

ADR 428

Ms. Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office
Federal Elections Commission
Washington, DC

Dear Ms. Fraser:

Thank you very much for contacting the Joe Lavigne for Congress campaign regarding outstanding clerical issues related to our FEC filings in the 2006 election cycle. You had instructed us to respond regarding the items addressed in letters from the FEC dated August 8, 2006, December 5, 2006 (2), and January 18, 2007.

We believe all issues raised by the August 8, 2006, letter regarding our July 2006 quarterly report were responded to and corrected by our amended July 2006 quarterly report, filed September 7, 2006. We have taken the further step of addressing the itemized contributions referenced in the August 8, 2006, letter in the attached spreadsheet, but if any outstanding issues remain regarding those contributions or the other issues raised in the letter, please advise us.

Because the campaign and its entire staff had totally disbanded immediately following the November 7, 2006, election date, the campaign was not even aware of the three letters sent in December of 2006 and January of 2007 and the issues of concern in them until we were recently contacted by you regarding those outstanding issues.

After being notified of these letters, we have reviewed them and understand the main issues raised by the letters were contributions designated as primary contributions which apparently should not have been. It is first important to note that it was our understanding that due to the unique open primary system with a December runoff election that Louisiana operated under at the time, candidates for federal office in Louisiana during the 2006 cycle were allowed to accept contributions for three elections: a primary, a general, and a runoff, even though there were only actual two occasions on which actual voting occurred – the general election in November and the runoff election in December. Thus candidates were allowed to accept a total of \$6300 for the whole cycle from a single contributor, while being required to return anything over \$4200 if the candidate did not make the runoff election.

In the process of finally reviewing the FEC's letters and contributions referenced, it has since come to our attention that the final qualifying date for the election, August 11, 2006, was considered the primary election date, after which contributions could not be designated for the primary. We had continued to designate contributions for the primary after August 11 because we were under the impression that what was under common parlance "the primary", the election held on November 7, 2006, was also considered by the FEC as the primary election. We were mistaken in this view.

Furthermore, during our race we were using a new software program for our FEC filings which contained numerous bugs that plagued us for months, among those having the software by default file everything as a primary contribution even if the same contributor had given to the general as well, ie more than \$2100.

Therefore, attached is a spreadsheet detailing each contribution in question, the date of the contribution, the amount, what the contribution was designated as, and what it should have been designated as, as well as what if any amount should have been or was returned after the election. The contributions referenced in the August 8, 2006, letter are also included on this spreadsheet, even though we believe those misdesignations were corrected by the amended July 2006 quarterly report filed September 7, 2006.

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In the course of the subsequent analysis, it has come to our attention that a couple of contributions that were misdesignated as primary contributions, again owing to the discrepancy between what was considered the primary date and the actual first election, means that subsequent contributions from some contributors should have been designated as runoff contributions, and thus returned in part to those contributors. The affected contributors include: Mr. Ray Oden, who gave contributions we understood as applying to Primary 2006 and General 2006, but should have been designated as General 2006 and Runoff 2006, meaning Mr. Oden is owed a \$2100 refund; and Mr. Frank DeSalvo, who gave what we understood as \$2100 for Primary 2006 and \$900 for General 2006, but also should have been designated as General 2006 and Runoff 2006, and thus Mr. DeSalvo is owed a \$900 refund. The campaign account will dispatch these refunds shortly.

Finally, the only other contribution under question, from Mr. Robert Judice, we believe to be a simple data entry error. We have ordered bank records to confirm this, but we believe the check was written and received on election day, November 7, 2006, and should have been reported as received that date and designated for General 2006.

Thank you again for contacting us and entering us into the Alternative Dispute Resolution process. Please advise us on what steps we need to take next to resolve the matters still outstanding and ultimately to close the Joe Lavigne for Congress campaign account. We appreciate your guidance and patience and look forward to working with you to bring this matter to closure.

