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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION
AUG 13 2002

AUG 13 2002

In the Matter of)

2002 AUG 13 P 4:42

Charles Ball for Congress)

and Justin Briggs, as treasurer)

MUR 4919

SENSITIVE

GENERAL COUNSEL'S REPORT #12

I. ACTIONS RECOMMENDED: Accept the attached conciliation agreement and close the file as to Charles Ball for Congress and Justin Briggs, as treasurer.

II. BACKGROUND

On June 19, 2002, the Commission found probable cause to believe that Charles Ball for Congress knowingly and willfully violated 2 U.S.C. 441d(a) and 441h and that Justin Briggs, as treasurer of Charles Ball for Congress, violated 2 U.S.C. 441d(a) and 441h. The Commission voted to conciliate with Charles Ball for Congress and Justin Briggs, as treasurer (collectively "the Ball Committee"). The Commission also decided to take no further action against Heather Patterson, and closed the file as it pertains to her. Finally, the Commission found probable cause to believe that Adrian Plesha knowingly and willfully violated 2 U.S.C. 441h and referred Mr. Plesha to the Department of Justice pursuant to 2 U.S.C. 437g(a)(5)(C). On June 27, 2002, the referral package was formally transmitted to DOJ.¹ Through consultations with DOJ, before and after the transmittal, this Office learned that DOJ has no objection to the Commission pursuing conciliation with the Ball Committee.

Attached is a signed conciliation agreement

¹ DOJ recently informed this Office that an investigation as to Mr. Plesha has been opened. Pursuant to 2 U.S.C. § 437g(c), the Commission can expect to receive the initial formal report from DOJ on August 26, 2002.

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III. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Charles Ball for Congress and Justin Briggs, as treasurer.
2. Close the file as to Charles Ball for Congress and Justin Briggs, as treasurer.
3. Approve the appropriate letters.

Lawrence H. Norton
General Counsel

Date

8/13/02

BY:

Rhonda J. Vosdingh
Rhonda J. Vosdingh

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Other staff assigned:

Wade Sovonick

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Jack Gould

Attachments

1. Conciliation Agreement

2. Initial civil penalty check

3. Ball Committee Letter