or the "Committee") filed erroneous 2004 30 Day Post-General and 2004 Year End Reports. The complaint details various errors, omissions and discrepancies the Complainant believes the reports reflect, including two disbursements on November 6, 2004, to the candidate, for \$3,469.33, and \$4,191.47, and a third disbursement on November 23, 2004 in the amount of \$4,949.68, again to the candidate, with no itemization or details other than "expense reimbursement."

Respondents contend that they have worked with RAD to correct any and all deficiencies in their reports. Respondents further contend that the errors have been for a variety of reasons, but that they updated and added to their software to assist them in filing complete and accurate reports. In addition, the Respondents assert that there are expense vouchers on file for all expenses reimbursed to the candidate, and that they misunderstood the requirements of the FECA, and did not believe they were required to itemize these expenses.

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RECOMMENDATION:

1. Assign ADR 334/MUR 5715 to the ADR Office.

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ADR CASE ANALYSIS REPORT

ADR Case: 334

Respondents:

Bruderly for Congress
David E. Bruderly, Treasurer

MUR: 5715

Respondents' Rep.: David E. Bruderly

OGC Case Open Date: 3/13/2006

Committee Name: Bruderly for Congress

Date Forwarded to ADRO: 6/7/2006

Committee Type: Authorized

Date Reviewed by ADRO: 7/5/06

District #/or State: FL 6th C.D.

Election - Won/Lost: General - Lost

Election Cycle: 2004

Complainant: George C. Shuman

Summary of Complaint: Complainant alleges that Bruderly for Congress and David Bruderly, Treasurer ("Respondents" or the "Committee") filed erroneous 2004 30 Day Post-General and 2004 Year End Reports. The complaint details various errors, omissions and discrepancies the Complainant believes the reports reflect, including two disbursements on November 6, 2004, to the candidate, for \$3,469.33, and \$4,191.47, and a third disbursement on November 23, 2004 in the amount of \$4,949.68, again to the candidate, with no itemization or details other than "expense reimbursement." The Complainant requests the Commission do a complete audit of the Committee. (Note: the final amendment to the 2004 30 Day Post-General filed in June 2006 reflects all three reimbursements on November 6, 2004.)

Respondents' Reply: Respondents contend that they have worked with RAD to correct any and all deficiencies in their reports, but that the Complainant has been filing complaints against them ever since the first campaign in 2002. Respondents further contend that the errors have been for a variety of reasons, but that they updated and added to their software to assist them in filing complete and accurate reports. In addition, the Respondents assert that there are expense vouchers on file for all expenses reimbursed to the candidate, and they misunderstood the requirements of the FECA, and did not believe they were required to itemize these expenses.

Recommendation:
Assign to ADRO

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