



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 1418

DATE SCANNED 6/20/07

SCANNER NO. 2

SCAN OPERATOR Jns

27092602997



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

2005 AUG 19 P 1:49

SENSITIVE

August 19, 2005

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 - 2005 JULY
QUARTERLY REPORT FOR THE ADMINISTRATIVE
FINES PROGRAM

Attached is a list of political committees and their treasurers who failed to file, or failed to timely file, the 2005 July Quarterly Report in accordance with 2 U.S.C. 434(a). On June 20, 2005, Prior Notice was sent to all authorized committees and their treasurers, informing them that the July Quarterly Report was due on July 15, 2005. The July Quarterly Report is required to cover the time frame from April 1, 2005 through June 30, 2005.

The committees listed in the attached RTB Circulation Report either failed to file the report or filed the report more than five (5) days after the due date. In accordance with the schedule of civil money penalties located within 11 CFR §111.43, these committees should be assessed the civil money penalties highlighted on the report attached.

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 RTB mailgrams.

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| AF # | COMMITTEE NAME | COMMITTEE ID | RECEIPT DATE | TREASURER | LEVEL OF ACTIVITY | THRESHOLD AMOUNT | STATE | CANDIDATE NAME | SENSITIVE | PREVIOUS VIOLATIONS | CIVIL MONEY PENALTY |
|---------|--|--------------|--------------|--------------------------|-------------------|------------------|-------|---------------------------|-----------|---------------------|---------------------|
| | | | | DAYS LATE | | | | | | | |
| AF01414 | KURITA FOR US SENATE | C00409060 | 07/21/2005 | GEORGE I KURITA | \$129,237 | \$401,535 | TN | KURITA, ROSALIND | No | 0 | \$1,350 |
| AF01417 | STEPHANIE SUMMERS O'NEAL FOR US CONGRESS | C00395863 | | DEBORAH JOHNSON THORNTON | \$110,474 (est) | \$110,474 | MS | SUMMERS-O'NEAL, STEHPANIE | No | 4 | \$9,000 |
| AF01418 | LIFFRIG FOR SENATE | C00399618 | | KEN KRUMM | \$126,912 (est) | \$761,476 | ND | LIFFRIG, MICHAEL GEORGE | No | 1 | \$5,625 |
| AF01419 | JAMES A GARNER CONGRESSIONAL COMMITTEE | C00392506 | | LOUIS M EUSTACHE | \$135,673 (est) | \$678,368 | NY | GARNER, JAMES A | No | 2 | \$6,750 |
| AF01421 | CHRISTENSEN 4 CONGRESS | C00393462 | | LAURA BESKAR | \$110,694 (est) | \$442,778 | TX | CHRISTENSEN, GENE | No | 1 | \$5,625 |
| AF01422 | SOCAS FOR CONGRESS | C00399345 | | ANDREW T O'DELL | \$458,073 (est) | \$1,832,292 | VA | SOCAS, JAMES ROBERT | No | 2 | \$14,250 |

FEDERAL ELECTION COMMISSION 2005-2006 092603000
Reason to Believe Circulation Report
2005 JULY QUARTERLY

| AF # | COMMITTEE NAME | COMMITTEE ID | TREASURER | RECEIPT DATE | DAYS LATE | LEVEL OF ACTIVITY | THRESHOLD AMOUNT | STATE | CANDIDATE NAME | SENSITIVE | PREVIOUS VIOLATIONS | CIVIL MONEY PENALTY |
|------|----------------|--------------|-----------|--------------|-----------|-------------------|------------------|-------|----------------|-----------|---------------------|---------------------|
|------|----------------|--------------|-----------|--------------|-----------|-------------------|------------------|-------|----------------|-----------|---------------------|---------------------|

| | | | | | | | | | | | | |
|---------|---------------------|-----------|---------------|--|--|--|--|--|--|--|--|--|
| AF01423 | MAGNUM FOR CONGRESS | C00401067 | DIEHL, THOMAS | | | | | | | | | |
| | Not Filed | | | | | | | | | | | |

| | | | | | | | | | | | | |
|--|--|--|--|--|--|-----------------|-------------|----|----------------------|----|---|---------|
| | | | | | | \$221,182 (est) | | WI | MAGNUM, DAVID ROBERT | No | 0 | \$6,500 |
| | | | | | | | \$1,327,097 | | | | | |



