



**Federal Election Commission
Washington, DC 20463**

February 18, 2009

Brian Svoboda, Esq.
Perkins Coie
607 14th Street, NW
Washington, DC 20005

Re: ADR 450 (RAD 08L-11)
Missouri Democratic State Committee and Rod Anderson, Treasurer

Dear Mr. Svoboda:

Enclosed is the signed copy of the agreement resolving the referral initiated on February 25, 2008 with the Federal Election Commission ("FEC/Commission") against the Missouri Democratic State Committee and Rod Anderson, Treasurer ("Respondents"). The agreement for ADR 450 (RAD 08L-11) was approved by the Commission on February 9, 2008 – the effective date of the agreement.

Note the specific time frames for compliance in paragraph 8 of the agreement. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 5 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 5 and contain the ADR caption and case number.

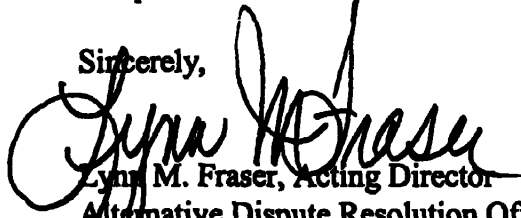
As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the complaint/referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports 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.

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

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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

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THE FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number: ADR 450
Source: RAD 08L-11
Case Name: Missouri Democratic
State Committee

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission (FEC or the 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 these matters, the Commission entered into negotiations with Brian Svoboda, Esq. representing the Missouri Democratic State Committee and Rod Anderson, in his official capacity as Treasurer (Respondents or the Committee). 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 Respondent. 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 the Respondents for the cumulative nature of deficiencies on reports filed with the Commission in the 2005-2006 election cycle. A political committee may be referred if the Commission determines the reports do not meet the threshold requirements for substantial compliance with the FECA. 2 U.S.C. § 437(g).
4. Respondents contend that on September 19, 2005, the Commission accepted a conciliation agreement with the Committee in MUR 5611, whereby the Committee agreed to adopt a series of remedial measures to change its compliance practices. Respondents argue that the bulk of activity that gave rise to this RAD referral occurred before the Committee began implementing these remedial measures. Respondents assert they complied, and continue to comply, with the terms of the MUR 5611 agreement.

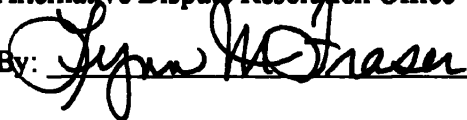
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5. Respondents, in an effort to resolve this matter, agree to: (a) hire an external campaign finance specialist to review reports before they are filed with the Commission; (b) establish an internal tracking system for responding to RFAs and ensure the external campaign finance specialist reviews the responses; (c) send a representative to a FEC seminar in the 2008 election cycle; and (d) compliance specialist will review the Committee's current financial management plan to ensure consistency with the FECA.
6. Respondents agree that all information provided to resolve this matter is true and accurate to the best of its knowledge and that it signs this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
7. 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.
8. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms set forth in paragraph 5 within thirty (30) days of the effective date of this agreement except as otherwise specified in term (c) of paragraph 5.
9. This Negotiated Settlement constitutes the entire agreement between the parties on the resolution of ADR 450 (RAD 08L-11), and effectively resolves only those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party that is not included herein shall be enforceable.


FOR THE COMMISSION:

Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office

By: 

2-9-09
Date Signed

FOR THE RESPONDENTS:


Brian Svoboda, Esq., representing
Missouri Democratic State Committee
and Rod Anderson, Treasurer

14 Aug 2008
Date Signed