



Federal Election Commission  
Washington, DC 20463

October 24, 2007

Timothy Rittenhouse Persico  
P.O. Box 868  
Levittown, PA 19058

Re: ADR # 399  
Patrick Murphy for Congress and Vanya Tyrrell, Treasurer

Dear Mr. Persico:

Enclosed is the signed copy of the agreement resolving the referral initiated on May 10, 2007 with the Federal Election Commission ("FEC/Commission") against Patrick Murphy for Congress and Vanya Tyrrell, Treasurer ("Respondents"). The agreement for ADR 399 (RR 07L15) was approved by the Commission on October 16, 2007 – the effective date of the agreement.

Note the specific time frames for compliance in paragraph 9 of the agreement. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6 and contain the ADR caption and case number. **The civil penalty payment should be sent to the attention of the Accounting/Finance Office of the FEC. The civil penalty under the agreement is due on November 16, 2007. Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.**

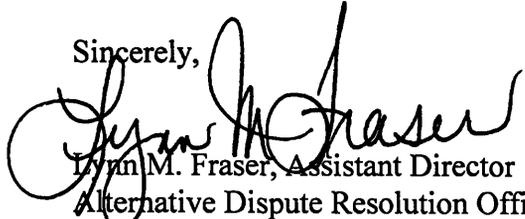
As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory

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responsibilities regarding violations of federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,



Lynn M. Fraser, Assistant Director  
Alternative Dispute Resolution Office  
202-694-1665

Enclosure: Agreement

cc: Angela Dillard, Finance and Accounting Office  
Room 819

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**Federal Election Commission  
Washington, DC 20463**

Case Number: ADR 399  
Source: RR 07L-15  
Case Name: Patrick Murphy for Congress

### **NEGOTIATED SETTLEMENT**

This matter was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, (FECA) and resolve this matter, the Commission entered into negotiations with Timothy Rittenhouse Persico, representing Patrick Murphy for Congress and Vanya Tyrrell, in her official capacity as Treasurer (the Committee or Respondents). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures ("ADR") is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division referred Respondents for failing to make a complete disclosure of disbursements on their 2006 12 Day Pre-General Report. Respondents filed their original 2006 12 Day Pre-General Report on October 26, 2006. Respondents then filed an amended 2006 12 Day Pre-General Report on December 7, 2006 that disclosed additional disbursements totaling \$109,152.33. Respondents filed a second amended 2006 12 Day Pre-General Report on January 28, 2007 that disclosed \$3,018.73 in additional disbursements from the first amended report, for an aggregate of \$112,171.06 in additional disbursements.
4. Treasurers of political committees are required to report all financial activity, including all disbursements, pursuant to the FECA. 2 U.S.C. §§ 434(a)(1), 434(b)(4), 11 C.F.R. §§ 104.1, 104.3(b).
5. Respondents acknowledge an inadvertent omission due to predominantly volunteer staff running their first campaign, and they got overwhelmed by the fierce last minute

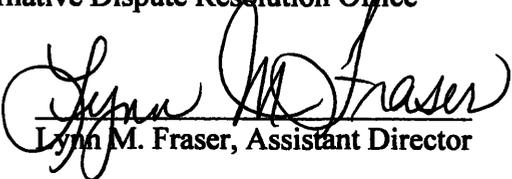
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activity. Respondents contend that one page of the financial activity did not print, and thus all disbursements were not included in the 2006 12 Day Pre-General Report. Although there were only a few checks on the page, unfortunately several were large checks. As soon as Committee determined there were omissions, it filed an amended 2006 12 Day Pre-General Report.

- 6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) hire an experienced compliance specialist; (b) develop a compliance manual for Committee staff; and (c) pay a civil penalty of \$4,000.
- 7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
- 8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
- 9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms within thirty (30) days from the effective date of this agreement.
- 10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 399 (RR 07L-15), and effectively resolves the issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Deborah Ruth Kant, Director  
Alternative Dispute Resolution Office

By:   
Lynn M. Fraser, Assistant Director

Oct 16, 2007  
Date Signed

FOR THE RESPONDENTS:

  
Timothy Rittenhouse Persico  
Representing Patrick Murphy for Congress  
and Vanya Tyrrell, Treasurer

10/08/07  
Date Signed