FEDERAL ELECTION COMMISSION
Washington, DC 20463

SENSITIVE

DATE & TIME OF TRANSMITTAL: Monday, August 22, 2005 11:00

BALLOT DEADLINE: Thursday, August 25, 2005 4:00

COMMISSIONER: MASON, McDONALD, THOMAS, TONER, WEINTRAUB

SUBJECT: Reason to Believe Recommendation – 2005 July Quarterly Report for the Administrative Fines Program. Memorandum from the Assistant Staff Director Reports Analysis Division dated August 19, 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

27092603001

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Reason To Believe Recommendation - 2005)
July Quarterly Report for the)
Administrative Fines Program:)

KURITA FOR US SENATE, and GEORGE) AF# 1414
I KURITA as treasurer;)

STEPHANIE SUMMERS O'NEAL FOR) AF# 1417
US CONGRESS, and DEBORAH)
JOHNSON THORNTON as treasurer;)
LIFFRIG FOR SENATE, and KEN) AF# 1418
KRUMM as treasurer;)
JAMES A GARNER CONGRESSIONAL) AF# 1419
COMMITTEE, and LOUIS M EUSTACHE)
as treasurer;)

CHRISTENSEN 4 CONGRESS, and) AF# 1421
LAURA BESKAR as treasurer;)
SOCAS FOR CONGRESS, and ANDREW) AF# 1422
T O'DELL as treasurer;)
MAGNUM FOR CONGRESS, and DIEHL,) AF# 1423
THOMAS as treasurer;)

27092603002

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby certify that on August 25, 2005 the Commission took the following actions on the Reason To Believe Recommendation - 2005 July Quarterly Report for the Administrative Fines Program as recommended in the Reports Analysis Division's Memorandum dated August 19, 2005, on the following committees:

AF#1414 Decided by a vote of 4-0 to: (1) find reason to believe that KURITA FOR US SENATE, and GEORGE I KURITA 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 mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1417 Decided by a vote of 4-0 to: (1) find reason to believe that STEPHANIE SUMMERS O'NEAL FOR US CONGRESS, and DEBORAH JOHNSON THORNTON 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

27092603003

mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1418 Decided by a vote of 4-0 to: (1) find reason to believe that LIFFRIG FOR SENATE, and KEN KRUMM 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 mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1419 Decided by a vote of 4-0 to: (1) find reason to believe that JAMES A GARNER CONGRESSIONAL COMMITTEE, and LOUIS M EUSTACHE 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 mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1421 Decided by a vote of 4-0 to: (1) find reason to believe that CHRISTENSEN 4 CONGRESS, and LAURA BESKAR 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 mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1422 Decided by a vote of 4-0 to: (1) find reason to believe that SOCAS FOR CONGRESS, and ANDREW T O'DELL 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 mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

AF#1423 Decided by a vote of 4-0 to: (1) find reason to believe that MAGNUM FOR CONGRESS, and DIEHL, THOMAS 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 mailgram. Commissioners Mason, McDonald, Thomas, and Toner voted affirmatively for the decision. Commissioner Weintraub did not vote.

27092603004

Federal Election Commission
Certification for Administrative Fines
August 25, 2005

Page 4

Attest:

August 26, 2005
Date

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

27092603005

**WESTERN
UNION®**

CONFIRMATION OF CMGM

WESTERN UNION COMMERCIAL SERVICES
TO: KEN KRUMM

LIFFRIG FOR SENATE

2815 28TH ST

MANDAN ND 58554-8004

FEDERAL ELECTION COMMISSION

TODD GARLAND

999 E ST NW # 709

WASHINGTON DC 20463

AUGUST 26, 2005

KEN KRUMM

LIFFRIG FOR SENATE

2815 28TH STREET

MANDAN ND 58554

C00399618

AF#: 1418

DEAR KEN KRUMM:

