



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1251

DATE SCANNED 9-30-05

SCANNER NO. 1

SCAN OPERATOR Jm 10

25092581020



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2005 JAN 19 A 9:03

January 18, 2005

**SENSITIVE**

MEMORANDUM

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON  
STAFF DIRECTOR

ROBERT J. COSTA  
DEPUTY STAFF DIRECTOR

FROM: JOHN D. GIBSON  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: REASON TO BELIEVE RECOMMENDATION -  
12 DAY PRE-GENERAL REPORT FOR THE  
ADMINISTRATIVE FINES PROGRAM

Attached is a list of political committees and their treasurers who failed to file or timely file the 2004 12 Day Pre-General Report in accordance with 2 U.S.C. 434(a). The list is comprised of unauthorized committees that file monthly and authorized committees whose candidates sought election in the November 2<sup>nd</sup> General Election. The filing of the 12 Day Pre-General Report is mandatory in both cases.

On September 27, 2004, Prior Notice was sent to the political committees and their treasurers, informing them that the report was due on October 21, 2004 and should cover the period from October 1, 2004 through October 13, 2004.

The committees appearing on the list either filed the report more than five (5) days after the due date, failed to file the report or failed to file the report prior to four (4) days before the general election (considered a non-filed report). In accordance with the schedule of civil money penalties at 11 CFR 111.43, these committees should be assessed the civil money penalties included on the attached list.

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Similarly, the Sparta Inc Employees' PAC (AF 1262) filed the 2004 November Monthly Report in lieu of the 12 Day Pre-General Report. RAD calculated a proposed civil money penalty based on a prorated activity level of 41.9%. This figured was determined based on the percentage of the November Monthly Report that comprised the 12 Day Pre-General Report, i.e. while only 13 days were required for the 12G, 31 days were actually reported in the M11.

As stated at the outset, this RTB circulation only includes unauthorized committees filing monthly reports and authorized committees supporting candidates who were in the general election. An unauthorized committee that files on a quarterly basis must file the 12 Day Pre-General Report only if it makes a contribution to, or an expenditure on behalf of, a candidate in the general election between the dates of October 1, 2004 and October 13, 2004. The universe of quarterly filers required to file this report cannot be determined with any certainty until we are able to review the activity disclosed in the 30 Day Post-General Report submitted by quarterly filers. Once this research is completed, we will circulate the RTB recommendations for the failure to file or failure to timely file the 12 Day Pre-General Report by unauthorized quarterly filers.

### **Recommendation**

1. Find reason to believe that the political committees and their treasurers listed on the RTB Circulation Report violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalties would be the amounts indicated on the RTB Circulation Report.
2. Send the appropriate mailgrams.

25092581022

DATE 01/14/2005  
PAGE: 1

FEDERAL ELECTION COMMISSION 2003-2004  
Reason to Believe Circulation Report  
2004 12 DAY PRE-GENERAL

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	DAYS LATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF01240	FRIENDS OF RICHARD HOFFMAN	C00397836	GREY C HARRIS	10/28/2004	7	\$2,350	\$113,881	NY	HOFFMAN, RICHARD A	Yes	0	\$120
AF01241	PAUL VAN DAM FOR US SENATE	C00393124	SHANE NATHAN GIDDINGS	10/28/2004	7	\$7,409	\$233,939	UT	VAN DAM, PAUL	Yes	0	\$170
AF01242	RANDY CAMACHO FOR CONGRESS 2004	C00380832	STEPHEN L BOYD	Not Filed		\$13,707 (est)	\$190,256	AZ	CAMACHO, RANDY ROBERT	Yes	0	\$900
AF01246	LOTT FOR CONGRESS COMMITTEE	C00397943	JERRY DEAS	11/04/2004	Not Filed	\$9,116	\$177,986	MS	LOTT, MICHAEL A	Yes	0	\$600
AF01248	HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE	C00393538	GEORGE L ESPADA	Not Filed		\$789,293 (est)	\$789,293	NY	HIRSCHFELD, ABRAHAM	Yes	2	\$21,000
AF01249	FRIENDS OF JEFF SEEMANN FOR CONGRESS	C00399808	Chaney, Michael	Not Filed		\$67,936 (est)	\$135,872	OH	SEEMANN, JEFF	Yes	0	\$3,000

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FEDERAL ELECTION COMMISSION 2003-2004  
Reason to Believe Circulation Report  
2004 12 DAY PRE-GENERAL

DATE 01/14/2005  
PAGE: 2

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	RECEIPT DATE	LEVEL OF ACTIVITY	THRESHOLD AMOUNT	STATE	CANDIDATE NAME	SENSITIVE	PREVIOUS VIOLATIONS	CIVIL MONEY PENALTY
AF01251	CODY ROBERT JUDY US SENATE LOOKING GOOD CAMPAIGN 2004, THE	C00400150	CODY ROBERT JUDY	12/06/2004	Not Filed	\$48,338	UT	JUDY, CODY ROBERT	Yes	0	\$1,400
AF01252	SYNGENTA CORPORATION POLITICAL ACTION COMMITTEE	C00363945	Detwiler, Mark	10/28/2004	7	\$500	(SYNGENTA PA DC		Yes	0	\$120
AF01253	THE NEW DEMOCRAT NETWORK - PAC (NDN PAC)	C00385401	Rosenberg, Simon	10/28/2004	7	\$10,126	DC		Yes	0	\$220
AF01256	AMERICANS FOR DEMOCRATIC ACTION INC POLITICAL ACTION COMMITTEE	C00112680	Dulk Jacobs, Valerie	Not Filed		\$5,089 (est)	DC		Yes	0	\$600
AF01257	ARENT FOX PLLC PAC (APPAC)	C00241380	ENGLE, CRAIG	11/18/2004	Not Filed	\$6,000	DC		Yes	0	\$600
AF01258	AXA EQUITABLE LIFE INSURANCE COMPANY POLITICAL ACTION COMMITTEE (	C00161901	Flora, Paul J.	11/15/2004	Not Filed	\$59,665	NY		Yes	0	\$3,000





