



Federal Election Commission
Washington, DC 20463

VIA UPS

February 17, 2016

Nicholas A. Passanante
BoulderStrategies LLC
780 Utica Avenue
Boulder, CO 80304-0755

Re: ADR 781 (MUR 6890) Sharon Sund for Congress and Eugene Roberson, Treasurer

Dear Mr. Passanante:

This letter is to advise you of the outcome of the complaint which you filed with the Federal Election Commission (FEC/Commission) on October 16, 2014, against Sharon Sund for Congress and Eugene Roberson, Treasurer (collectively Respondents). After receiving a reply from Respondents, the Commission evaluated the case and assigned it to the Alternative Dispute Resolution Office (ADR Office). The ADR Office entered into negotiations with counsel for Respondents. The purpose of the negotiations was to achieve a satisfactory resolution of the issues involved in the complaint and, at the same time, promote compliance with the Federal Election Campaign Act of 1971, as amended. Those negotiations resulted in an agreement that was approved by the Commission on February 11, 2016. A copy of the agreement is enclosed.

The settlement agreement will be made part of the record that is released to the public. In addition, the Commission will also place on the record copies of the complaint, correspondence exchanged between Respondent(s) and this office prior to 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.

Sincerely,

A handwritten signature in black ink, appearing to read "K. Roche", is written over a horizontal line.

Krista J. Roche, Assistant Director
Alternative Dispute Resolution Office

Enclosure: Agreement



Federal Election Commission
Washington, DC 20463

Case Number: ADR 781
Source: MUR 6890
Case Name: Sharon Sund for Congress

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by Nicholas A. Passanante. 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 Federal Election Commission (Commission) entered into negotiations with Sharon Sund representing Sharon Sund for Congress and Eugene Roberson, in his 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 complaint. 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.
2. Respondents voluntarily enter into this agreement with the Commission.
3. On October 16, 2014, Nicholas A. Passanante filed a Complaint alleging that the Committee failed to disclose an outstanding debt of \$14,802.82 to BoulderStrategies LLC on the Committee's 2014 October Quarterly Report.
4. Treasurers of political committees are required to disclose all financial activity, including the amount and nature of outstanding debts and obligations owed by the political committee. 52 U.S.C. § 30104(b)(8), 11 C.F.R. § 104.3(d). If a debt is disputed, the political committee shall disclose any amounts paid to the creditor, any amounts the political committee admits it owes and the amount the creditor claims is owed. 11 C.F.R. § 116.10(a).
5. The Committee contends that it disputed the debt of \$14,802.82 which was incurred in July, 2014, and has since reached a settlement for \$11,000. The Committee first reported this debt in the amount of \$9,500 on its 2014 12 Day Pre-General Report filed on October 24, 2014. After receiving a response from BoulderStrategies LLC that \$9,500 was not an acceptable settlement, the Committee and its vendor agreed upon \$11,000. The Committee subsequently reported two debts of \$4,500 and \$6,500

on its 2014 30 Day Post General Report, and the payment in full of these obligations on its 2014 30 Day Post-General and 2015 April Quarterly Reports.

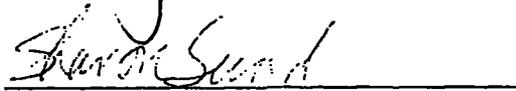
6. Respondents, in an effort to avoid similar errors in the future, agree to: (a) participate in a teleconference with FEC staff regarding debt reporting within thirty (30) days of the effective date of this agreement; and (b) file appropriate amendments to relevant reports regarding this debt within forty-five (45) 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 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 781 (MUR 6890), 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:

Krista J. Roche, Assistant Director
Alternative Dispute Resolution Office



FOR THE RESPONDENTS:



Sharon Sund
Representing Sharon Sund for Congress and
Eugene Roberson, Treasurer



Date Signed



Date Signed