Sincerely,


Joe Lavigne

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FEC Report	Contributor	Date of Contribution	Amount	Designated as:
July 2006 Quarterly	Adams, Byron	3/13/2006	\$2,000	P2006
July 2006 Quarterly	Adams, Byron	6/19/2006	\$2,000	P2006
July 2006 Quarterly	Bonifacic, Marc	3/8/2006	\$1,500	P2006
July 2006 Quarterly	Bonifacic, Marc	3/24/2006	\$400	P2006
July 2006 Quarterly	Bonifacic, Marc	6/17/2006	\$1,000	P2006
July 2006 Quarterly	Dorsey, Paul	6/17/2006	\$3,000	P2006
July 2006 Quarterly	Griggs, Mark	3/31/2006	\$1,000	P2006
July 2006 Quarterly	Griggs, Mark	6/21/2006	\$2,000	P2006
July 2006 Quarterly	Heidingsfelder, Jane	2/6/2006	\$2,000	P2006
July 2006 Quarterly	Heidingsfelder, Jane	6/30/2006	\$500	P2006
July 2006 Quarterly	Heidingsfelder, Jane	6/30/2006	\$300	P2006
July 2006 Quarterly	Hubert, Thomas	2/11/2006	\$2,000	P2006
July 2006 Quarterly	Hubert, Thomas	6/18/2006	\$500	P2006
July 2006 Quarterly	Hubert, Thomas	6/30/2006	\$400	P2006
July 2006 Quarterly	Layrisson, Jean-Paul	4/1/2006	\$600	P2006
July 2006 Quarterly	Layrisson, Jean-Paul	5/1/2006	\$600	P2006
July 2006 Quarterly	Layrisson, Jean-Paul	6/1/2006	\$600	P2006
July 2006 Quarterly	Layrisson, Jean-Paul	7/1/2006	\$600	P2006
July 2006 Quarterly	Russ, Shelby	5/23/2006	\$1,500	P2006
July 2006 Quarterly	Russ, Shelby	6/30/2006	\$1,000	P2006
July 2006 Quarterly	Scandurro, Dewey	4/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Dewey	5/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Dewey	6/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Dewey	7/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Dominick	4/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Dominick	5/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Dominick	6/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Dominick	7/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Stephen	4/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Stephen	5/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Stephen	6/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Stephen	7/1/2006	\$600	P2006
July 2006 Quarterly	Scandurro, Timothy	4/1/2006	\$600	P2006

July 2006 Quarterly	Scandurro, Timothy	5/1/2006	\$600 P2006
July 2006 Quarterly	Scandurro, Timothy	6/1/2006	\$600 P2006
July 2006 Quarterly	Scandurro, Timothy	7/1/2006	\$600 P2006
July 2006 Quarterly	Tarantino, John B	3/31/2006	\$2,100 P2006
July 2006 Quarterly	Tarantino, John B	6/17/2006	\$400 P2006
July 2006 Quarterly	Vervaeke, Tommy	6/20/2006	\$3,000 P2006
July 2006 Quarterly	Wink, Joseph III	6/29/2006	\$4,000 P2006
July 2006 Quarterly	Wynne, William P	2/4/2006	\$2,100 P2006
July 2006 Quarterly	Wynne, William P	2/5/2006	\$2,100 P2006
July 2006 Quarterly	Wynne, William P	6/29/2006	\$2,100 P2006
July 2006 Quarterly	Wynne, William P	6/29/2006	\$4,200 P2006
July 2006 Quarterly	Zito, Frank III	6/29/2006	\$1,000 P2006
October 2006 Quarterly	Slater, Brewster II	8/15/2006	\$1,000 P2006
October 2006 Quarterly	Benjamin, Edward B.	8/17/2006	\$1,000 P2006
October 2006 Quarterly	Hanemann, Susan	8/17/2006	\$300 P2006
October 2006 Quarterly	Mille, William P.	8/29/2006	\$500 P2006
October 2006 Quarterly	McGivney, Megan	6/8/2006	\$250 P2006
October 2006 Quarterly	Cenac, Alex	9/15/2006	\$100 P2006
October 2006 Quarterly	Judice, Robert	9/15/2006	\$50 P2006
October 2006 Quarterly	Rouchell, Gregory	9/15/2006	\$50 P2006
October 2006 Quarterly	Cazale, John	9/15/2006	\$50 P2006
October 2006 Quarterly	Lemaire, Douglas	9/15/2006	\$50 P2006
October 2006 Quarterly	duPlessis, Andre	9/15/2006	\$50 P2006
October 2006 Quarterly	Casey, Ryna	9/15/2006	\$50 P2006
October 2006 Quarterly	Slager, Sally	9/15/2006	\$50 P2006
October 2006 Quarterly	Servat, Carl	9/15/2006	\$50 P2006
October 2006 Quarterly	Romig, Clinton James	9/15/2006	\$60 P2006
October 2006 Quarterly	Ferria, Pat	9/15/2006	\$100 P2006
October 2006 Quarterly	Centola, Lawrence	9/18/2006	\$200 P2006
October 2006 Quarterly	Fawer, Jonathon	9/19/2006	\$500 P2006
October 2006 Quarterly	Rabin, Larry Bruce	9/15/2006	\$500 P2006
October 2006 Quarterly	Marchinko, Paul	9/20/2006	\$250 P2006
October 2006 Quarterly	Marino, Johnny	9/20/2006	\$250 P2006
October 2006 Quarterly	Moore, Markham	9/20/2006	\$2,100 P2006
October 2006 Quarterly	Adams, Brad	9/25/2006	\$500 P2006