FEDERAL ELECTION COMMISSION  
Washington, DC 20463

**SENSITIVE**

DATE & TIME OF TRANSMITTAL: Wednesday, January 19, 2005 11:00

BALLOT DEADLINE: Tuesday, January 25, 2005 4:00

COMMISSIONER: MASON, McDONALD, SMITH, THOMAS, TONER, WEINTRAUB

SUBJECT: Reason to Believe Recommendation – 12 Day Pre-General Report for the Administrative Fines Program. Memorandum from the Assistant Staff Director Reports Analysis Division dated January 18, 2005.

- ( ) I approve the recommendation(s)
- ( ) I object to the recommendation(s)
- ( ) I approve the recommendations except those following to which I object (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I approve the recommendations except those following in which I abstain (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I approve the recommendations except those following in which I am recused (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I am not voting on this tally.

A definite vote is required. All ballots must be signed and dated. Please return ONLY THE BALLOT to the Commission Secretary. Please return ballot no later than date and time shown above.

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

25092581026

## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Reason To Believe Recommendation - 12 )  
 Day Pre-General Report for the )  
 Administrative Fines Program: )  
 FRIENDS OF RICHARD HOFFMAN, and ) AF# 1240  
 GREY C HARRIS as treasurer; )  
 PAUL VAN DAM FOR US SENATE, and ) AF# 1241  
 SHANE NATHAN GIDDINGS as )  
 treasurer; )  
 RANDY CAMACHO FOR CONGRESS ) AF# 1242  
 2004, and STEPHEN L BOYD as treasurer; )

LOTT FOR CONGRESS COMMITTEE, ) AF# 1246  
 and JERRY DEAS as treasurer; )

HONEST ABE HIRSCHFELD FOR ) AF# 1248  
 UNITED STATES SENATE, and )  
 GEORGE L ESPADA as treasurer; )  
 FRIENDS OF JEFF SEEMANN FOR ) AF# 1249  
 CONGRESS, and Chaney, Michael as )  
 treasurer; )

CODY ROBERT JUDY US SENATE ) AF# 1251  
 LOOKING GOOD CAMPAIGN 2004, )  
 THE, and CODY ROBERT JUDY as )  
 treasurer; )  
 SYNGENTA CORPORATION AF# 1252  
 POLITICAL ACTION COMMITTEE  
 (SYNGENTA PAC), and Detwiler, Mark as  
 treasurer;

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Federal Election Commission  
 Certification for Administrative Fines  
 January 25, 2005

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THE NEW DEMOCRAT NETWORK - ) AF# 1253  
 PAC (NDN PAC), and Rosenberg, Simon )  
 as treasurer; )

AMERICANS FOR DEMOCRATIC ) AF# 1256  
 ACTION INC POLITICAL ACTION )  
 COMMITTEE, and Dulk Jacobs, Valerie as )  
 treasurer; )  
 ARENT FOX PLLC PAC (AFPAC), and ) AF# 1257  
 ENGLE, CRAIG as treasurer; )  
 AXA EQUITABLE LIFE INSURANCE ) AF# 1258  
 COMPANY POLITICAL ACTION )  
 COMMITTEE (AXA EQUITABLE PAC), )  
 and Flora, Paul J. as treasurer; )

METRO-GOLDWYN-MAYER ) AF# 1260  
 POLITICAL ACTION COMMITTEE, and )  
 DEBORAH J ARVESEN as treasurer; )

SPARTA INC EMPLOYEES' POLITICAL ) AF# 1262  
 ACTION COMMITTEE, and WILLIAM D )  
 GOODNER as treasurer; )  
 SUGAR CANE GROWERS ) AF# 1263  
 COOPERATIVE OF FLORIDA (PAC), )  
 and JOHN W GRAY as treasurer; )

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CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on January 25, 2005 the Commission took the following actions on the Reason To Believe Recommendation - 12 Day Pre-General Report for the Administrative Fines Program as recommended in the Reports Analysis Division's Memorandum dated January 18, 2005, on the following committees:

AF#1240 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF RICHARD HOFFMAN, and GREY C HARRIS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1241 Decided by a vote of 6-0 to: (1) find reason to believe that PAUL VAN DAM FOR US SENATE, and SHANE NATHAN GIDDINGS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1242 Decided by a vote of 6-0 to: (1) find reason to believe that RANDY CAMACHO FOR CONGRESS 2004, and STEPHEN L BOYD as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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Federal Election Commission  
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AF#1246 Decided by a vote of 6-0 to: (1) find reason to believe that LOTT FOR CONGRESS COMMITTEE, and JERRY DEAS as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1248 Decided by a vote of 6-0 to: (1) find reason to believe that HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE, and GEORGE L ESPADA as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1249 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF JEFF SEEMANN FOR CONGRESS, and Chaney, Michael as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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Federal Election Commission  
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AF#1251 Decided by a vote of 6-0 to: (1) find reason to believe that CODY ROBERT JUDY US SENATE LOOKING GOOD CAMPAIGN 2004, THE, and CODY ROBERT JUDY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1252 Decided by a vote of 6-0 to: (1) find reason to believe that SYNGENTA CORPORATION POLITICAL ACTION COMMITTEE (SYNGENTA PAC), and Detwiler, Mark as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1253 Decided by a vote of 6-0 to: (1) find reason to believe that THE NEW DEMOCRAT NETWORK - PAC (NDN PAC), and Rosenberg, Simon as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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Federal Election Commission  
Certification for Administrative Fines  
January 25, 2005

