



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 17, 2012

Phyllis Edans  
National Emergency Medicine PAC  
1125 Executive Circle  
Irving, TX 75038

Re: ADR 587 (RAD 11L-21)  
National Emergency Medicine PAC and Phyllis Edans, Treasurer

Dear Ms. Edans:

Enclosed is the signed copy of the agreement resolving the referral initiated on August 17, 2011, by the Federal Election Commission ("FEC/Commission") involving National Emergency Medicine PAC and Phyllis Edans, Treasurer ("Respondents"). The agreement for ADR 587 (RAD 11L-21) was approved by the Commission on January 12, 2012 – 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 certifying 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 13, 2012.<sup>1</sup> 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 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

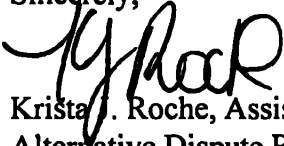
<sup>1</sup> Please note, if the Commission refers an unpaid civil penalty to the US Treasury or third party collection agent, additional costs and fees will be assessed.

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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,



Krista J. Roche, Assistant Director  
Alternative Dispute Resolution Office  
202-694-1661

Enclosure: Agreement

cc: Gwen Holmes, Finance and Accounting Office  
Room 819



Federal Election Commission  
Washington, DC 20463

Case Number: ADR 587  
Source: RAD 11L-21  
Case Name: National Emergency Medicine PAC

### 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 Phyllis Edans representing the National Emergency Medicine Political Action Committee and Phyllis Edans, 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. Respondents failed to file one 48-Hour Notice totaling \$40,000 to support one independent expenditure disclosed on the 2010 12-Day Pre-General Report.
4. In accordance with 2 U.S.C §434(g)(2) and 11 C.F.R. §104.4(b)(2), a political committee that makes independent expenditures aggregating \$10,000 or more at any time up to and including the 20<sup>th</sup> day before the date of an election shall file a report describing the expenditures within 48 hours.
5. Respondents contend that the new staff member who filed the 12-Day Pre-General Report was unaware of the requirement to file a separate 48-Hour Notice.
6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) train two additional staff members in FECA reporting policies and procedures within ninety (90) days of the effective date of this agreement; (b) review and update the Committee's compliance operations manual within thirty (30) days of the effective

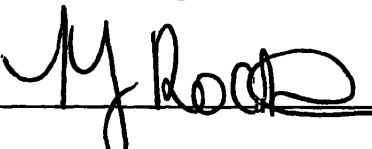
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date of this agreement; (c) send a representative to an FEC conference within twelve (12) months of the effective date of this agreement; and (d) pay a civil penalty of \$2,000 within thirty (30) days of the effective date of this agreement.

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 587 (RAD 11L-21), 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:


Krista J. Roche, Assistant Director  
Alternative Dispute Resolution Office



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1/12/12  
Date Signed

FOR THE RESPONDENTS:



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Phyllis Edans  
Representing National Emergency Medicine  
Political Action Committee and Phyllis  
Edans, Treasurer

12-15-11  
Date Signed