



FEDERAL ELECTION COMMISSION
Washington, DC 20463

MEMORANDUM

TO: The Commission

FROM: Lisa J. Stevenson
Acting General Counsel

Charles Kitcher
Associate General Counsel for Enforcement

Jin Lee
Deputy Associate General Counsel for Enforcement

BY: Mark Shonkwiler *MS*
Assistant General Counsel

Donald Campbell *DC*
Attorney

DATE: October 6, 2022

RE: MUR 7792 (Alaina Shearer for Congress, *et al.*)
Recommendation to Accept Signed Conciliation Agreements

On April 26, 2022, the Commission found reason to believe that Alaina Shearer for Congress and Scott M. Hubay in his official capacity as treasurer (the “Shearer Committee”), and Gem City Rise PAC (f/k/a Friends of Desiree Tims) and Scott M. Hubay in his official capacity as treasurer (the “Tims Committee”) (collectively, the “Respondents”) violated 52 U.S.C. § 30104(b)(4) by failing to accurately report salary payments to specific campaign committee employees that were made indirectly using the Ohio Democratic Party (ODP) as a payroll processor.¹ The Commission also authorized pre-probable cause conciliation and approved conciliation agreements for both the Shearer Committee and the Tims Committee.² Attached are negotiated conciliation agreements signed by Respondents’ counsel, each with a civil penalty of \$10,000.³ We recommend that the Commission accept the two separate signed conciliation agreements.

¹ Certification (“Cert.”) ¶¶ 5-6 (Apr. 28, 2022).

² Cert. ¶¶ 9, 10 (April 26, 2022).

³ Attachs. 1, 2.

MUR 7792 (Alaina Shearer for Congress, *et al.*)

Memorandum to the Commission

Page 2 of 3

MUR 7792 (Alaina Shearer for Congress, *et al.*)

Memorandum to the Commission

Page 3 of 3

RECOMMENDATIONS:

1. Accept the attached conciliation agreement with Alaina Shearer for Congress and Scott M. Hubay in his official capacity as treasurer;
2. Accept the attached conciliation agreement with Gem City Rise PAC (f/k/a Friends of Desiree Tims) and Scott M. Hubay in his official capacity as treasurer;
3. Approve the appropriate letters; and
4. Close the file.