October 2006 Quarterly	Slatten, William	9/25/2006	\$850	P2006
October 2006 Quarterly	Brown, Elder	9/25/2006	\$2,000	P2006
October 2006 Quarterly	Slatten, Scott	9/25/2006	\$850	P2006
October 2006 Quarterly	Hurd, John	9/27/2006	\$500	P2006
October 2006 Quarterly	Adams, Burt	9/28/2006	\$500	P2006
October 2006 Quarterly	Adams, Ben	9/28/2006	\$250	P2006
October 2006 Quarterly	Woods, Thelma	9/29/2006	\$250	P2006
12 Day Pre-General	Theriot, Catherine	10/3/2006	\$250	P2006
12 Day Pre-General	Bonifacic, Travis	10/3/2006	\$1,000	P2006
12 Day Pre-General	Montelaro, Jody	10/5/2006	\$100	P2006
12 Day Pre-General	Lavigne, Donald Sr.	10/5/2006	\$500	P2006
12 Day Pre-General	Higgins, Hudson	10/5/2006	\$100	P2006
12 Day Pre-General	Ankeshein, Joseph	10/6/2006	\$100	P2006
12 Day Pre-General	Yockey, James	10/6/2006	\$1,850	P2006
12 Day Pre-General	Langhoff, Stephanie	10/6/2006	\$250	P2006
12 Day Pre-General	Keogh, Sean	10/6/2006	\$1,000	P2006
12 Day Pre-General	Wolford, Dave	10/6/2006	\$250	P2006
12 Day Pre-General	Ankeshein, Joseph	10/6/2006	\$150	P2006
12 Day Pre-General	Kaufman, Carey	10/6/2006	\$500	P2006
12 Day Pre-General	Buchert, Kurt	10/9/2006	\$100	P2006
12 Day Pre-General	Morel, Stephen	10/9/2006	\$100	P2006
12 Day Pre-General	Therio, Jonathon	10/11/2006	\$400	P2006
12 Day Pre-General	Pyburn, Keith	10/11/2006	\$500	P2006
12 Day Pre-General	Folse, Scott	10/12/2006	\$500	P2006
12 Day Pre-General	Wink, Larry Sr.	10/12/2006	\$100	P2006
12 Day Pre-General	Caballero, Rick	10/13/2006	\$300	P2006
12 Day Pre-General	Felder, Bradford	10/13/2006	\$500	P2006
12 Day Pre-General	Terajano, Jorge	10/15/2006	\$500	P2006
12 Day Pre-General	Fitzgerald, Timothy	10/16/2006	\$500	P2006
12 Day Pre-General	Ernst, Blaise	10/17/2006	\$500	P2006
12 Day Pre-General	Lord, Albert	10/18/2006	\$500	P2006
12 Day Pre-General	Impastato, Dominick	10/18/2006	\$250	P2006
12 Day Post General	Anderson, Jennifer	10/31/2006	\$250	P2006
12 Day Post General	Benjamin, Edward B.	11/3/2006	\$1,000	P2006

12 Day Post General	Cain, George Jr.	10/31/2006	\$250	P2006
12 Day Post General	Cousins, Dennis	10/31/2006	\$500	P2006
12 Day Post General	DeSalvo, Frank	10/30/2006	\$2,100	P2006
12 Day Post General	Favrot, Caffrey F.	10/30/2006	\$500	P2006
12 Day Post General	Gale, Patrick V.	10/31/2006	\$250	P2006
12 Day Post General	Gravois, Myra	11/3/2006	\$150	P2006
12 Day Post General	Gray, Michael T.	11/4/2006	\$2,100	P2006
12 Day Post General	Hubbard, William J.	11/6/2006	\$250	P2006
12 Day Post General	Laborde, Gary Lee	10/21/2006	\$1,000	P2006
12 Day Post General	Miller, Michael G.	10/24/2006	\$250	P2006
12 Day Post General	Monroe, Robert J.	10/31/2006	\$2,100	P2006
12 Day Post General	Nelson, Robert A.	10/23/2006	\$1,000	P2006
12 Day Post General	Noland, John B.	10/21/2006	\$1,000	P2006
12 Day Post General	Oden, Ray	10/23/2006	\$2,100	P2006
12 Day Post General	Patorno, Michael	11/6/2006	\$1,000	P2006
12 Day Post General	Petagna, Stephen	11/3/2006	\$500	P2006
12 Day Post General	Raymond, Jonathon	11/2/2006	\$35	P2006
12 Day Post General	Rees, Rick	11/3/2006	\$1,000	P2006
12 Day Post General	Shroeder, M. Richard	11/3/2006	\$200	P2006
12 Day Post General	Wimberley, Todd	11/3/2006	\$500	P2006
12 Day Post General	Wood, Sissy	11/2/2006	\$500	P2006

Should have been designated as: Amount due to be returned to contributor: Amount returned:

P2006		\$0
G2006		\$0
P2006		\$0
P2006		\$0
G2006		\$0
\$2100-P2006, \$900-G2006		\$0
P2006		\$0
G2006		\$0
P2006		\$0
G2006		\$0
G2006		\$0
P2006		\$0
G2006		\$0
G2006		\$0
P2006		\$0
P2006		\$0
P2006		\$0
\$300-P2006, \$300-G2006		\$0
P2006		\$0
G2006		\$0
P2006		\$0
P2006		\$0
P2006		\$0
\$300-P2006, \$300-G2006		\$0
P2006		\$0
P2006		\$0
P2006		\$0
\$300-P2006, \$300-G2006		\$0
P2006		\$0
P2006		\$0
\$300-P2006, \$300-G2006		\$0
P2006		\$0
P2006		\$0
\$300-P2006, \$300-G2006		\$0
P2006		\$0

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G2006

\$0
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