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COMMISSION

2012 MAY 24 PM 2: 41

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## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 6380  
Christine O'Donnell; Friends of Christine )  
O'Donnell and Matt Moran, in his official )  
capacity as treasurer )

CERTIFICATION

I, Shelley E. Garr, recording secretary of the Federal Election Commission executive session, do hereby certify that on May 22, 2012, the Commission took the following actions in MUR 6380:

1. Failed on a vote of 3-3 to take the following actions:
  - a. Find reason to believe that Friends of Christine O'Donnell and Matt Moran, in his official capacity as treasurer, violated 2 U.S.C. § 439a(b).
  - b. Find reason to believe that Christine O'Donnell violated 2 U.S.C. § 439a(b).
  - c. Dismiss the allegations that Christine O'Donnell and Friends of Christine O'Donnell and Matt Moran, in his official capacity as treasurer, violated 2 U.S.C. § 439a(b) by using campaign funds to pay rent on a personal residence and other personal expenses in 2009, and that Friends of Christine O'Donnell and Matt Moran, in his official capacity as treasurer, violated 2 U.S.C. § 434(b) by improperly reporting the 2009 rental payments.
  - d. Enter into conciliation with Friends of Christine O'Donnell and Matt Moran, in his official capacity as treasurer, and Christine O'Donnell, prior to a finding of probable cause to believe.

- e. Approve the proposed conciliation agreement as recommended in the First General Counsel's Report dated April 27, 2012.
- f. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated April 27, 2012
- g. Approve the appropriate letters.

Commissioners Bauerly, Walther, and Weintraub voted affirmatively for the motion.

Commissioners Hunter, McGahn II, and Petersen dissented.

2. Decided by a vote of 6-0 to take the following actions:

- a. Find reason to believe that Friends of Christine O'Donnell and Matt Moran, in his official capacity as treasurer, violated 2 U.S.C. § 439a(b).
- b. Find reason to believe that Christine O'Donnell violated 2 U.S.C. § 439a(b).
- c. Dismiss the allegations that Christine O'Donnell and Friends of Christine O'Donnell and Matt Moran, in his official capacity as treasurer, violated 2 U.S.C. § 439a(b) by using campaign funds to pay rent on a personal residence and other personal expenses in 2009, and that Friends of Christine O'Donnell and Matt Moran, in his official capacity as treasurer, violated 2 U.S.C. § 434(b) by improperly reporting the 2009 rental payments.
- d. Enter into conciliation with Friends of Christine O'Donnell and Matt Moran, in his official capacity as treasurer, and Christine O'Donnell, prior to a finding of probable cause to believe.
- e. Approve the proposed conciliation agreement as recommended in the First General Counsel's Report dated April 27, 2012
- f. Approve the Factual and Legal Analysis as recommended in the First General Counsel's Report dated April 27, 2012

g. Approve the appropriate letters.

Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

May 23, 2012  
Date

Shelley E. Gair  
Shelley E. Gair  
Deputy Secretary of the Commission