



Federal Election Commission
Washington, DC 20463

January 25, 2017

John G. Fogarty, Jr.
Law Office of John Fogarty
4043 Ravenswood, Suite #226
Chicago, IL 60613

Re: ADR 815 (MUR 7120)

Dear Mr. Fogarty:

On August 10, 2016, the Federal Election Commission ("FEC" or "Commission") notified your clients, Pete for Congress and Paul Kilgore, Treasurer, 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 the Respondents Pete for Congress and Paul Kilgore, Treasurer. In its memorandum to the Commission, dated December 6, 2016, this office stated:

Summary and Analysis of Case: On August 4, 2016, Esther Carrera filed a Complaint alleging that Pete for Congress and Paul Kilgore, Treasurer, (Respondents or the Committee) accepted \$10,234 in prohibited contributions during June 2016 from twenty-one apparent corporations, as disclosed on the Committee's 2016 July Quarterly Report.

Of the twenty-one contributions at issue, one was refunded within the permissible timeframe and three were from partnerships, thus permissible contributions. The remaining contributions were refunded on August 31, 2016, with the exception of one \$150 contribution. In response to the Complaint, the Committee contends that it did not act knowingly and willfully and has taken steps to ensure it does not accept contributions of this nature in the future.

Due to the remedial actions taken by the Committee, including dispensing refunds, and the relatively low amount and dollar value of the contributions at issue, the ADR Office recommends the Commission exercise prosecutorial discretion and dismiss the matter. *Heckler v. Chaney* 470 U.S. 821 (1985).

FEDERAL ELECTION COMMISSION, ALTERNATIVE DISPUTE RESOLUTION OFFICE
999 E STREET N.W., WASHINGTON, DC 20463
TELEPHONE: 202.694.1670 FAX: 202.219.0613

Accordingly, the Commission closed its file in this matter on January 24, 2017.

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

17-10364040-0000