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AF#1256 Decided by a vote of 6-0 to: (1) find reason to believe that AMERICANS FOR DEMOCRATIC ACTION INC POLITICAL ACTION COMMITTEE, and Dulk Jacobs, Valerie as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1257 Decided by a vote of 6-0 to: (1) find reason to believe that ARENT FOX PLLC PAC (AFPAC), and ENGLE, CRAIG as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1258 Decided by a vote of 6-0 to: (1) find reason to believe that AXA EQUITABLE LIFE INSURANCE COMPANY POLITICAL ACTION COMMITTEE (AXA EQUITABLE PAC), and Flora, Paul J. as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1260 Decided by a vote of 6-0 to: (1) find reason to believe that METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE, and DEBORAH J ARVESEN as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

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Federal Election Commission  
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AF#1262 Decided by a vote of 6-0 to: (1) find reason to believe that SPARTA INC EMPLOYEES' POLITICAL ACTION COMMITTEE, and WILLIAM D GOODNER as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1263 Decided by a vote of 6-0 to: (1) find reason to believe that SUGAR CANE GROWERS COOPERATIVE OF FLORIDA (PAC), and JOHN W GRAY as treasurer violated 2 U.S.C. 434(a) and make a preliminary determination that the civil money penalty would be the amount indicated on the report; (2) send the appropriate mailgrams. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

Attest:

January 25, 2005  
Date

Mary W. Dove  
Mary W. Dove  
Secretary of the Commission

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**WESTERN  
UNION.**

WESTERN UNION COMMERCIAL SERVICES

CONFIRMATION OF CMGM

TO: CODY ROBERT JUDY

CODY ROBERT JUDY US SENATE LOOKING GOOD  
2459 S MAIN ST STE 6  
BOUNTIFUL UT 84010-7770FEDERAL ELECTION COMMISSION  
DAYNA BROWN  
999 E ST NW # 709  
WASHINGTON DC 20463

JANUARY 26, 2005

CODY ROBERT JUDY  
CODY ROBERT JUDY US SENATE LOOKING GOOD  
2459 SO MAIN (HWY 89) SUITE 6  
BOUNTIFUL UT 84054C00400150  
AF#: 1251

DEAR CODY ROBERT JUDY:

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED ("THE ACT"), REQUIRES THAT YOUR COMMITTEE FILE A 12 DAY PRE-GENERAL REPORT OF RECEIPTS AND DISBURSEMENTS IN A CALENDAR YEAR DURING WHICH THERE IS A REGULARLY SCHEDULED ELECTION FOR WHICH THE CANDIDATE IS SEEKING ELECTION, OR NOMINATION FOR ELECTION. THIS REPORT, COVERING THE PERIOD THROUGH OCTOBER 13TH, SHALL BE FILED NO LATER THAN OCTOBER 21ST. 2 U.S.C. 434(A). YOU WERE PREVIOUSLY NOTIFIED OF THE DUE DATE FOR THIS REPORT. RECORDS AT THE FEDERAL ELECTION COMMISSION ("FEC") INDICATE THAT THIS REPORT WAS NOT FILED PRIOR TO FOUR (4) DAYS BEFORE THE GENERAL ELECTION HELD ON NOVEMBER 2ND. YOU SHOULD FILE THE REPORT IF YOU HAVE NOT ALREADY DONE SO.

THE ACT WAS FURTHER AMENDED IN 1999 TO PERMIT THE FEC TO IMPOSE CIVIL MONEY PENALTIES FOR VIOLATIONS OF THE REPORTING REQUIREMENTS OF 2 U.S.C. 434(A). 2 U.S.C. 437G(A)(4). ON 01/25/2005, THE FEC FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT CODY ROBERT JUDY US SENATE LOOKING GOOD AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE OCTOBER 21ST. BASED ON THE FEC'S SCHEDULES OF CIVIL MONEY PENALTIES AT 11 C.F.R. 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE IS \$1400. IT IS DUE BY 03/06/2005 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: ELECTION SENSITIVE  
LEVEL OF ACTIVITY: \$48338  
NUMBER OF DAYS LATE: NOT FILED  
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 0


**WESTERN  
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**WESTERN UNION COMMERCIAL SERVICES**

TO PAY THE CALCULATED CIVIL MONEY PENALTY

TO PAY THE CALCULATED CIVIL MONEY PENALTY, SEND THE ENCLOSED REMITTANCE AND YOUR PAYMENT TO THE FEC AT THE ADDRESS ON PAGE 3. UPON RECEIPT OF YOUR PAYMENT, THE FEC WILL SEND YOU A FINAL DETERMINATION LETTER.

TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY

TO CHALLENGE THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY, YOU MUST SUBMIT A WRITTEN RESPONSE, INCLUDING THE AF# FOUND ON PAGE ONE, TO THE FEC'S OFFICE OF ADMINISTRATIVE REVIEW, 999 E STREET, NW, WASHINGTON, DC 20463. YOUR RESPONSE MUST BE RECEIVED BY 03/06/2005. YOUR WRITTEN RESPONSE MUST INCLUDE THE REASON(S) WHY YOU ARE CHALLENGING THE RTB FINDING AND/OR CALCULATED CIVIL MONEY PENALTY. THE FEC WILL ONLY CONSIDER CHALLENGES THAT ARE BASED ON A FACTUAL ERROR, MISCALCULATION OF THE CALCULATED CIVIL MONEY PENALTY BY THE FEC, OR THE EXISTENCE OF EXTRAORDINARY CIRCUMSTANCES THAT PERSISTED FOR MORE THAN 48 HOURS THAT WERE BEYOND YOUR CONTROL AND PREVENTED YOU FROM FILING THE REPORT IN A TIMELY MANNER. YOUR RESPONSE MUST INCLUDE THE FACTUAL BASIS SUPPORTING THE REASON(S) AND SUPPORTING DOCUMENTATION. THE FEC STRONGLY ENCOURAGES THAT DOCUMENTS BE SUBMITTED IN THE FORM OF AFFIDAVITS OR DECLARATIONS. EXAMPLES OF CIRCUMSTANCES THAT WILL NOT BE CONSIDERED EXTRAORDINARY INCLUDE, BUT ARE NOT LIMITED TO, NEGLIGENCE, PROBLEMS WITH VENDORS OR CONTRACTORS, STAFF ILLNESS, COMPUTER FAILURES AND SIMILAR CIRCUMSTANCES. 11 C.F.R. 111.35(b)(1)(iii) AND (4).

YOUR FAILURE TO RAISE AN ARGUMENT IN A TIMELY FASHION DURING THE ADMINISTRATIVE PROCESS SHALL BE DEEMED A WAIVER OF YOUR RIGHT TO PRESENT SUCH ARGUMENT IN A PETITION TO THE DISTRICT COURT UNDER 2 U.S.C. 437G. 11 C.F.R. 111.38.

IF YOU INTEND TO BE REPRESENTED BY COUNSEL, PLEASE ADVISE THE OFFICE OF ADMINISTRATIVE REVIEW. YOU SHOULD PROVIDE, IN WRITING, THE NAME, ADDRESS AND TELEPHONE NUMBER OF YOUR COUNSEL AND AUTHORIZE COUNSEL TO RECEIVE NOTIFICATIONS AND COMMUNICATIONS RELATING TO THIS CHALLENGE AND IMPOSITION OF THE CALCULATED CIVIL MONEY PENALTY.

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A CHALLENGE

IF YOU DO NOT PAY THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A WRITTEN RESPONSE, THE FEC WILL ASSUME THAT THE PRECEDING FACTUAL ALLEGATIONS ARE TRUE AND MAKE A FINAL DETERMINATION THAT CODY ROBERT JUDY US SENATE LOOKING GOOD AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) AND ASSESS A CIVIL MONEY PENALTY.

UNPAID CIVIL MONEY PENALTIES ASSESSED THROUGH THE ADMINISTRATIVE FINE REGULATIONS WILL BE SUBJECT TO THE DEBT COLLECTION ACT OF 1982("DCA")AS AMENDED BY THE DEBT COLLECTION IMPROVEMENT ACT OF 1996, 31 U.S.C. 3701 ET SEQ. THE FEC MAY TAKE ANY AND ALL APPROPRIATE ACTION AUTHORIZED AND REQUIRED BY THE DCA, AS AMENDED, INCLUDING TRANSFER TO THE U.S. DEPARTMENT OF THE TREASURY FOR COLLECTION. 11 C.F.R. 111.45.

THIS MATTER WAS GENERATED BASED ON INFORMATION ASCERTAINED BY THE FEC IN THE NORMAL COURSE OF CARRYING OUT ITS SUPERVISORY RESPONSIBILITIES. 2 U.S.C. 437G(A)(2). IT WILL REMAIN CONFIDENTIAL IN ACCORDANCE WITH 2 U.S.C. 437G(A)(4)(B) AND 437G(A)(12)(A) UNTIL IT IS PLACED ON THE PUBLIC RECORD IN ACCORDANCE WITH 11 C.F.R.



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111.42, UNLESS YOU NOTIFY THE FEC IN WRITING THAT YOU WISH THE MATTER TO BE MADE PUBLIC.

ADDITIONAL INFORMATION ON THE FEC'S ADMINISTRATIVE FINE PROGRAM, INCLUDING THE FINAL REGULATIONS, IS LOCATED AT THE FEC'S WEBSITE AT WWW.FEC.GOV. IF YOU HAVE QUESTIONS REGARDING THE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY, PLEASE CONTACT DAYNA C. BROWN IN THE REPORTS ANALYSIS DIVISION AT OUR TOLL FREE NUMBER (800)424-9530 (AT THE PROMPT, PRESS 5) OR (202)694-1130. IF YOU HAVE QUESTIONS REGARDING THE SUBMISSION OF A CHALLENGE, PLEASE CONTACT THE OFFICE OF ADMINISTRATIVE REVIEW AT OUR TOLL FREE NUMBER (800)424-9530 (PRESS 0, THEN EXT. 1660) OR (202)694-1660.

SINCERELY,  
SCOTT E. THOMAS  
CHAIRMAN

\* \* \* \* \*  
**ADMINISTRATIVE FINE REMITTANCE & PAYMENT INSTRUCTIONS**

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43, THE AMOUNT OF YOUR CIVIL MONEY PENALTY CALCULATED AT RTB IS \$1400 FOR THE 2004 12 DAY PRE-GENERAL REPORT.

