



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 24, 2018

Elizabeth Roggio  
Kleinbard LLC  
One Liberty Place, 46th Floor  
1650 Market Street  
Philadelphia, PA 19103

Re: ADR 871  
Equality Pennsylvania and Joseph Dungee, Treasurer

Dear Elizabeth Roggio:

Enclosed is the signed copy of the Negotiated Settlement resolving the above-shown matter. The Negotiated Settlement was approved by the Commission on 10/18/2018 – the effective date of the agreement.

Note the specific time frames for compliance detailed in the agreement. Please forward to this office, a statement confirming Respondent's compliance with each term. The letter should note the dates on which Respondents satisfied each of the terms and contain the ADR case number. For your convenience, a compliance chart is attached.

Under the terms of the agreement, a civil penalty in the amount of \$5,900.00 is due on Sun 10/18/2020. Kindly review the attached payment instructions for details on payment methods and the collection of unpaid debts.

As you are aware, the Negotiated Settlement 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 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 Records Office.

This agreement resolves this matter. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

*Krista J. Roche*

Krista J. Roche

Director

Alternative Dispute Resolution Office

Enc: Payment Instructions  
Compliance Chart  
Negotiated Settlement

cc: Gwendolyn Holmes, Finance and Accounting Office



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Case Number: ADR 871  
Source: RR 17L-37  
Case Name: Equality Pennsylvania

### 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 Elizabeth Roggio, Esq., representing Equality Pennsylvania (Respondent). 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 Respondent 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.
2. Respondent voluntarily enters into this agreement with the Commission.
3. The Reports Analysis Division (RAD) referred Respondent for failing to file the 2016 October Quarterly Report to support contributions totaling \$174,214.52 and independent expenditures totaling \$62,424.04 disclosed on three (3) 48-Hour Reports.
4. Entities that are not political committees that spend in excess of \$250 on independent expenditures within a calendar year with respect to a given election must also file a quarterly report (*i.e.*, Form 5) for any quarterly period in which the independent expenditures exceed \$250 and any subsequent quarterly period during that calendar year when additional independent expenditures are made. 52 U.S.C. §30104(c), 11 C.F.R. §109.10(b).
5. On January 25, 2017, the Respondent filed the 2016 Year-End Report, with the adjusted coverage period from January 1, 2016 through December 31, 2016. On October 30, 2017, the Respondent filed the 2016 October Quarterly Report with the correct coverage period to support these contributions and expenditures.

6. Respondent, in an effort to avoid similar errors in the future, agrees 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; and (b) pay a civil penalty of \$5,900, which shall be paid in twenty three (23) monthly payments of \$250, the first due within thirty (30) days of the effective date of this agreement, plus a final payment of \$150 due thirty (30) days thereafter.
7. Respondent agrees that all information provided to resolve this matter is true and accurate to the best of its knowledge and that it signs this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondent fails 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. Respondent 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 in ADR 871 (RR 17L-37), 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.

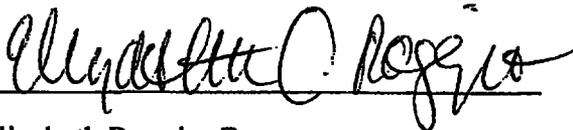
FOR THE COMMISSION:

Krista J. Roche, Director  
Alternative Dispute Resolution Office

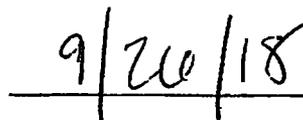


Date Signed

FOR THE RESPONDENT:



Elizabeth Roggio, Esq.  
Representing Equality Pennsylvania



Date Signed