



FEDERAL ELECTION COMMISSION

Washington, DC 20463

April 9, 1999

Elections Committee of the County of Orange  
Jeff Le Tourneau, Chairperson  
1700 E. Garry Street  
Suite 210  
Santa Ana, CA 92705

RE: MUR 4866  
Elections Committee of the County of  
Orange and Tamara Jean McIntyre, as  
treasurer

Dear Mr. Le Tourneau:

On April 7, 1999, the Federal Election Commission accepted the signed conciliation agreement submitted on behalf of the Elections Committee of the County of Orange and Tamara Jean McIntyre, as treasurer, in settlement of a violation of 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). Accordingly, the file has been closed in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the first installment payment of the civil penalty is due on April 15, 1999. If you have any questions, please contact me at (202) 694-1650.

Sincerely,

A handwritten signature in cursive script, appearing to read "LA Davis".

Lisa A. Davis  
Paralegal Specialist

Enclosure  
Conciliation Agreement

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
OFFICE OF GENERAL  
COUNSEL

## BEFORE THE FEDERAL ELECTION COMMISSION

MAR 23 3 01 PM '99

In the Matter of )  
 ) MUR 4866  
Elections Committee of the County )  
of Orange and Tamara Jean McIntyre, )  
as Treasurer )

## CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Elections Committee of the County of Orange and Tamara Jean McIntyre, as treasurer ("Respondents"), violated 2 U.S.C. § 434(a)(4)(A)(i).

NOW, THEREFORE, the Commission and the Respondents, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C.

§ 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondents enter voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. The Elections Committee of the County of Orange is a political committee within the meaning of 2 U.S.C. § 431(4) and is not an authorized committee of any candidate.

2. Tamara Jean McIntyre is the treasurer of the Elections Committee of the County of Orange.

3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that all political committees other than authorized committees of a candidate shall file quarterly reports in a calendar year in which a regularly scheduled general election is held, which shall be filed no later than the 15<sup>th</sup> day after the last day of each calendar quarter: except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(i).

4. Respondents failed to timely file the 1998 April Quarterly Report of Receipts and Disbursements covering the period from January 1, 1998 to March 31, 1998. Respondents were required to file the April Quarterly report no later than April 15, 1998.

5. The 1998 April Quarterly Report, which disclosed \$3,617.00 in receipts and \$10,062.00 in disbursements, was not filed until July 17, 1998, 93 days late.

6. Respondents have taken steps to ensure future compliance with the Act. These steps consist of:

- a. Hiring a professional consultant, the David Gold, Co., to prepare the committee's state and federal reports;
- b. Appointing a financial consultant as their new treasurer to assist in the filing of their reports;
- c. Personal oversight of the filings by Jeff Le Tourneau, Chairperson of the Elections Committee of the County of Orange.

V. Respondents failed to timely file their 1998 April Quarterly Report in violation of 2 U.S.C. § 434(a)(4)(A)(i).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Eleven Hundred Dollars (\$1,100.00), pursuant to 2 U.S.C. § 437g(a)(5)(A), such penalty to be paid as follows:

1. One initial payment of \$100.00 due on April 15, 1999;
2. Thereafter, beginning thirty (30) days after the date of the initial payment, five (5) consecutive monthly installments of \$100.00 each;
3. Each such installment shall be paid on the 15<sup>th</sup> day of the month in which it becomes due;
4. The remaining balance of \$500.00 shall be due in full no later than October 31, 1999.
5. In the event that any installment payment is not received by the Commission within five days of the date it is due, the Commission may, at its discretion, accelerate the remaining payments and cause the entire amount to become due upon ten days written notice to the respondents. Failure by the Commission to accelerate the payments with regard to any overdue installment shall not be construed as a waiver of its right to do so with regard to future overdue installments.

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

BY:

Lois G. Lerner  
Lois G. Lerner  
Associate General Counsel

Date

4/8/99

FOR THE RESPONDENTS:

Name

Jeffrey L. Lerner

Date

3/19/99

Position

Chairman