

REPORTS ANALYSIS DIVISION REFERRAL
TO
ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: June 30, 2011

ANALYST: Maureen Benitz

- I. COMMITTEE: Rock City PAC
C00436410
Kimberly Kaegi, Treasurer
1015 Stonebridge Park Drive
Franklin, TN 37069
- II. RELEVANT STATUTE: 2 U.S.C. § 434(b)(2) and (4)
11 CFR § 104.3(a) and (b)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

Rock City PAC ("the Committee") amended its 2010 October Quarterly Report to disclose additional receipts totaling \$70,000.00 and additional disbursements totaling \$53,638.15 that were not disclosed on the original 2010 October Quarterly Report (Attachment 2).

On October 15, 2010, the Committee filed its original 2010 October Quarterly Report covering the period from July 1, 2010 through September 30, 2010. The original report disclosed receipts totaling \$5,000.00 on Line 11(a)(i) (Itemized Contributions from Individuals/Persons Other Than Political Committees), \$26,000.00 on Line 11(c) (Contributions from Other Political Committees), \$0.00 on Line 16 (Refunds of Contributions Made to Federal candidates and Committees), and disbursements totaling \$16,403.36 on Line 21(b) (Other Federal Operating Expenses) and \$60,000.00 on Line 23 (Contributions to Federal Candidates/Committees and Other Political Committees) of the Detailed Summary Page (Images 10931533730-31; Attachment 2).

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On October 27, 2010, the Committee filed an Amended 2010 October Quarterly Report, which disclosed receipts totaling \$17,000.00 on Line 11(a)(i), \$79,000.00 on Line 11(c), \$5,000.00 on Line 16, and disbursements totaling \$37,541.51 on Line 21(b) and \$92,500.00 on Line 23 of the Detailed Summary Page (Images 10931766630-31).

On February 23, 2011, the Committee filed another Amended 2010 October Quarterly Report which reflected no change in receipts or disbursements as disclosed on the Amended October Quarterly Report, received on October 27, 2010 (Image 11930411887).

On April 13, 2011, a Request for Addition Information ("RFAI") was sent to the Committee referencing the Amended 2010 October Quarterly Report, received February 23, 2011. Among other issues, the RFAI requested clarification regarding the \$123,638.15 in additional receipts and disbursements disclosed on Lines 11(a)(i), 11(c), 16, 21(b) and 23 of the Detailed Summary Page that were not previously disclosed on the Committee's original 2010 October Quarterly Report (Image 11330007389).

On May 17, 2011, the Committee's treasurer, Kimberly Kaegi, called the Reports Analysis Division ("RAD") Analyst to discuss two RFAIs, including the one referencing the 2010 Amended October Quarterly Report, received February 23, 2011. Ms. Kaegi explained that the additional receipts and disbursements were a result of a data entry error and that an amended report was filed shortly after the due date of October 15, 2010. The Analyst advised her to ensure that the report was now correct and to submit clarification as to why the information was not disclosed on the original report. The same day, Ms. Kaegi called the Analyst again to find out why the RFAI was not sent on the amendment filed on October 27, 2010. The Analyst explained that the Committee needed to clarify the increase in activity that occurred on the most recent amendment at that time. Both the October 27, 2010 and February 23, 2011 amendments show an increase in activity from the original report filed on October 15, 2010. The Analyst stressed that clarification was needed on the increase in activity (Attachment 3).

On May 18, 2011, the Committee filed an Amended 2010 October Quarterly Report. The amended report disclosed no change in financial activity from the previous amendments (Images 11931466018 -19; Attachment 2) and included a memo text which stated in part:

"1. When we filed our report on October 15, 2010, there were a couple of batches of disbursements and receipts that were inadvertently coded in our compliance software to be reported to a state account. This error was quickly realized and corrected in our amended report filed on October 27, 2010. It was also acknowledged in the amendment related to your letter" (Image 11931466016).

On May 24, 2011, the RAD Analyst called Ms. Kaegi regarding the RFAI referencing the Amended 2010 October Quarterly Report, received February 23, 2011. The Analyst explained that the response had been received but the matter could still be

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referred for further action by the Commission and that this was an opportunity to provide any additional clarifying information for public record. Ms. Kaegi stated she did not have any additional information (Attachment 3).

To date, no further communication has been received from the Committee regarding these matters.

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