



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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**CELA**

**MEMORANDUM**

**TO:** The Commission

**FROM:** Anthony Herman  
General Counsel

Daniel A. Petalas  
Associate General Counsel for Enforcement

**BY:** Mark Shonkwiler *MS*  
Assistant General Counsel

Camilla Jackson Jones *CJJ*  
Attorney

**SUBJECT:** MURs 6078, 6090, 6108, 6139, 6142, and 6214, and AF 2512 (Obama for America) – Pre-Probable Cause Conciliation Agreement

**I. INTRODUCTION**

Attached is a revised conciliation agreement that we recommend the Commission accept to resolve violations of 2 U.S.C. §§ 434(a), (b), and 441a(f) by Obama for America and Martin Nesbitt in his official capacity as treasurer (“Respondents” or “OFA”). Attach. 1. Pursuant to the Commission’s instructions at the Executive Session on July 10, 2012, the revised agreement would resolve violations arising from both the above-referenced Matters Under Review and the Administrative Fines Matter arising from the Commission’s Audit of OFA’s 2007-2008 presidential campaign.

Respondents have agreed to pay a \$375,000 civil penalty, \$191,135 administrative fine for violations of 2 U.S.C. § 434(a)(6)(A) set forth in AF 2512, and \$183,865 for violations of 2 U.S.C. §§ 434(b) and 441a(f) set forth in MURs 6078, 6090, 6108, 6139, 6142, and 6214.

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Therefore, we recommend that the Commission accept the attached signed conciliation agreement with Obama for America and Martin Nesbitt in his official capacity as treasurer, approve the appropriate letters, and close the files.

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**III. RECOMMENDATIONS**

1. Accept the attached signed conciliation agreement with Obama for America and Martin Nesbitt in his official capacity as treasurer;
2. Approve the appropriate letters; and
3. Close the files.

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