



THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

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MEMORANDUM

August 29, 2006

SENSITIVE

TO: The Commission

THROUGH: Patrina M. Clark
Staff Director *PMC*

FROM: Lynn M. Fraser, Acting Director *LMF*
Alternative Dispute Resolution Office

SUBJECT: ADR 336 Gonzalez for Congress and Brian C. Bustamante, Treasurer,
Recommendation to Dismiss

On June 16, 2006, the ADR Office received MUR 5717 from the Office of General Counsel ("OGC") to review and determine its appropriateness for ADR processing. Based on that review, we recommend that it be closed. Following the procedures approved by the Commission on March 3, 2003, this matter will be closed by the ADR Office if the Commission approves the recommendation in this Memorandum. OGC concurs in the description of this matter, and that it will not be returned to OGC for further action.

Respondents:
Gonzalez for Congress
Brian Bustamante, Treasurer
Francisco "Frank" Jose Gonzalez-Soldevilla

Respondents' Rep.:
Brian C. Bustamante

Complainant: Juan F. Diaz

Committee Name: Gonzalez for Congress

OGC Case Open Date: 3-14-06

Committee Type: Authorized

Date Forwarded to ADRO: 6-16-06

District #/or State: FL 21st C.D.

Election - Won/Lost: General 2004 - Lost

Election Cycle: 2004, 2006

Summary of Complaint: Complainant alleges that Gonzalez for Congress, Brian Bustamante, Treasurer, and Francisco "Frank" Jose Gonzalez-Soldevilla (collectively "Respondents") are promoting the candidate's personal business on his campaign website. The complaint includes a statement copied from the Gonzalez for Congress (the "Committee") website, which informs the

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readers that they may contact the candidate regarding mortgage loans. Complainant also alleges that Gonzalez's campaign committee failed to file any disclosure reports after October 2004.

Respondents' Reply: Respondents contend that there was no intentional violation of the Act. Respondents contend that after losing the 2004 General Election, the Candidate informed the Treasurer he did not intend to run again on the Libertarian ticket, and would be winding down the Committee. The Treasurer asserts that he had no campaign records, and did not realize there had been no termination report filed, until the candidate contacted him in the fall of 2005. The Treasurer contends he filed all past reports by May 22, 2006.

Issues:

- Failure to file reports 2 U.S.C. § 434(a), 11 C.F.R. § 104.1(a)

Recommendation:

1. Dismiss ADR 336 (MUR 5717), and close the file.
2. Approve the appropriate letters

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