



FEDERAL ELECTION COMMISSION
Washington, DC 20463

May 22, 2014

Scott A. Cross, CEO
Temperature Control Systems, Inc.
P.O. Box 550249
Dallas, TX 75355-0249

Re: ADR 712 (MUR 6787)
John Stacy for US Congress and Ella Parker, Treasurer, Temperature Control Systems,
Inc. and Walter Parker

Dear Mr. Cross:

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 was based on a complaint filed by Lou Gigliotti which alleges a possible failure to comply with the Federal Election Campaign Act of 1971, as amended by John Stacy for US Congress, *et al.*

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 John Stacy for US Congress and Ella Parker, Treasurer (Respondents or the Committee), as well as other Respondents named in the complaint. 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 concludes 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:

SUMMARY: Complainant Lou Gigliotti filed a complaint on February 21, 2014 alleging that John Stacy, John Stacy for US Congress and Ella Parker, Treasurer (the Committee) accepted a prohibited corporate contribution from Temperature Control Systems, Inc.

(Respondent TCS) (collectively Respondents). In addition, the Committee accepted an individual contribution of \$5,000 exceeding the \$2,600 limit from Walter Parker.

In a response filed March 19, 2014, the Committee stated that they made a "rookie mistake" in accepting the corporate contribution. The Committee contends that the funds were never spent, and were refunded to Respondent TCS on March 3, 2014. The Committee disclosed the refund on its 2014 April Quarterly Report. Respondent TCS contends that never having made a political contribution previously, it was not aware that corporate contributions were prohibited under the FECA.

The Committee contends that the alleged excessive \$5,000 contribution from Walter Parker was, in fact, reported incorrectly. The contribution was to have been attributed in equal amounts to both Walter and Ella Parker, thus bringing the contributions under the limit for the Primary Election. The Committee filed an Amended 2013 Year End Report on March 6, 2014 correcting the attribution.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondents would like to participate in ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Participate in 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 712**. 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,

Lynn M. Fraser, Director
Alternative Dispute Resolution Office
202-694-1665

Enclosures: ADR Frequently Asked Questions
Commitment to Participate in ADR
Designation of Representative/Counsel