



**Federal Election Commission
Washington, DC 20463**

September 17, 2013

Cleta Mitchell, Esq.
FOLEY & LARDNER, LLP
3000 K Street, NW #600
Washington, DC 20007

Re: ADR 639
Robert Waechter

Dear Ms. Mitchell:

Enclosed is the signed copy of the Negotiated Settlement resolving the complaints filed on December 31, 2012 and January 30, 2013 with the Federal Election Commission ("FEC/Commission") against the above-shown Respondent. The Negotiated Settlement was approved by the Commission on September 10, 2013— the effective date of the agreement.

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 October 10, 2013. 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 Negotiated Settlement 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 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 the Sarasota County Sheriff's Office 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

Enc: Negotiated Settlement

cc: Gwendolyn Holmes, Finance and Accounting Office

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Federal Election Commission
Washington, DC 20463

Case Number: ADR 639
Source: P-MUR 552
Case Name: Robert Waschter

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by the Sarasota County Sheriff's Office. 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 Cleta Mitchell, Esq., representing Robert Waschter (Respondent). 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 Respondent 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 Respondent. 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. Respondent voluntarily enters into this agreement with the Commission.
3. On December 31, 2012, and on January 30, 2013, the Sarasota County Sheriff's Office filed Complaints charging that Respondent made contributions in the name of another totaling \$450. The Complaints were filed after a citizen filed a report with the sheriff's office and an investigation uncovered the activity in question. Respondent was arrested on December 14, 2012 on state charges of identity theft. The first Complaint provides that a \$200 contribution to Keith Fitzgerald for Congress that was made by the Respondent in the name of Lourdes Ramirez. The second Complaint provides that a contribution of \$250 was made by the Respondent, also in the name of Lourdes Ramirez, to Obama Victory Fund 2012.
4. It is unlawful for any person to make a contribution in the name of another. 2 U.S.C. § 441f.
5. Respondent asserts that the violation was *de minimis*, and that a \$200 contribution is not subject to public disclosure under 2 U.S.C. §434(b)(3)(A) and 11 C.F.R. §104.8(a).

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6. Respondent, in an effort to resolve this matter, agrees to pay a civil penalty of \$5,000 within thirty (30) days of the effective date of this agreement.
7. Respondent agrees 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.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 639 (P-MUR 552), 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.

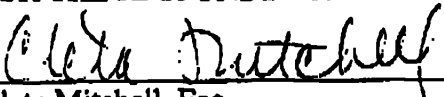
FOR THE COMMISSION:

Krista J. Roche
Alternative Dispute Resolution Office



9/10/13
Date Signed

FOR THE RESPONDENT:


Cleta Mitchell, Esq.
Representing Robert Waechter

July 1, 2013
Date Signed