



**Federal Election Commission  
Washington, DC 20463**

November 10, 2008

Dennis Mehigan  
1818 Market Street, Suite 3402  
Philadelphia, PA 19046

Re: ADR 418 (RAD 07L-35)  
Miller Alfano Raspanti PAC and Gaetan Alfano, Treasurer

Dear Mr. Mehigan:

Enclosed is the signed copy of the agreement resolving the complaint filed referral initiated on September 18, 2008 with the Federal Election Commission ("FEC/Commission") against Miller Alfano Raspanti PAC and Gaetan Alfano, Treasurer ("Respondents"). The agreement for ADR 418 (RAD 07L-35) was approved by the Commission on November 3, 2008 – the effective date of the agreement.

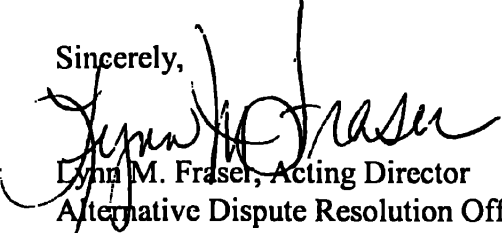
Note the specific time frames for compliance in paragraph 9 of the agreement. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the 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 December 3, 2008. 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 complaint/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.

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This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory 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, Acting Director  
Alternative Dispute Resolution Office  
202-694-1665

Enclosure: Agreement

cc: Angela Dillard, Finance and Accounting Office  
Ken Pezzella, Finance and Accounting Office  
Room 819



**Federal Election Commission  
Washington, DC 20463**

Case Number: ADR 418  
Source: RAD 07L-35  
Case Name: Miller Alfano Raspanti PAC

### **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 Maria Regan, representing the Miller Alfano Raspanti PAC and Gaetan Alfano, in his 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 (RAD) referred Respondents for failing to disclose all financial activity on their 2005 Mid-Year Report. An amended 2005 Mid-Year Report, filed April 16, 2006, disclosed \$55,650.12 in additional receipts, and \$58,068.00 in additional disbursements.
4. Treasurers of political committees are required to report all financial activity, including all receipts and disbursements, pursuant to the FECA. 2 U.S.C. §§ 434(a)(1), 434(b)(2), 434(b)(4), 11 C.F.R. §§ 104.1, 104.3(a), 104.3(b)
5. Respondents acknowledge inadvertent omissions on the 2005 Mid Year Report. Respondents contend that the organization responsible for compliance and report was inexperienced with federal campaign finance regulations. As soon as the Committee realized the errors, they refunded the excessive contributions and obtained a refund of an excessive contribution. In addition to changing the firm responsible for

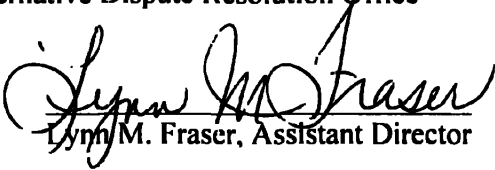
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compliance and reporting. Respondents asserted that they put new financial procedures in place.

6. Respondents, in an effort to resolve the matter, agree to: (a) work with RAD staff to terminate the Committee; and (b) pay a civil penalty of \$2,000.
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 418 (RAD 07L-35), 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

11-03-08  
Date Signed

FOR THE RESPONDENTS:

  
Gaetan Alfano  
Representing Miller Alfano Raspanti PAC and  
Gaetan Alfano, Treasurer

12/10/07  
Date Signed

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