THE FEDERAL ELECTION CAMPAIGN ACT OF 1971, AS AMENDED ("THE ACT"), REQUIRES THAT YOUR COMMITTEE FILE A JULY QUARTERLY REPORT OF RECEIPTS AND DISBURSEMENTS EVERY CALENDAR YEAR. THIS REPORT, COVERING THE PERIOD THROUGH JUNE 30TH, SHALL BE FILED NO LATER THAN JULY 15TH. 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 WITHIN THIRTY (30) DAYS OF THE DUE DATE. YOU SHOULD FILE THIS 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 08/25/2005, THE FEC FOUND THAT THERE IS REASON TO BELIEVE ("RTB") THAT LIFFRIG FOR SENATE AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) BY FAILING TO FILE TIMELY THIS REPORT ON OR BEFORE JULY 15TH. 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 \$5,625. IT IS DUE BY 10/04/2005 AND IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE
LEVEL OF ACTIVITY: \$126912
NUMBER OF DAYS LATE: NOT FILED
NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 1

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.



WESTERN UNION COMMERCIAL SERVICES

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 10/04/2005. 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 LIFFRIG FOR SENATE 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. 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,

27092602007

**WESTERN
UNION.****WESTERN UNION COMMERCIAL SERVICES**

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 ELIZABETH GOINGS 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 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 \$5,625 FOR THE 2005 JULY QUARTERLY 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 10/04/2005. 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: LIFFRIG FOR SENATE

FEC ID#: C00399618

AF#: 1418

PAYMENT DUE DATE: 10/04/2005

PAYMENT AMOUNT DUE: \$5,625



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 21, 2004

MEMORANDUM

TO: THE COMMISSION

THROUGH: ROBERT J. COSTA *RC*
ACTING STAFF DIRECTOR

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

SUBJECT: ADMINISTRATIVE FINES FINAL DETERMINATION
RECOMMENDATION FOR THE 2005 JULY QUARTERLY
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 2005 July Quarterly Report. The first list represents those committees that have paid the civil money penalty while 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 CFR 111.34 and 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

Please note that four (4) committees disclosed a level of activity less than that which was estimated at RTB, thus resulting in a reduced civil money penalty. Stephanie Summers O'Neal for U.S. Congress (AF1417) disclosed \$0.00 in activity, lowering the fine from \$9,000.00 to \$0.00. Christensen 4 Congress (AF1421) disclosed \$0.00 in activity, lowering the fine from \$5,625.00 to \$0.00. Magnum for Congress (AF1423) disclosed \$6,200.00 in activity, lowering the fine from \$6,500.00 to \$300.00. Liffrog for Senate (AF1418) disclosed \$4000.00 in activity, lowering the fine from \$5,625.00 to \$312.00.

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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.

27092603010

FEDERAL ELECTION COMMISSION 2005-2006
FINAL DETERMINATION CIRCULATION REPORT

| AF # | COMMITTEE NAME | COMMITTEE ID | TREASURER | STATE | REPORT TYPE | PREVIOUS VIOLATIONS | DATE PAID | AMOUNT PAID |
|----------------|-------------------|------------------------|-----------|-------|-------------|---------------------|-----------|-------------|
| CANDIDATE NAME | LEVEL OF ACTIVITY | CIVIL MONEY PENALTY | | | | | | |
| RECEIPT DATE | DAYS LATE | REASON TO BELIEVE DATE | | | | | | |

