



**Federal Election Commission
Washington, DC 20463**

February 18, 2009

E. Mark Braden, Esq.
Baker & Hostetler LLP
1050 Connecticut Ave. NW, Suite 1100
Washington, DC 20036

Re: **ADR 469 (RAD 08L-32)**
Pro-Life Campaign Committee and Chris Gersten, Treasurer

Dear Mr. Braden:

Enclosed is the signed copy of the agreement resolving the referral initiated on September 12, 2008 with the Federal Election Commission ("FEC/Commission") against Pro-Life Campaign Committee and Chris Gersten, Treasurer ("Respondents"). The agreement for ADR 469 (RAD 08L-32) was approved by the Commission on February 10, 2009 – the effective date of the agreement.

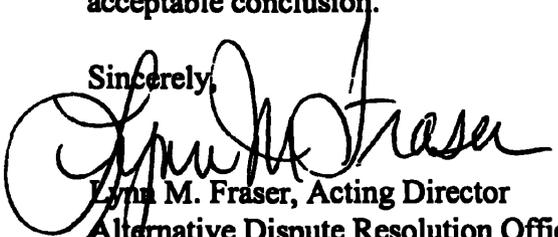
Note the specific time frames for compliance in paragraph 9 of the agreement. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 6 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the 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 March 12, 2009. 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.

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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: Ken Pezzella, Finance and Accounting Office
Room 819

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Federal Election Commission
Washington, DC 20463

Case Number: ADR 469
Source: RAD 08L-32
Case Name: Pro-Life Campaign Committee

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 Mark Braden, Esq., representing the Pro-Life Campaign and Chris Gersten, 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 referred Respondents for failing to disclose all financial activity on their 2004 30 Day Post-General Report, as well as their 2004 Year End Report. On February 13, 2008, Respondents filed an amended 2004 30 Day Post-General Report that disclosed \$216,450.05 in additional receipts, and \$218,233.22 in additional disbursements. Also on February 13, 2008, Respondents filed an amended 2004 Year End Report that disclosed additional receipts which, in the aggregate, total \$129,689.40, and additional disbursements of \$138,048.79.
4. Treasurers of political committees are required to report all financial activity, including all receipts and all 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 contend that data received from its vendor at the time, the Hope Call Center, and its compliance service, Aristotle, was confusing and inadequate. Although Respondents did not realize it at the time, that inaccurate data resulted in

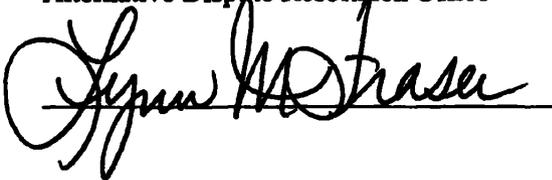
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reports being filed with the Commission that did not reflect all receipts and disbursements. Respondents conducted a voluntary reconciliation of the Committee's financial records with the reports filed from 2003 through the present time, located discrepancies and filed sixteen (16) amended reports to correct the record.

6. Respondents, in an effort to resolve this matter, agree to: (a) work with Commission staff to terminate the Committee within 60 days of the effective date of this agreement; and (b) pay a civil penalty of \$5,000 within 30 days of the effective date of this agreement.
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 of this agreement as set out in paragraph 6 above.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 469 (RAD 08L-32), and resolves only those 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:

Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office



2-10-09

Date Signed

FOR THE RESPONDENTS:


Mark Braden, Esq.
Representing the Pro-Life Campaign Committee
and Chris Gersten, Treasurer

Dec. 12/08

Date Signed