



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

BY FIRST CLASS MAIL

MAY 24 2013

Andreas Rockas, Esq.
Law Offices of Andreas C. Rockas
1121 L Street, Suite 103
Sacramento, CA 95814

RE: MUR 6529
Lang, Hansen, O'Malley & Miller

Dear Mr. Rockas:

On February 14, 2012, the Federal Election Commission notified your client, Lang, Hansen, O'Malley & Miller, of a complaint alleging violations of the Federal Election Campaign Act of 1971, as amended. On May 9, 2013, the Commission found, on the basis of the information provided in the complaint and by your client, that there is no reason to believe that Lang, Hansen, O'Malley & Miller violated 2 U.S.C. § 441a(a)(1) and 11 C.F.R. § 110.1(b). Accordingly, the Commission closed its file in this matter.

Documents related to the case will be placed on the public record within 30 days. See Statement of Policy Regarding Disclosure of Closed Enforcement and Related Files, 68 Fed. Reg. 70,426 (Dec. 18, 2003). The Factual and Legal Analysis, which explains the Commission's finding, is enclosed for your information.

If you have any questions, please contact Camilla Jackson Jones, the attorney assigned to this matter, at (202) 694-1650.

Sincerely,

Mark D. Shonkwiler
Assistant General Counsel

Enclosure
Factual and Legal Analysis

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Lang, Hansen, O'Malley & Miller

MUR: 6529

I. INTRODUCTION

In its 2011 Year End Report, Gloria Negrete McLeod for Congress and Gilbert McLeod, in his official capacity as treasurer (the "Federal Committee") disclosed the receipt of an \$8,000 contribution from the partnership of Lang, Hansen, O'Malley & Miller ("LHOM") on December 23, 2011. Based on the disclosure report, the Complaint alleges that LHOM made, and the Federal Committee received, an excessive contribution. Compl. at 1-2.

The Act provides that contributions by any person to a federal candidate may not exceed the contribution limit, which in 2011-12 was \$2,500 per election cycle. 2 U.S.C. § 441a(a)(1); 11 C.F.R. § 110.1(b). The Act's regulations hold a committee's treasurer responsible for examining all contributions received by the committee and making "best efforts" to ensure such contributions comply with the Act. 11 C.F.R. § 103.3(b). If the treasurer determines that a contribution exceeds the contribution limitations, the committee has 60 days to refund the excessive contribution, or obtain a written redesignation or reattribution of the excessive portion. 11 C.F.R. § 103.3(b)(3). A contribution by a partnership must be attributed to the partnership and to each applicable partner and must not exceed the limitations on contributions. 11 C.F.R. § 110.1(e).

The Federal Committee acknowledges that it received an \$8,000 contribution from LHOM. As required, however, the Federal Committee contacted LHOM regarding the contribution and arranged to refund \$6,000 of the contribution, with the remaining \$2,000

attributed individually to each of LHOM's four partners equally, resulting in a per partner contribution of \$500.¹ Resp. at 2; LHOM Resp. at 2 (Mar. 15, 2012). On February 21, 2012, exactly 60 days after receiving the initial contribution and therefore consistent with the Act, the Federal Committee issued the refund check of \$6,000 to the partnership. *Id.*

Accordingly, the Commission found no reason to believe that Lang, Hansen, O'Malley & Miller violated 2 U.S.C. § 441a(a)(1) and 11 C.F.R. § 110.1(b) by making an excessive contribution to Gloria Negrete McLeod for Congress and Gilbert McLeod in his official capacity as treasurer.

¹ LHOM has no other partners and none of the four named individual partners have contributed any funds to the Federal Committee other than the contribution at issue.