



Federal Election Commission
Washington, DC 20463

June 14, 2013

Henry Yanez
Henry Yanez for Congress
14052 Bery Dr
Sterling Heights, MI 48312

Re: ADR 603 (MUR 6512)
Henry Yanez for Congress and James C. Winne, Treasurer, and Lapeer County
Democratic Party and Gary Medland, Treasurer

Dear Mr. Yanez:

Enclosed is the signed copy of the agreement resolving the complaint filed on December 5, 2011 with the Federal Election Commission ("FEC/Commission") against Henry Yanez for Congress and James Winne, Treasurer ("Respondents"). The agreement for ADR 603 (MUR 6512) was approved by the Commission on June 11, 2013 – 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.

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 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 brought to the attention of the FEC by Randy St. Laurent regarding an alleged violation of the federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

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Sincerely,



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

Enclosure: Agreement

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Federal Election Commission
Washington, DC 20463

Case Number: ADR 603
Source: MUR 6512
Case Name: Henry Yanez for Congress
and Lapeer County Democratic Party

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by Randy St. Laurent. 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 Federal Election Commission (Commission) entered into negotiations with Henry Yanez representing Henry Yanez for Congress and James C. Winn, in his 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 complaint. The parties agree to resolve the matter according to the following terms:

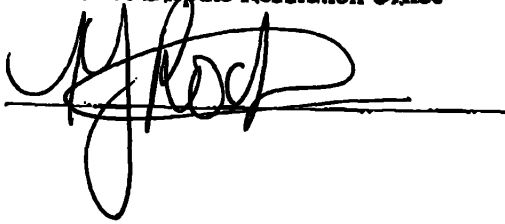
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 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. Complainant Randy St. Laurent alleges that Respondents failed to file reports with the FEC during the 2010 election cycle though \$6,097.11 in contributions were accepted, and that a contribution in excess of \$1,000 was accepted from an unregistered political committee.
4. Each principal campaign committee shall file a Statement of Organization no later than ten days after designation pursuant to 11 C.F.R. § 101.1(a), 2 U.S.C. § 441d, 11 C.F.R. § 110.11. Within fifteen days of becoming a candidate, an individual must file a Statement of Candidacy with the Commission that designates the candidate's principal campaign committee. 2 U.S.C. § 432(e)(1). Treasurers of political committees are required to report all financial activity, including all receipts, disbursements, and debts, pursuant to the FECA. 2 U.S.C. §§ 434(b)(2), (4), and (8), 11 C.F.R. §§ 104.3(a), (b), and (d).

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5. Henry Yanez was a first time candidate, unfamiliar with filing requirements, and contends that he believed the Committee's former treasurer filed all required reports. Mr. Yanez contends that both he and his former treasurer attempted to file the Form 2, but encountered difficulties. Mr. Yanez is no longer a candidate in the 2012 election cycle and has no plans to run for federal office again.
 6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) file all required reports within sixty (60) days of the effective date of this agreement, and (b) work with the Commission to terminate the Committee within ninety (90) 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, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
 10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 603 (MUR 6512), 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.

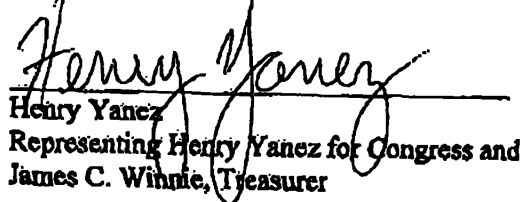
FOR THE COMMISSION:

**Krista J. Roche, Assistant Director
Alternative Dispute Resolution Office**



6/11/13
Date Signed

FOR THE RESPONDENTS:



Henry Yanez
Representing Henry Yanez for Congress and
James C. Winnie, Treasurer

3-6-13
Date Signed

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