



Federal Election Commission
Washington, DC 20463

VIA EXPRESS MAIL

June 15, 2012

Sheryl J. Rosander, Esq.
PO Box 180250
Coronado, CA 92178

Re: ADR 614 (MUR 6551)

Dear Ms. Rosander:

On March 29, 2012 and April 9, 2012, the Federal Election Commission (FEC/Commission) received your complaints alleging certain violations of the Federal Election Campaign Act of 1971, as amended.

After considering the circumstances of this matter, the Commission determined to exercise its prosecutorial discretion and take no action against the Respondents, the San Diego County Democratic Party and Xavier Martinez, Treasurer. In its memorandum to the Commission, dated May 30, 2012, this office recommended the dismissal based on the following:

Summary: The Complainant, Sheryl J. Rosander, alleges that the San Diego County Democratic Party and Xavier Martinez, Treasurer (Respondents or the Committee) failed to allocate salaries and possibly other non-FEA administrative expenses during four months of 2011; specifically January through April 2011. The complaint notes that the methodology changed starting in 2012, and the salaries were properly paid using the administrative ratio. In addition, the complaint alleges that Respondents failed to disclose some corporate in-kind contributions and failed to transfer the non-federal portion to the appropriate account.

Respondents contend that they worked with a Commission Reports Analyst to file all necessary amendments to correct the record with appropriate allocations for salaries, as well as for the in-kind contributions for allocable administrative and fund-raising activities. The Committee reported a debt to its non-federal account for these inadvertently omitted allocations in the amount of \$3,117.33. In addition, Respondents reviewed and updated staff training on the obligations of reporting under the Federal Election Campaign Act and the Commission regulations to ensure compliance.

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Accordingly, the Commission closed its file in this matter on June 14, 2012.

The FEC is obligated by federal regulations to make a finding to terminate its proceedings public, as well as the basis therefore. 11 C.F.R. § 111.20(b). In addition, the Commission will also place on the record copies of the complaint, correspondence exchanged between Respondents and the Commission, and reports prepared for the Commission by this office to assist in its consideration of this matter. Accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Lynn M. Fraser, Director
Alternative Dispute Resolution Office

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