



**Federal Election Commission
Washington, DC 20463**

June 24, 2009

Christina Casteel
Paul Sawyer for Congress
7003 Goodwood
Baton Rouge, LA 70806

Re: ADR 489 (RAD 09L-10)
Paul Sawyer for Congress and Col. Herbert P. Fritts, Treasurer

Dear Ms. Casteel:

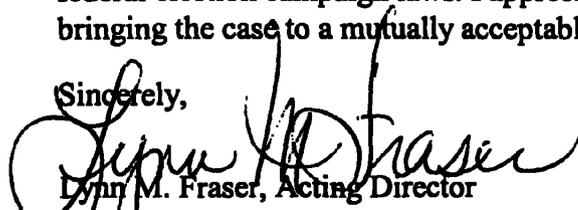
Enclosed is the signed copy of the agreement resolving referral initiated on March 25, 2009 by the Federal Election Commission ("FEC/Commission") involving Paul Sawyer for Congress and Col. Herbert P. Fritts, Treasurer ("Respondents"). The agreement for ADR 489 (RAD 09L-10) was approved by the Commission on June 22, 2009 – the effective date of the agreement.

So that we may track and confirm Respondent's compliance with the terms listed in the aforementioned agreement, please notify the ADR office when the Committee submits a termination report to the Reports Analysis Division. Please be sure to include 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 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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**Federal Election Commission
Washington, DC 20463**

Case Number: ADR 489
Source: RAD 09L-10
Case Name: Paul Sawyer for Congress

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 Christina Kyle Casteel, representing the Paul Sawyer for Congress Committee and Col. Herbert P. Fritts, 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 2008 April Quarterly Report. After filing numerous amended reports in an attempt to correct the record, Respondents disclosed additional receipts of \$93,810.50 and additional disbursements of \$136,910.10.
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)-(b).
5. Respondents acknowledge some inadvertent errors by a new committee staffed entirely by volunteers. In the scramble to prepare for a special primary election, a new database was accidentally set up which resulted in financial activity not being carried forward, and thus precluded a reconciliation of the reports and the financial records. The creation of the new database also resulted in duplicates of receipts and expenditures. The Committee worked with RAD and the technical advisors at the Commission and eventually found the error, but it was a time consuming process.

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- 6. Respondents acknowledge that a civil penalty would be appropriate under the circumstances of this matter. The Respondents, however, indicate that financial hardship prevents them from paying any civil penalty, and have submitted extensive financial documentation in support of this claim. Due to the mitigating circumstances pertaining to Respondents' material representations, the Commission agrees to depart substantially from the civil penalty justified in this matter, and only require Respondents to work with Commission staff to terminate the Committee's reporting obligations.
- 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 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 489 (RAD 09L-10), and resolves 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.

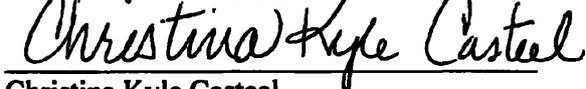
FOR THE COMMISSION:

Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office



6-22-09
Date Signed

FOR THE RESPONDENTS:


Christina Kyle Casteel
Representing Paul Sawyer for Congress and
Col. Herbert P. Fritts, Treasurer

5.27.09
Date Signed