

FEDERAL ELECTION COMMISSION

999 E Street, N.W.
Washington, D.C. 20463

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FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD REFERRAL: 99NF-04
DATE ACTIVATED: 5/28/99

STAFF MEMBER: ROBERT M. KNOP

SOURCE: INTERNALLY GENERATED

RESPONDENTS: Dallas Entrepreneur Political Action Committee
Fran Sauls, Treasurer

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(A)(i)

INTERNAL REPORTS CHECKED: Referral Materials
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of the General Counsel received a referral from the Reports Analysis Division ("RAD") on April 21, 1999. The basis for the referral is the failure of the Dallas Entrepreneur Political Action Committee and Fran Sauls, as treasurer ("Respondents") to file its 1998 October Quarterly Report in a timely manner.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 1, this Office recommends that the Federal Election Commission (the "Commission") find reason to believe the Respondents violated 2 U.S.C. § 434(a)(4)(A)(i).

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III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

In addition to recommending that the Commission find reason to believe that the Respondents violated 2 U.S.C. § 434(a)(4)(A)(i), this Office recommends that the Commission offer to enter into conciliation with the Respondents prior to a finding of probable cause to believe. Attached for the Commission's approval is a proposed conciliation agreement

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IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that Dallas Entrepreneur Political Action Committee and Fran Sauls, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i).
3. Enter into conciliation with Dallas Entrepreneur Political Action Committee and Fran Sauls, as treasurer, prior to a finding of probable cause to believe.
4. Approve the attached Factual and Legal Analysis and Conciliation Agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

20.04.401.3710
Date

6/15/99

BY:


Lois G. Lerner
Associate General Counsel

Attachment:

1. Factual and Legal Analysis
2. Proposed agreement



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel **KCS**

DATE: June 16, 1999

SUBJECT: 99NF-04-First General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS

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