

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) RAD REFERRAL 07L-43  
Oklahoma State Medical Association Political )  
Action Committee and Dr. Johnny Roy, in his )  
official capacity as treasurer )  
 )  
 )

CERTIFICATION

I, Darlene Harris, recording secretary of the Federal Election Commission executive session, do hereby certify that on October 21, 2008, the Commission took the following actions in the above-captioned matter:

1. Failed by a vote of 3-3 to pass a motion to:
  - a) Open a matter under review.
  - b) Find reason to believe that the Oklahoma State Medical Association Political Action Committee and Dr. Johnny Roy, in his official capacity as treasurer, violated 2 U.S.C. § 434(b).
  - c) Approve the Factual and Legal Analysis, as recommended in the First General Counsel's Report dated December 20, 2007, as amended by the General Counsel's Errata Memorandum dated September 17, 2008.
  - d) Enter into conciliation with the Oklahoma State Medical Association Political Action Committee and Dr. Johnny Roy, in his official capacity as treasurer, prior to a finding of probable cause to believe.
  - e) Approve the Conciliation Agreement, as recommended in the First General Counsel's Report dated December 20, 2007, as amended by the General Counsel's Errata Memoranda dated August 27, 2008, and September 17, 2008.
  - f) Approve the appropriate letter.

Commissioners Bauerly, Walther and Weintraub voted affirmatively for the motion. Commissioners Hunter, McGahn II and Petersen dissented.

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2. Decided by a vote of 6-0 to:

Refer RAD Referral 07L-43 to the Alternative Dispute Resolution  
(ADR) Office.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther and Weintraub

voted affirmatively for the decision.

Attest:

October 23, 2008  
Date

Darlene Harris  
Darlene Harris  
Deputy Secretary of the Commission

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