PLEASE MAIL THIS REMITTANCE WITH A CHECK OR MONEY ORDER MADE PAYABLE TO THE FEDERAL ELECTION COMMISSION TO THE FOLLOWING ADDRESS:  
FEDERAL ELECTION COMMISSION  
P.O. BOX 952182  
ST. LOUIS, MO 63195-2182

IF YOU CHOOSE TO SEND YOUR REMITTANCE AND PAYMENT BY COURIER OR OVERNIGHT DELIVERY, PLEASE USE THIS ADDRESS:

U.S. BANK - GOVERNMENT LOCKBOX  
FEC #952182  
1005 CONVENTION PLAZA  
ST. LOUIS, MO 63101

THE REMITTANCE AND YOUR PAYMENT ARE DUE BY 03/06/2005. UPON RECEIPT OF YOUR REMITTANCE AND PAYMENT, THE FEC WILL SEND YOU A FINAL DETERMINATION LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

-----

FOR: CODY ROBERT JUDY US SENATE LOOKING GOOD  
FEC ID#: C00400150

AF#: 1251

PAYMENT DUE DATE: 03/06/2005  
PAYMENT AMOUNT DUE: \$1400



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2005 APR -8 A 9:35

April 7, 2005

**SENSITIVE**

MEMORANDUM

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON  
STAFF DIRECTOR

ROBERT J. COSTA  
DEPUTY STAFF DIRECTOR

FROM: JOHN D. GIBSON  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

SUBJECT: ADMINISTRATIVE FINES FINAL DETERMINATION  
RECOMMENDATION FOR THE 2004 12 DAY PRE-GENERAL  
REPORT

Attached are two lists of political committees and their treasurers against which the Commission has found reason to believe (RTB) and assessed proposed civil money penalties calculated at RTB for failure to file or failure to timely file the 2004 12 Day Pre-General Report. This final determination recommendation is comprised of unauthorized committees filing monthly and authorized committees whose candidates sought election in the November 2<sup>nd</sup> General Election. The first list represents committees that have paid the civil money penalty and the second list represents those that have not paid. The committees that have not paid have been given at least forty (40) days from the date of the Commission's RTB finding to remit payment.

In accordance with 11 C.F.R. 111.34 and 11 C.F.R. 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

**RAD Recommendation**

- (1) Make final determinations that the political committees and their treasurers on the attached lists violated 2 U.S.C. 434(a) and assess the civil money penalties so indicated.
- (2) Send the appropriate mailgrams.

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25092581038

## COMMITTEES THAT HAVE PAID

DATE 04/05/2005  
PAGE: 125092581039  
FEDERAL ELECTION COMMISSION 2003-2004  
FINAL DETERMINATION CIRCULATION REPORT  
PAID

AF #	COMMITTEE NAME	COMMITTEE ID	TREASURER	STATE	REPORT TYPE	PREVIOUS VIOLATIONS	DATE PAID	AMOUNT PAID
AF1240	FRIENDS OF RICHARD HOFFMAN HOFFMAN, RICHARD A 10/28/2004 01/25/2005	C00397836	GREY C HARRIS \$2,350 \$120	NY	2004 12 DAY PRE-GENERAL	0	03/09/2005	\$120
AF1241	PAUL VAN DAM FOR US SENATE VAN DAM, PAUL 10/28/2004 01/25/2005	C00393124	SHANE NATHAN GIDDINGS \$7,409 \$170	UT	2004 12 DAY PRE-GENERAL	0	02/18/2005	\$170
AF1242	RANDY CAMACHO FOR CONGRESS 2004 CAMACHO, RANDY ROBERT Not Filed 01/25/2005	C00380832	STEPHEN L BOYD \$13,707 (est) \$900	AZ	2004 12 DAY PRE-GENERAL	0	02/25/2005	\$900
AF1246	LOTT FOR CONGRESS COMMITTEE LOTT, MICHAEL A 11/04/2004 01/25/2005	C00397943	JERRY DEAS \$9,116 \$600	MS	2004 12 DAY PRE-GENERAL	0	02/16/2005	\$600
AF1252	SYNGENTA CORPORATION POLITICAL ACTION COMMITTEE C00363945	(SYNGENTA PAC) Detwiler, Mark \$500 \$120	DC	2004 12 DAY PRE-GENERAL	0	02/25/2005	\$120	
AF1253	THE NEW DEMOCRAT NETWORK - PAC (NDN PAC) C00385401	Rosenberg, Simon \$10,126 \$220	DC	2004 12 DAY PRE-GENERAL	0	02/25/2005	\$220	
AF1256	AMERICANS FOR DEMOCRATIC ACTION INC POLITICAL ACTION COMMITTEE C00112680	Dulk Jacobs, Valerie \$5,089 (est) \$600	DC	2004 12 DAY PRE-GENERAL	0	03/07/2005	\$600	
AF1257	ARENT FOX PLLC PAC (AFPAC) 11/18/2004 01/25/2005	C00241380	ENGLE, CRAIG \$6,000 \$600	DC	2004 12 DAY PRE-GENERAL	0	02/22/2005	\$600
AF1258	AXA EQUITABLE LIFE INSURANCE COMPANY POLITICAL ACTION COMMITTEE (AXA EQUITA C00161901	Flora, Paul J. \$59,665 \$3,000	NY	2004 12 DAY PRE-GENERAL	0	03/01/2005	\$3,000	
AF1262	SPARTA INC EMPLOYEES' POLITICAL ACTION COMMITTEE C00347401	WILLIAM D GOODNER \$3,395 \$500	AL	2004 12 DAY PRE-GENERAL	0	03/08/2005	\$500	

