



Federal Election Commission
Washington, DC 20463

January 27, 2015

Jan Witold Baran, Esq.
Wiley Rein LLP
1776 K Street, NW
Washington, DC 20006

Re: ADR 732 (RAD 14L-27)
Friends of John Boehner and Lisa Liska, Treasurer

Dear Mr. Baran:

Enclosed is the signed copy of the agreement resolving the referral initiated on August 5, 2014 by the Federal Election Commission ("FEC/Commission") involving Friends of John Boehner and Lisa Liska, Treasurer ("Respondents"). The agreement for **ADR 732 (RAD14L-27) was approved by the Commission on January 22, 2015** – the effective date of the agreement.

Note the specific time frames for compliance in **paragraph 6** of the agreement. **Please forward to this office, a statement certifying Respondent's compliance with the terms listed in the aforementioned agreement.** The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6, and contain the ADR caption and case number. **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 February 22, 2015.¹ 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 settlement agreement 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 entry into settlement 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.

¹ Please note, if the Commission refers an unpaid civil penalty to the US Treasury or third party collection agent, additional costs and fees will be assessed.

This agreement resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities regarding violations of federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

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

Enclosure: Agreement

cc: Gwen Holmes and Adam Liu, Finance and Accounting Office
Room 819



**Federal Election Commission
Washington, DC 20463**

Case Number: ADR 732
Source: RAD 14L-27
Case Name: Friends of John Boehner

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission (Commission) pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. 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 Commission entered into negotiations with Jan Witold Baran, Esq. and Carol Laham, Esq., representing Friends of John Boehner and Lisa Lisker, in her official capacity as Treasurer (the Committee or Respondents). 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 Respondents addressed the issues raised in this referral. The parties agree to resolve the matter according to the following terms:

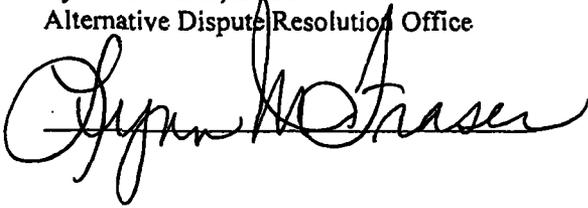
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 52 U.S.C. § 30109 (formerly 2 U.S.C. § 437g).
2. Respondents voluntarily enter into this agreement with the Commission.
3. The Reports Analysis Division (RAD) referred Respondents for failing to remedy excessive 2012 Primary and General Election contributions timely. The Committee received excessive contributions totaling \$57,276 for the 2012 elections from thirty-two (32) individuals, four (4) multicandidate political action committees, and three (3) non-multicandidate political action committees. The Committee did not timely refund, reattribute or redesignate these excessive contributions.
4. No person shall make contributions to any candidate and his authorized political committees with respect to any election for Federal office which, in the aggregate, exceed \$2,500. 52 U.S.C. §§ 30116(a) and (f) (formerly 2 U.S.C. §§ 441a(a) and (f)), 11 C.F.R. §§ 110.1(b), 110.9 (2012). These contribution limits are indexed for inflation in odd-numbered years. If a committee receives a contribution that appears to be excessive, the committee must return the check to the donor, deposit the contribution and maintain sufficient funds to potentially make a refund until the legality of the contribution is established, or seek a reattribution or a redesignation of the excessive portion. If the committee does not receive a proper reattribution or redesignation within 60 days of

receiving the excessive contribution, the excessive portion must be refunded to the donor. 52 U.S.C. § 30116(a)(1)(A) (formerly 2 U.S.C. § 441a(a)(1)(A)), 11 C.F.R. § 103.3(b)(3), (4), and (5).

5. Respondents contend, in several Miscellaneous Text Submissions (Form 99) filed in response to RFAs concerning the possible excessive contributions, the Committee took significant corrective action to ensure that any excessive contributions are refunded, reattributed or redesignated timely in the future, such as transitioning to a new filing software which allows for closer monitoring of all receipts and provides several quality assurance reports to track duplicate entries and excessive contributions.
6. Respondent, in an effort to avoid similar errors in the future, agree to: (a) certify that a representative of the Committee participated in an FEC conference, webinar, or other program developed in consultation with the FEC's Information Division within twelve (12) months of the effective date of this agreement; (b) certify implementation of internal controls consistent with those described in the Commission's Internal Controls and Political Committees advisory document (2007) and the Best Practices for Committee Management (published in the April 2009 Record, available at www.fec.gov/pages/brochures/bestpractices.shtml) within ninety (90) days of the effective date of this agreement; and (c) pay a civil penalty of \$4,300 within thirty (30) days of the effective date of this agreement.
7. Respondents agree 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. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above, and shall certify compliance with the above settlement terms in writing to the Alternative Dispute Resolution Office on or before the date each term becomes due.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 732 (RAD 14L-27), 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.

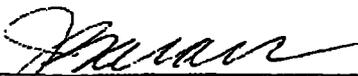
FOR THE COMMISSION:

Lynn M. Fraser, Director
Alternative Dispute Resolution Office



1/22/2015
Date Signed

FOR THE RESPONDENTS:



Jan Witold Baran, Esq.
Representing Friends of John Boehner and
Lisa Lisker, Treasurer

1/5/15
Date Signed

14-00000-01-01