



**Federal Election Commission
Washington, DC 20463**

July 16, 2014

Lisa A. Emard, Treasurer
Linthicum for Congress
40770 Highway 62
Chiloquin, OR 97624

Re: ADR 713 (MUR 6797)

Dear Ms. Emard:

On March 20, 2014 the Federal Election Commission ("FEC" or "Commission") notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with the notification.

After considering the circumstances of this matter, the Commission has determined to exercise its prosecutorial discretion and take no further action against Linthicum for Congress (the Committee), Lisa A. Emard, Treasurer, and Dennis Linthicum (collectively, Respondents). In its memorandum to the Commission, dated May 1, 2014, this office stated:

Summary:

On March 5, 2014, Keith R. Rockow filed a complaint alleging that Linthicum for Congress (the Committee), Lisa A. Emard, Treasurer, and Dennis Linthicum (collectively, Respondents) violated the Federal Election Campaign Act of 1971, as amended (FECA). The complaint alleges that on October 15, 2013, the Committee received a transfer in the amount of \$6,500 from Friends for Dennis Linthicum, Mr. Linthicum's non-federal campaign, which was disclosed on the 2013 Year-End Report received on January 17, 2014.

On February 6, 2014, Treasurer Emard telephoned the Reports Analysis Division (RAD) to discuss this transaction and seek guidance. On February 10 and 11, 2014, the Committee amended the 2013 Year-End Report to reflect the \$6,500 as a loan from the candidate's personal funds. Respondents contend in their response to the complaint that this was the original intention of the candidate. Respondents provide evidence to support that \$6,000 of the amount in question was originally loaned to Friends for Linthicum by the candidate himself; the additional \$500 was due to the candidate from Friends for Linthicum as reimbursement for travel expenses.

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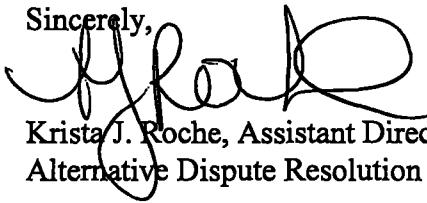
Due to the Committee's inexperience in federal reporting, the fact that the report was amended upon the discovery of the error, and the fact that the funds in question came from the candidate's personal funds, the ADR Office recommends the Commission exercise prosecutorial discretion and dismiss the matter in accordance with *Heckler v. Chaney*, 470 U.S. 821 (1985).

Accordingly, the Commission closed its file in this matter on July 10, 2014.

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 Respondent(s) 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.

If you have any questions regarding this matter please be in touch. My telephone number is 202-694-1661.

Sincerely,



Krista J. Roche, Assistant Director
Alternative Dispute Resolution Office

cc: Dennis Linthicum