DATE 04/05/2005  
PAGE: 2

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FEDERAL ELECTION COMMISSION 2003-2004  
FINAL DETERMINATION CIRCULATION REPORT

AF #	CANDIDATE NAME	COMMITTEE NAME	COMMITTEE ID	TREASURER	STATE	REPORT TYPE	PREVIOUS VIOLATIONS	DATE PAID	AMOUNT PAID
AF1263	SUGAR CANE GROWERS COOPERATIVE OF FLORIDA (PAC)		C00254656	JOHN W GRAY	FL	2004 12 DAY PRE-GENERAL	0	03/08/2005	\$500
	11/15/2004	Not Filed		\$2,000					
	01/25/2005			\$500					

**COMMITTEES THAT HAVE NOT PAID**

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FEDERAL ELECTION COMMISSION 2003-2004  
FINAL DETERMINATION CIRCULATION REPORTDATE 04/05/2005  
PAGE: 1

AF #	CANDIDATE NAME	COMMITTEE NAME	RECEIPT DATE	RTB DATE	DAYS LATE	COMMITTEE ID	TREASURER	STATE	COMMITTEE ID	LEVEL OF ACTIVITY	RTB PENALTY	REPORT TYPE	PREVIOUS VIOLATIONS	FINAL CIVIL MONEY PENALTY
AF1248	HONEST ABE HIRSCHFELD FOR UNITED STATES SENATE HIRSCHFELD, ABRAHAM	Not Filed	01/25/2005			C00393538	GEORGE L ESPADA	NY						
							\$789,293 (est)							
							70							
AF1249	FRIENDS OF JEFF SEEMANN FOR CONGRESS SEEMANN, JEFF	Not Filed	01/25/2005			C00399808	Chaney, Michael	OH						
							\$67,936 (est)							
							70							
AF1251	CODY ROBERT JUDY US SENATE LOOKING GOOD CAMPAIGN 2004, THE JUDY, CODY ROBERT	Not Filed	01/25/2005			C00400150	CODY ROBERT JUDY	UT						
							\$48,338							
							70							
AF1260	METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE 11/22/2004	Not Filed	01/25/2005			C00207589	DEBORAH J ARVESEN	CA						
							\$503							
							70							



## FEDERAL ELECTION COMMISSION

Washington, DC 20463

**SENSITIVE**DATE & TIME TRANSMITTED: Friday, April 08, 2005 12:00RETURN TO COMMISSION SECRETARY BY: Wednesday, April 13, 2005 4:00

COMMISSIONER: MASON, McDONALD, SMITH, THOMAS, TONER, WEINTRAUB

SUBJECT: **Administrative Fines Final Determination Recommendation For  
The 2004 12 Day Pre-General Report. Memorandum from the  
Assistant Staff Director, Reports Analysis Division dated  
April 7, 2005.**

- ( ) I approve the recommendation(s)
- ( ) I object to the recommendation(s)
- ( ) I approve the recommendations except those following  
to which I object (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I approve the recommendations except those following  
in which I abstain (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I approve the recommendations except those following  
in which I am recused (please insert AF#)
- \_\_\_\_\_
- \_\_\_\_\_
- ( ) I am not voting on this tally.

A definite vote is required. All ballots must be signed and dated. Please return  
ONLY THE BALLOT to the Commission Secretary. Please return ballot no later  
than date and time shown above.

DATE: \_\_\_\_\_

SIGNATURE: \_\_\_\_\_

FROM THE OFFICE OF THE SECRETARY OF THE COMMISSION

25092581043



## BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
 Administrative Fines Final Determination )  
 Recommendation for the 2004 12 Day Pre- )  
 General Report.: )  
 HONEST ABE HIRSCHFELD FOR ) AF# 1248  
 UNITED STATES SENATE, and )  
 GEORGE L ESPADA as treasurer; )  
 FRIENDS OF JEFF SEEMANN FOR ) AF# 1249  
 CONGRESS, and Chaney, Michael as )  
 treasurer; )  
 CODY ROBERT JUDY US SENATE ) AF# 1251  
 LOOKING GOOD CAMPAIGN 2004, )  
 THE, and CODY ROBERT JUDY as )  
 treasurer; )  
 METRO-GOLDWYN-MAYER ) AF# 1260  
 POLITICAL ACTION COMMITTEE, and )  
 DEBORAH J ARVESEN as treasurer; )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby  
 certify that on April 14, 2005 the Commission took the following actions on the  
 Administrative Fines Final Determination Recommendation for the 2004 12 Day Pre-  
 General Report. as recommended in the Reports Analysis Division's Memorandum dated  
 April 14, 2005, on the following committees:

AF#1248 Decided by a vote of 6-0 to: (1) make a final determination that HONEST  
 ABE HIRSCHFELD FOR UNITED STATES SENATE, and GEORGE L ESPADA as  
 treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2)

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Federal Election Commission  
Certification for Administrative Fines  
April 14, 2005

Page 2

send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1249 Decided by a vote of 6-0 to: (1) make a final determination that FRIENDS OF JEFF SEEMANN FOR CONGRESS, and Chaney, Michael as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1251 Decided by a vote of 6-0 to: (1) make a final determination that CODY ROBERT JUDY US SENATE LOOKING GOOD CAMPAIGN 2004, THE, and CODY ROBERT JUDY as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

AF#1260 Decided by a vote of 6-0 to: (1) make a final determination that METRO-GOLDWYN-MAYER POLITICAL ACTION COMMITTEE, and DEBORAH J ARVESEN as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate mailgram. Commissioners Mason, McDonald, Smith, Thomas, Toner, and Weintraub voted affirmatively for the decision.

