



**Federal Election Commission
Washington, DC 20463**

January 20, 2010

J. David Horning, Esq.
300 S. Gillette Ave., Suite 2000
Gillette, WY 82716

Re: ADR 508
Wyoming Republican Party and Donna Robitaille, Treasurer

Dear Mr. Horning:

Enclosed is the signed copy of the agreement resolving the referral initiated on August 20, 2009 by the Federal Election Commission ("FEC/Commission") involving the Wyoming Republican Party and Donna Robitaille, Treasurer ("Respondents"). The agreement for ADR 508 was approved by the Commission on January 14, 2010 - the effective date of the agreement.

Note the specific time frames for compliance in paragraph 6 of the agreement. **Please forward to this office, a statement confirming Respondent's compliance with the terms listed in 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 or before February 14, 2010. Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case**

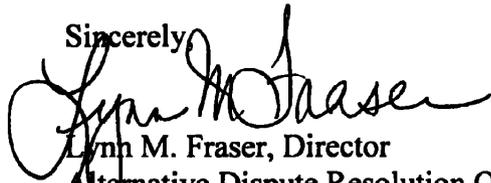
As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared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

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

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assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,



Lynn M. Fraser, Director
Alternative Dispute Resolution Office
202-694-1665

Enclosure: Agreement

cc: Chris Wedderburn, Finance and Accounting Office
Room 819

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**Federal Election Commission
Washington, DC 20463**

Case Number: ADR 508
Source: RAD 09L-30
Case Name: Wyoming Republican Party

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 J. David Horning, Esq., representing the Wyoming Republican Party and Donna Robitaille, in her 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 its 2008 30 Day Post-General Report. Respondents filed an amended 2008 30 Day Post-General Report to disclose additional disbursements totaling \$129,103.08.
4. Treasurers of political committees are required to report all financial activity, including all disbursements, pursuant to the FECA. 2 U.S.C. §§ 434(a)(1), 434(b)(4), 11 C.F.R. §§ 104.1, 104.3(b).
5. Respondents contend that the inadvertent omission of additional disbursements arose in the context of improvements to reporting procedures initiated by Respondents, including upgrading software for reporting and the retention of a compliance specialist. In addition, the Committee asserts it recently filled its vacant Executive Director position who will be able to supervise the continued improvement to financial procedures.

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6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) conduct a review and evaluate the Committee's FECA reporting practices and procedures, codify all recommended improvements in procedures, and certify the implementation of the recommendations within six (6) months of the effective date of this agreement; (b) review and evaluate the Committee's internal controls procedures consistent with the best practices contained in the Commission's Internal Controls policy within six (6) months of the effective date of this agreement; and (c) pay a civil penalty of \$1,500 within thirty (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 ADR 508 (RAD 09L-30), 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, Director
Alternative Dispute Resolution Office



1/14/2010
Date Signed

FOR THE RESPONDENTS:



J. David Horning, Esq.
Representing the Wyoming Republican Party
and Donna Robitaille, Treasurer

DECEMBER 28, 2009
Date Signed

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