

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 6387  
Teri Davis Newman; Teri Davis )  
Newman for Congress and Teri Davis )  
Newman, in her official capacity as )  
Treasurer )

CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on June 28, 2011, the Commission took the following actions in the above-captioned matter:

1. Failed on a vote of 3-3 to:
  - a. Find reason to believe that Teri Davis Newman violated 2 U.S.C. § 432(e)(1).
  - b. Find reason to believe that Teri Davis Newman for Congress and Teri Davis Newman, in her official capacity as treasurer, violated 2 U.S.C. §§ 433(a), 434(a), and 434(b).
  - c. Find reason to believe that Teri Davis Newman for Congress and Teri Davis Newman, in her official capacity as treasurer, violated 2 U.S.C. §§ 441d with respect to the billboard, newspaper article, brochures, postcards, fliers, yard signs and websites.
  - d. Find no reason to believe that Teri Davis Newman for Congress and Teri Davis Newman, in her official capacity as treasurer, violated 2 U.S.C. § 441d with respect to the notepads.
  - e. Find reason to believe that Teri Davis Newman for Congress and Teri Davis Newman, in her official capacity as treasurer, violated 2 U.S.C. § 432(e)(4) and 11 C.F.R. § 102.14(a).

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- f. Find no reason to believe that Christine Skibinski violated 2 U.S.C. § 441d and close the file as to her.
- g. Authorize conciliation with Teri Davis Newman and Teri Davis Newman for Congress and Teri Davis Newman, in her official capacity as treasurer, prior to a finding of probable cause to believe.
- h. Approve the conciliation agreement as recommended in the First General Counsel's Report dated May 6, 2011 except to lower the out-the-door penalty to \$11,000 representing two statutory penalties with the appropriate discount and instruct Counsel to exercise normal discretion in negotiating with the respondent.
- i. Approve the Factual and Legal Analyses as recommended in the First General Counsel's Report dated May 6, 2011.
- j. Approve the appropriate letters.

Commissioners Bauerly, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented.

2. Decided by a vote of 6-0 to take the following action in MUR 6387:

- a. Refer MUR 6387 to ADR.

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

Attest:

June 30, 2011  
Date

Shelley E. Garr  
Shelley E. Garr  
Deputy Secretary of the Commission

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