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Federal Election Commission
Washington, DC 20463

SENSITIVE

MEMORANDUM

March 18, 2014

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia C. Orrock *PCO*
Chief Compliance Officer

Lynn M. Fraser *LMF*
Director, ADR Office

BY: Krista J. Roche *KJR*
Assistant Director, ADR Office

SUBJECT: ADR 665 Friends of Herman Cain, Inc. and Mark J. Block,
Treasurer, Recommendation to Approve Settlement
Agreement

RESOLUTION TERMS: Continue to remedy the excessive contributions and pay a
civil penalty of \$19,000.

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to **ADR 665 (RAD 13L-47)**. The ADR Office received this referral on October 30, 2013

SUMMARY: The Reports Analysis Division referred Respondents for receiving prohibited, excessive, and other impermissible contributions totaling \$186,871.98 for the 2012 Primary and General Elections which were not remedied within the permissible timeframes. The Committee did not timely refund, reattribute, or redesignate, as applicable, excessive and prohibited contributions for the 2012 Primary Election totaling \$99,091.90 from sixty-six individuals and two corporate entities. In addition, the Committee did not timely refund 2012 General Election contributions totaling \$87,780.08 from forty-three individuals and one political committee after the candidate announced on December 3, 2011 that he was no longer participating in the

Recommendation to Approve
Settlement Agreement
ADR 665 (RAD 13L-47)

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2012 Primary Election. The Committee subsequently remedied \$88,826 of these excessive contributions outside the permissible timeframe, while \$98,045.98 remains unremedied.

Respondents acknowledge that excessive contributions were received by the Committee and not remedied within the permissible timeframes. The Committee contends it is working diligently to ensure the appropriate refunds or disgorgements to the US Treasury are made so that all excessive contributions are resolved.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of Friends of Herman Cain, Inc. and Mark J. Block, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.

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