



Federal Election Commission
Washington, DC 20463

August 1, 2007

Robert Luddy
4641 Paragon Park Road
Raleigh, NC 27616

Re: ADR 359 (MUR 5794)

Dear Mr. Luddy:

On August 18, 2006, the Federal Election Commission ("FEC" or "Commission") notified Robert Luddy of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with the notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and take no further action against the Respondent Robert Luddy. In its memorandum to the Commission, dated July 23, 2007, this office stated:

Summary: The complaint, filed on behalf of Jayson A. Ovittore, alleges a number of reporting errors by Robinson for Congress and Michelle Smith, Treasurer ("Respondents" or the "Committee") in their 2006 July Quarterly Report. Specifically, the complaint alleges that the errors reflect excessive contributions, contributions designated for the primary election but received after the primary election although there was no debt reflected following the primary election, and errors in the aggregate of contributions for some individuals. The contributors named in the complaint, but not included in this settlement agreement, were: Wayne F. Yakes, Frank Wood, Jr., Wayne Washington, Mrs. Edgar Uihlain, and Bob Luddy.

The Committee contends that the reporting errors were inadvertent and it is working with its Commission analyst to file all necessary amended reports. The Committee further contends that what appeared to be excessive contributions were, in fact, incorrectly designated by Committee staff. The Committee also contends that the contributions that were designated for the primary election, but received after the election were appropriately retained, as the Committee had net debt, but did not accurately reflect it in its initial reports.

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The ADR Office is recommending that all of the complaints against contributor Respondents be dismissed. Three contributor Respondents filed statements in response to the complaint.

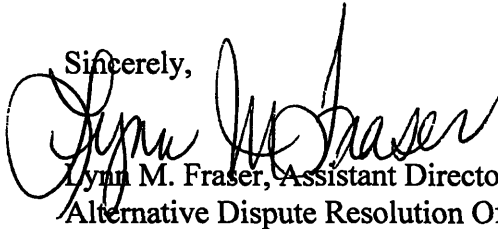
Contributor Respondent Robert Luddy contends that the Committee made an error in designating his contribution for the primary election, when it should have been designated for the general election.

Accordingly, the Commission closed its file in this matter on July 27, 2007.

The FEC is obligated by federal regulations to make a finding to terminate its proceedings public, as well as the basis therefore. 11 C.F.R. § 111.20(b). In addition, the Commission will also place on the record copies of the complaint, correspondence exchanged between Respondents and the Commission, and reports prepared for the Commission by this office to assist in its consideration of this matter. Accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

If you have any questions regarding this matter please be in touch. My telephone number is 202-694-1665.

Sincerely,


Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office

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