AF1414 KURITA FOR US SENATE
KURITA, ROSALIND
07/21/2005
08/25/2005

C00409060
\$129,237
\$1,350

TN
10/07/2005

2005 JULY QUARTERLY
0
\$1,350

| AF # | CANDIDATE NAME | RECEIPT DATE | RTB DATE | DAYS LATE | COMMITTEE NAME | COMMITTEE ID | LEVEL OF ACTIVITY | TREASURER | STATE | REPORT TYPE | PREVIOUS VIOLATIONS | FINAL CIVIL MONEY PENALTY |
|--------|--|--------------|-----------|-----------|----------------|--------------|-------------------|-----------------|--------------------------|---------------------|---------------------|---------------------------|
| | | | | | | | RTB PENALTY | DAYS SINCE RTB | | | | |
| AF1417 | STEPHANIE SUMMERS O'NEAL FOR US CONGRESS | | | | | | | | MS | 2005 JULY QUARTERLY | 4 | \$0 |
| | SUMMERS-O'NEAL, STEHPANIE | 09/11/2005 | Not Filed | | C00395863 | | \$9,000 | \$0 | DEBORAH JOHNSON THORNTON | | | |
| | | 08/25/2005 | | | | | | 57 | | | | \$0 |
| AF1418 | LIFFRIG FOR SENATE | | | | | | | | ND | 2005 JULY QUARTERLY | 1 | \$312 |
| | LIFFRIG, MICHAEL GEORGE | 10/20/2005 | Not Filed | | C00399618 | | \$4,000 | \$4,000 | MIKE LIFFRIG | | | |
| | | 08/25/2005 | | | | | \$5,625 | 57 | | | | \$312 |
| AF1419 | JAMES A GARNER CONGRESSIONAL COMMITTEE | | | | | | | | NY | 2005 JULY QUARTERLY | 2 | \$6,750 |
| | GARNER, JAMES A | Not Filed | | | C00392506 | | \$6,750 | \$135,673 (est) | LOUIS M EUSTACHE | | | |
| | | 08/25/2005 | | | | | | 57 | | | | \$6,750 |
| AF1421 | CHRISTENSEN 4 CONGRESS | | | | | | | | TX | 2005 JULY QUARTERLY | 1 | \$0 |
| | CHRISTENSEN, GENE | 10/17/2005 | Not Filed | | C00393462 | | \$5,625 | \$0 | LAURA BESKAR | | | |
| | | 08/25/2005 | | | | | | 57 | | | | \$0 |
| AF1422 | SOCAS FOR CONGRESS | | | | | | | | VA | 2005 JULY QUARTERLY | 2 | \$14,250 |
| | SOCAS, JAMES ROBERT | Not Filed | | | C00399345 | | \$14,250 | \$458,073 (est) | ANDREW T O'DELL | | | |
| | | 08/25/2005 | | | | | | 57 | | | | \$14,250 |
| AF1423 | MAGNUM FOR CONGRESS | | | | | | | | WI | 2005 JULY QUARTERLY | 0 | \$300 |
| | MAGNUM, DAVID ROBERT | 08/26/2005 | Not Filed | | C00401067 | | \$6,500 | \$6,200 | DIEHL, THOMAS | | | |
| | | 08/25/2005 | | | | | | 57 | | | | \$300 |

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Administrative Fines Final Determination) AF #1418
Recommendation For the 2005 July)
Quarterly Report: Liffbrig for Senate and)
Mike Liffbrig, as treasurer.)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby
certify that on October 27, 2005, the Commission decided by a vote of 5-0 to take
the following actions in AF #1418:

1. Make a final determination that Liffbrig for Senate and Mike
Liffbrig, as treasurer, violated 2 U.S.C. 434(a)
and assess the civil money penalty in the amount of \$312.
2. Send the appropriate mailgram.

Commissioners Mason, McDonald, Thomas, Toner and Weintraub voted
affirmatively for the decision.

Attest:

October 28, 2005
Date

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

27092603013

WESTERN UNION.