Attest:

April 14, 2005  
Date

Mary W. Dove  
Mary W. Dove  
Secretary of the Commission

25092581045

**WESTERN  
UNION®**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES

TO: CODY ROBERT JUDY

CODY ROBERT JUDY US SENATE LOOKING GOOD

2459 S MAIN ST STE 6

BOUNTIFUL UT 84010-7770

FEDERAL ELECTION COMMISSION

DAYNA BROWN

999 E ST NW # 709

WASHINGTON DC 20463

APRIL 14, 2005

CODY ROBERT JUDY

CODY ROBERT JUDY US SENATE LOOKING GOOD

2459 SO MAIN (HWY 89) SUITE 6

BOUNTIFUL UT 84054

C00400150

AF# 1251

DEAR CODY ROBERT JUDY,

ON 01/25/2005, THE FEDERAL ELECTION COMMISSION ("FEC") FOUND REASON TO BELIEVE ("RTB") THAT CODY ROBERT JUDY US SENATE LOOKING GOOD AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO FILE THE 2004 12 DAY PRE-GENERAL REPORT. BY MAILGRAM DATED 01/26/2005, THE FEC SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE OF \$1400 IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43. WITHIN 40 DAYS OF THE FEC'S RTB FINDING, YOU WERE REQUIRED TO EITHER TRANSMIT PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR SUBMIT A WRITTEN RESPONSE CHALLENGING EITHER THE RTB FINDING OR THE CALCULATED CIVIL MONEY PENALTY. YOU MUST ALSO FILE THE 2004 12 DAY PRE-GENERAL REPORT IF YOU HAVE NOT ALREADY DONE SO.

THE FEC DID NOT RECEIVE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR YOUR WRITTEN RESPONSE WITHIN THE TIME PERMITTED. THEREFORE, THE FEC MADE A FINAL DETERMINATION ON 04/14/2005 THAT YOU, AS TREASURER, AND CODY ROBERT JUDY US SENATE LOOKING GOOD VIOLATED 2 U.S.C. 434(A) AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$1400 IN ACCORDANCE WITH 11 C.F.R. 111.43. THE CIVIL MONEY PENALTY IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: ELECTION SENSITIVE

LEVEL OF ACTIVITY: \$48338

NUMBER OF PREVIOUS VIOLATIONS: 0      NUMBER OF DAYS LATE: NOT  
FILED

TO PAY THE CIVIL MONEY PENALTY

TO PAY THE CIVIL MONEY PENALTY, SEND THE ENCLOSED FORM AND YOUR  
PAYMENT TO THE ADDRESS ON PAGE 3 WITHIN 30 DAYS OF RECEIPT OF THIS


**WESTERN  
UNION®**

WESTERN UNION COMMERCIAL SERVICES

LETTER.

**IF YOU DO NOT PAY THE CIVIL MONEY PENALTY**

UNPAID CIVIL MONEY PENALTIES ASSESSED THROUGH THE ADMINISTRATIVE FINE REGULATIONS WILL BE SUBJECT TO THE DEBT COLLECTION ACT OF 1982 ("DCA"), AS AMENDED BY THE DEBT COLLECTION IMPROVEMENT ACT OF 1996 ("DCIA"), 31 U.S.C. 3701 ET SEQ. IF YOU DO NOT PAY THIS DEBT WITHIN 30 DAYS (OR FILE A WRITTEN PETITION TO A FEDERAL DISTRICT COURT - SEE BELOW), THE FEC WILL TRANSFER THE DEBT TO THE U.S. DEPARTMENT OF THE TREASURY ("TREASURY") FOR COLLECTION. WITHIN 5 DAYS OF ITS TRANSFER TO TREASURY, TREASURY WILL CONTACT THE DEBTOR AND REQUEST PAYMENT. TREASURY CURRENTLY CHARGES A FEE OF 18% OF THE CIVIL MONEY PENALTY FOR ITS COLLECTION SERVICES. THE FEE WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY THAT YOU OWE. SHOULD TREASURY ATTEMPTS FAIL, TREASURY WILL TRANSFER THE DEBT TO A PRIVATE COLLECTION AGENCY ("PCA"). IF THE DEBT IS REFERRED TO A PCA, THE TREASURY AND PCA COLLECT A FEE OF 28% OF THE CIVIL MONEY PENALTY AMOUNT WHICH WILL BE ADDED TO THE AMOUNT OF THE CIVIL MONEY PENALTY.

IF THE DEBT REMAINS UNPAID, TREASURY MAY RECOMMEND THAT THE FEC REFER THE MATTER TO THE DEPARTMENT OF JUSTICE FOR LITIGATION.

**IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION OR CIVIL MONEY PENALTY**

IF YOU CHOOSE TO APPEAL THE FINAL DETERMINATION, YOU SHOULD SUBMIT A WRITTEN PETITION, WITHIN 30 DAYS OF RECEIPT OF THIS LETTER, TO THE DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT IN WHICH THE COMMITTEE OR YOU RESIDE, OR TRANSACT BUSINESS, REQUESTING THAT THE FINAL DETERMINATION BE MODIFIED OR SET ASIDE. SEE 2 U.S.C. 437G(A)(4)(C)(III). YOUR FAILURE TO RAISE AN ARGUMENT IN A TIMELY FASHION DURING THE ADMINISTRATIVE PROCESS SHALL BE DEEMED A WAIVER OF THE RESPONDENT RIGHT TO PRESENT SUCH ARGUMENT IN A PETITION TO THE DISTRICT COURT UNDER 2 U.S.C. 437G. 11 C.F.R. 111.38.

THE CONFIDENTIALITY PROVISIONS AT 2 U.S.C. 437G(A)(12) NO LONGER APPLY AND THIS MATTER IS NOW PUBLIC. THE FILE WILL BE MADE A PART OF THE PUBLIC RECORD PURSUANT TO 11 C.F.R. 111.42(B). ALTHOUGH THE FILE MUST BE PLACED ON THE PUBLIC RECORD WITHIN THIRTY (30) DAYS FROM THE DATE OF THE COMMISSION NOTIFICATION, THIS COULD OCCUR AT ANYTIME FOLLOWING CERTIFICATION OF THE COMMISSION VOTE.

IF YOU HAVE ANY QUESTIONS REGARDING THE PAYMENT OF THE CIVIL MONEY PENALTY, PLEASE CONTACT DAYNA C. BROWN AT FEDERAL ELECTION COMMISSION, 999 E ST., NW, WASHINGTON, DC 20463, OR OUR TOLL FREE NUMBER (800)424-9530 (AT THE PROMPT, PRESS 5) OR (202)694-1130.

SINCERELY,

SCOTT E. THOMAS  
CHAIRMAN

**ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS**

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43, THE CIVIL MONEY PENALTY IS \$1400 FOR THE

**WESTERN  
UNION.**

WESTERN UNION COMMERCIAL SERVICES

2004 12 DAY PRE-GENERAL REPORT.

THIS PENALTY SHOULD BE PAID BY CHECK OR MONEY ORDER MADE PAYABLE  
TO THE FEDERAL ELECTION COMMISSION. IT SHOULD BE SENT BY MAIL TO:

FEDERAL ELECTION COMMISSION  
PO BOX 952182  
ST. LOUIS, MO 63195-2182

IF YOU CHOOSE TO SEND YOUR PAYMENT BY COURIER OR OVERNIGHT  
DELIVERY, PLEASE USE THIS ADDRESS:

U.S. BANK - GOVERNMENT LOCKBOX  
FEC #952182  
1005 CONVENTION PLAZA  
ST. LOUIS, MO 63101

THE FORM AND PAYMENT ARE DUE WITHIN 30 DAYS OF RECEIPT OF THIS  
LETTER.

PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT

---

FOR: CODY ROBERT JUDY US SENATE LOOKING GOOD

FEC ID: C00400150

AF#: 1251

PAYMENT AMOUNT DUE: \$1400


## CERTIFICATION - DEBT COLLECTION

With respect to the debts attached or transmitted with this certification, I certify the following:

1. **Valid Debts.** The debts are delinquent, valid and legally enforceable in the amounts stated. No debtor has repaid or agreed to repay the claim under a signed repayment agreement or filed for review of the claim.
2. **No Bar to Collection.** The debts are not subject to any circumstances that legally preclude or bar collection. There are no foreclosures pending with respect to any collateral securing a debt. The Agency's records do not show that any debtor owing a debt has filed for bankruptcy protection. Alternatively, the Agency can clearly establish that any automatic stay has been lifted or is no longer in effect.
3. **Due Process.** The Agency, at a minimum, has made reasonable efforts to obtain payment of the debt: demanded payment and provided the debtor with the notice and opportunities described below:
  - A. At least 30 days prior to the date of this certification, the Agency has provided, or made reasonable efforts to provide each debtor with:
    - written notice, at the debtor's most current known address, of the nature and the amount of the debt, the intention of the Agency to collect the debt through referral to Treasury, and actions that may be taken by Treasury including referral of the debt to a private collection agency and referral of the debt to the Department of Justice for litigation.
    - an opportunity to inspect and copy the records of the Agency with respect to the debt;
    - an opportunity for review within the Agency of the determination of the Agency with respect to the debt, including the opportunity to present evidence that all or part of the debt is not past-due or legally enforceable.
  - B. The Agency has considered any evidence presented by the debtor and determined that the amount of the debt is past-due and legally enforceable and there are no pending appeals of such determination.
4. **Interest and Penalties.** The Agency has complied with all of the provisions of 31 U.S.C. § 3717 and 4 C.F.R. Part 102, as well as other statutes, regulations and policies applicable to the Agency's assessment of interest, penalties and administrative costs. The Agency has mailed or hand-delivered a written notice to all debtors explaining the Agency's requirements concerning the charges.

**CERTIFICATION:** Pursuant to 28 U.S.C. § 1746, I certify under penalty of perjury that to the best of my knowledge and belief, and/or based upon Agency certification, that the foregoing is true and correct. I certify that I have been delegated authority to execute this certification on behalf of the head of my agency.

September 1, 2005  
Date

  
Signature of Certifying Official  
Print Name: Shawn Woodhead Werth  
Title: Director, Office of Administrative Review  
Agency: Federal Election Commission

25092581049



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1251

DATE SCANNED 9-30-05

SCANNER NO. 1

SCAN OPERATOR JmN

25092581050