



Federal Election Commission  
Washington, DC 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2007 MAR 28 A 9:00

MEMORANDUM

March 27, 2007 **SENSITIVE**

TO: The Commission

THROUGH: Patrina M. Clark *me*  
Staff Director

Margarita Maisonet *mm*  
Chief Compliance Officer

FROM: Deborah Ruth Kant, Director *DK*  
Alternative Dispute Resolution Office

SUBJECT: ADR 379 Lewis For Senate, Inc. and Matthew Miller, Treasurer  
Recommendation to Assign

On February 14, 2007, the ADR Office received RR 07L-01 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. The ADR Analysis includes a statement of the issues, a summary and analysis of the case, an explanation of the factors supporting assignment to ADR and potential settlement terms if the case is assigned to ADR. In addition, the ADR Case Analysis Report has been reviewed by the Office of General Counsel, which concurs in the description of the case. If the Commission concurs in the recommendation, this case description will be provided to Respondents, as part of ADR Office's notification package sent to Respondents.

**ADR # 379**

**Source RR 07L-01**

**Respondents:**

Lewis for Senate, Inc.  
Matthew Miller, Treasurer

**Respondents' Rep.:**

Matthew Miller

**Referral:** OGC

**Committee Name:** Lewis for Senate, Inc.

**OGC Case Open Date:** 02/09/07

**Committee Type:** Authorized

**Date Forwarded to ADRO:** 02/14/07

**District #/or State:** West Virginia (Primary)

**EPS Rating:** 31

**Election - Won/Lost:** Lost

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**Election Cycle: 2006**

**Summary and Analysis of Case:** Treasurers of political committees are required to report all financial activity, including disbursements pursuant to the FECA. In this case, the Respondents (“the Committee”) filed an amended 2006 April Quarterly Report to disclose increased disbursements totaling \$114,246.39 on July 14, 2006, a 67% increase in disbursements from the financial activity reported in the original 2006 April Quarterly Report. In filing the amended report, the Committee explained that it had been conducting internal audits and reconciling its records when this error was found. On October 10, 2006, the Reports Analysis Division (“RAD”) sent an RFAI to the Respondents. The Respondents stated that the candidate had been deployed and that his treasurer could not get to the information that was needed. The Respondents expressed an interest in terminating the committee. The Respondents also explained that the Committee’s January 2006 bank statement was not available to the treasurer at the time the Committee filed its report. The Committee filed the amended report once the January disbursements were discovered.

**RECOMMENDATION:**

1. **Assign ADR 379/RR 07L-01 to the ADR Office.**

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