WESTERN UNION COMMERCIAL SERVICES
TO:MIKE LIFFRIG
LIFFRIG FOR SENATE
2815 28TH ST
MANDAN ND 58554-8004

OCTOBER 28, 2005

MIKE LIFFRIG
LIFFRIG FOR SENATE
2815 28TH STREET
HANDAN ND 58554

C00399618
AF# 1418

DEAR MIKE LIFFRIG,

ON 08/25/05, THE FEDERAL ELECTION COMMISSION ("THE COMMISSION") FOUND REASON TO BELIEVE ("RTB") THAT LIFFRIG FOR SENATE AND YOU, AS TREASURER, VIOLATED 2 U.S.C. 434(A) FOR FAILING TO FILE THE 2005 JULY QUARTERLY REPORT. BY MAILGRAM DATED 08/26/05, THE COMMISSION SENT YOU NOTIFICATION OF THE RTB FINDING THAT INCLUDED A CIVIL MONEY PENALTY CALCULATED AT THE RTB STAGE OF \$5625 IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R. 111.43. WITHIN 40 DAYS OF THE COMMISSION'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. THE AMOUNT OF THE CIVIL MONEY PENALTY HAS BEEN CHANGED TO REFLECT THE ACTUAL LEVEL OF ACTIVITY OF YOUR 2005 JULY QUARTERLY REPORT.

THE COMMISSION DID NOT RECEIVE PAYMENT OF THE CALCULATED CIVIL MONEY PENALTY OR YOUR WRITTEN RESPONSE WITHIN THE TIME PERMITTED. THEREFORE, THE COMMISSION MADE A FINAL DETERMINATION ON 10/27/05 THAT YOU, AS TREASURER, AND LIFFRIG FOR SENATE VIOLATED 2 U.S.C. 434(A) AND ASSESSED A CIVIL MONEY PENALTY IN THE AMOUNT OF \$312 IN ACCORDANCE WITH 11 C.F.R. 111.43. THE CIVIL MONEY PENALTY IS BASED ON THESE FACTORS:

ELECTION SENSITIVITY OF REPORT: NOT ELECTION SENSITIVE

LEVEL OF ACTIVITY: \$4000

NUMBER OF DAYS LATE: NOT FILED

NUMBER OF PREVIOUS CIVIL MONEY PENALTIES ASSESSED: 1

TO PAY THE CIVIL MONEY PENALTY

**WESTERN
UNION.****WESTERN UNION COMMERCIAL SERVICES**

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 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 COMMISSION 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'S 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 COMMISSION 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'S 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 ELIZABETH GOINGS 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

**WESTERN
UNION®**

WESTERN UNION COMMERCIAL SERVICES

ADMINISTRATIVE FINE PAYMENT INSTRUCTIONS

IN ACCORDANCE WITH THE SCHEDULE OF PENALTIES AT 11 C.F.R.
111.43, THE CIVIL MONEY PENALTY IS \$312 FOR THE
2005 JULY QUARTERLY 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 LIFFRIG FOR SENATE

FEC ID# C00399618

AF# 1418

PAYMENT AMOUNT DUE \$312

June 1, 2006

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF NORTH DAKOTA
SOUTHWESTERN DIVISION

Michael G. Liffbrig,

Plaintiff,

vs.

Federal Election Commission,

Defendant.

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ORDER OF DISMISSAL

Case No. 1:05-cv-123

Before the Court is a "Stipulated Dismissal" filed by the parties on April 13, 2007. The Court **ADOPTS** the parties' "Stipulated Dismissal" (Docket No. 34) and **ORDERS** that the case be dismissed without prejudice.

IT IS SO ORDERED.

Dated this 16th day of April, 2007.

/s/ Daniel L. Hovland

Daniel L. Hovland, Chief Judge
United States District Court

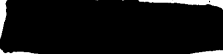
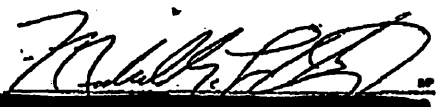

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QUALITY IS OUR PRIORITY FOR LOCKBOX 9058
SEQ# 002 \$ 0000031200 BA# 1 05-16-07 20 9



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|--|-----------------------------|---|
| M. LIFFRIG J. E. LIFFRIG | | 6427 |
|  | | 5/9/07 Date |
| Pay to the Order of | FEDERAL Election Commission | \$ 312.00 |
| three hundred twelve and 00/100 | | Dollars |
| WELLS FARGO Wells Fargo Bank, N.A. North Dakota wellsfargo.com | | |
| For | AF 1418 |  |
|  | | |



FEDERAL ELECTION COMMISSION
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 1418

DATE SCANNED 6/20/07

SCANNER NO. 2

SCAN OPERATOR JmH

27092603020