



FEDERAL ELECTION COMMISSION
Washington, DC 20463

March 19, 2014

Jennifer McNeely, Esq.
Political Law Group
5805 State Bridge Road, Suite G77
Johns Creek, GA 30097

Re: ADR 701 (P-MUR 569)
Eugene Yu for Congress Inc., Donnie Miller, Treasurer, Wayne B. Brown, and
Waynetworks, LLC

Dear Ms. McNeely:

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 Office of General Counsel was based on a *sua sponte* submission filed on December 6, 2013 which acknowledges a violation of 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 Eugene Yu for Congress Inc., Donnie Miller, Treasurer, (Respondents or the Committee) Wayne B. Brown, and Waynetworks, LLC, (Brown Respondents). 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 would conclude 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:

In a *sua sponte* submission dated December 6, 2013, Eugene Yu for Congress Inc., Donnie Miller, Treasurer, (Respondents or the Committee) Wayne B. Brown, and Waynetworks, LLC, (Brown Respondents) indicated that four separate checks totaling \$50,000 were deposited into the Committee's account from Wayne Brown and Waynetworks, LLC, Mr. Brown's business entity. The checks were issued between August 2013 and October 2013, and the refund was issued on November 15, 2013.

Respondents contend that the payments were part of an agreement to purchase real estate between Mr. Brown and Eugene Yu, federal candidate. The parties state that due to their inexperience with federal campaign finance law they did not realize these payments to Mr. Yu from Mr. Brown could not be made directly to the Committee's account instead of Mr. Yu individually. The Committee contends that once the error was discovered, reports were promptly amended and the appropriate refunds were made. The Committee asserts in the *sua sponte* submission that to ensure future compliance with the FECA that remedial actions have been undertaken including hiring a new accountant to assist the treasurer, participation by Committee officers in FEC on-line training courses, and retaining a law firm to provide guidance with regard to FECA compliance.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondent(s) 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 701**. 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,



Krista J. Roche
Assistant Director
Alternative Dispute Resolution Office

cc: Wayne B. Brown
Waynetworks, LLC
Donnie Miller, Treasurer, Eugene Yu for Senate, Inc.