

MAR - 8 2007

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BEFORE THE FEDERAL ELECTION COMMISSION

2007 MAR -8 P 5:00

In the Matter of)
) MUR 5358
Jamie Jacob Morgan)
John Morgan)

SENSITIVE

GENERAL COUNSEL'S REPORT #3

I. ACTIONS RECOMMENDED

1. Accept the attached conciliation agreement with Jamie Jacob Morgan.
2. Take no further action as to John Morgan.
3. Close the file.

II. DISCUSSION

A. Jamie Jacob Morgan

27044155041

B. John Morgan

John Morgan, Jamie Morgan's brother, was the designated treasurer of Jamie Morgan's campaign committee. The Commission found reason to believe that John Morgan knowingly and willfully violated 2 U.S.C. § 434(b) by reporting inflated and fictitious contributions and fictitious refunds. However, our investigation shows that John Morgan was the treasurer of Jamie Morgan's campaign committee in name only; he never actually performed any of the treasurer duties.

In response to the Commission's reason to believe finding, John Morgan explained that he allowed Jamie Morgan to use his name, because Jamie Morgan was under the impression that he could not serve as treasurer for his campaign committee and he could not find anyone else to agree to serve as treasurer. Jamie Morgan has confirmed John Morgan's account.

As Jamie Morgan has affirmed his role as the actual treasurer of his campaign committee and has taken full responsibility for the violations at issue in this matter, we believe it is appropriate for the Commission to exercise its prosecutorial discretion and take no further action as to John Morgan.

III. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Jamie Jacob Morgan.
2. Take no further action as to John Morgan.
3. Close the file.

4. Approve the appropriate letters.

Thomasenia P. Duncan
Acting General Counsel

Rhonda J. Vosdingh
Associate General Counsel
for Enforcement

3/8/07
Date

BY: Cynthia E. Tompkins
Cynthia E. Tompkins
Assistant General Counsel

Kamau Philbert
Kamau Philbert
Attorney *by CEF*

Attachments

1. Signed Conciliation Agreement

27044155043