



FEDERAL ELECTION COMMISSION
Washington, DC 20463

October 14, 2011

David L. Gould, Treasurer
Democratic Party of Orange County FED PAC
3700 Wilshire Boulevard, Suite 1050B
Los Angeles, CA 90010

Re: ADR 594 (Audit 09-12)
Democratic Party of Orange County FED PAC and Gerrie Schipske, Treasurer

Dear Ms. Schipske:

The Federal Election Commission (FEC or Commission) referred a compliance issue to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing. The referral by the Audit Division (Audit) was based on a review of reports filed by the Democratic Party of Orange County FED PAC during the 2008 election cycle which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended.

The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with the Democratic Party of Orange County FED PAC and Gerrie Schipske, Treasurer (Respondents or the Committee). The ADR Program provides Respondents with an opportunity to negotiate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations are successful, the resulting settlement concludes the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the ADR Program, you must: 1) indicate in writing a willingness to have your case submitted for ADR processing; 2) agree to participate in the bilateral interest based negotiations; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADRO, and the focus of our subsequent negotiations are summarized as follows:

Summary of Case: Audit referred the Democratic Party of Orange County FED PAC and Gerri Schipske, Treasurer (Respondents or the Committee) following an audit of Committee for the 2008 election cycle. Respondents were referred for the untimely deposit of receipts during the election cycle. Specifically, Audit determined that Respondents failed to deposit, within 10 days of receipt, 58% of the contributions received during the 2008 election cycle.

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE
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Respondents contend that the untimely deposits occurred due to changes in office procedures, and inconsistencies in merchant services with the bank.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondents would like to participate in ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR form. **Failure to respond affirmatively within fifteen (15) business days of receipt of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be sent to the FEC's Office of General Counsel for further processing, and the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as **ADR 594**. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADRO at my direct dial as indicated below

Sincerely,

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

Enclosures: ADR Frequently Asked Questions
Commitment to Submit Matter to ADR
Designation of Representative/Counsel

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