

MAR 17 2004

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

2004 MAR 17 P 12:20

In the Matter of

)

MUR 5199

Bush-Cheney 2000, Inc.

)

and David Herndon, as Treasurer

)

)

SENSITIVE

GENERAL COUNSEL'S REPORT #4

I. ACTIONS RECOMMENDED: Approve the counteroffer of Bush-Cheney 2000, Inc. and David Herndon, as Treasurer ("the Respondents"), approve the appropriate letters and close the file.

II. BACKGROUND

On November 4, 2003, the Commission found probable cause to believe that the Respondents violated 2 U.S.C. §§ 434(b)(2)(J) and 434(b)(4)(G) and (I) by failing to report the Committee's recount receipts and disbursements with the Commission, and violated 2 U.S.C. §§ 434(b)(3)(G) and 434(b)(6)(A) by failing to itemize its recount receipts and disbursements, where appropriate. The Commission also approved a conciliation agreement

1 **III. THE PROPOSED SETTLEMENT**

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IV. RECOMMENDATIONS

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1. Approve the proposed conciliation agreement.

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2. Approve the appropriate letters.

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3. Close the file.

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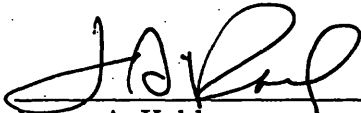
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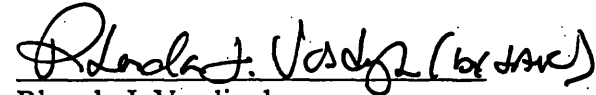
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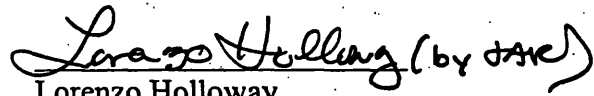
Lawrence H. Norton
General Counsel


3/17/04
Date

BY:


James A. Kahl
Deputy General Counsel


Rhonda J. Vosdigh
Associate General Counsel for Enforcement


Lorenzo Holloway
Assistant General Counsel


Tracey L. Ligen
Attorney

Attachments:

1. Proposed Conciliation Agreement
2. Commission's out-the-door offer



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel *jm*

DATE: March 17, 2004

SUBJECT: MUR 5199 -General Counsel's Report #4

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

Open Session _____

Closed Session _____

CIRCULATIONS

SENSITIVE

☒

NON-SENSITIVE

☐

72 Hour TALLY VOTE ☒

24 Hour TALLY VOTE ☐

24 Hour NO OBJECTION ☐

INFORMATION ☐

96 Hour TALLY VOTE ☐

DISTRIBUTION

COMPLIANCE

☒

Open/Closed Letters ☐

MUR ☐

DSP ☐

STATUS SHEETS ☐

Enforcement ☐

Litigation ☐

PFESP ☐

RATING SHEETS ☐

AUDIT MATTERS ☐

LITIGATION ☐

ADVISORY OPINIONS ☐

REGULATIONS ☐

OTHER ☐