



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE # 2054

DATE SCANNED 8-10-89

SCANNER NO. 2

SCAN OPERATOR JMB



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

FEDERAL ELECTION  
COMMISSION  
SECRETARIAT

2009 APR -1 P 3:11

April 7, 2009

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: ROBERT HICKEY  
STAFF DIRECTOR *PH for RAH*

FROM: JOHN D. GIBSON *JG*  
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *PC*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/RHIANNON MAGRUDER/SARI PICKERALL *RM*  
COMPLIANCE BRANCH *SP*

SUBJECT: WITHDRAWAL AND RESUBMISSION OF REASON TO BELIEVE  
RECOMMENDATION - 2008 YEAR-END REPORT FOR THE  
ADMINISTRATIVE FINE PROGRAM

Attached is a list of political committees and their treasurers who failed to file the 2008 Year-End Report in accordance with 2 U.S.C. 434(a). The Year-End Report was due on January 31, 2009.

The committees listed in the attached RTB Circulation Report either failed to file the report, filed the report more than five (5) days but no more than thirty (30) days after the due date (considered a late filed report), or filed the report more than thirty (30) days after the due date (considered a non-filed report). In accordance with the schedule of civil money penalties for reports at 11 CFR 111.43, these committees should be assessed the civil money penalties highlighted on the attached circulation report.

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Federal Election Commission  
Reason to Believe Circulation Report  
2008 YEAR-END Not Election Sensitive 01/31/2009 H\_S\_P\_UNAUTH

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2046	C00436535	BENJAMIN LODMELL FOR U S CONGRESS	LODMELL, BENJAMIN	BENJAMIN LODMELL	\$121,932.00	0		Not Filed	\$40,644 (est)	\$900
2048	C00443762	CARRARO FOR CONGRESS	CARRARO, JOSEPH J.	C. BERT LEDBETTER	\$146,500.00	0		Not Filed	\$36,625 (est)	\$900
2055	C00449876	COMMITTEE TO ELECT MARY WRIGHT	WRIGHT, MARY D.	MARY WRIGHT	\$343,017.00	1		Not Filed	\$57,169 (est)	\$3,375

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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2058	C00447029	DARIUS FOR CONGRESS	SHAHINFAR, DARIUS	DARIUS SHAHINFAR	\$477,471.00	0	2/18/2009	18	\$7,089	\$140

2063	C00431049	FINEGOLD COMMITTEE	FINEGOLD, BARRY	TRAVIS M. DROUIN	\$1,957,437.00	1		Not Filed	\$217,493 (est)	\$8,125
2064	C00395392	FRIENDS OF BARBARA FERRIS	FERRIS, BARBARA ANNE	BARBARA ANNE FERRIS	\$139,812.00	0		Not Filed	\$17,477 (est)	\$500
2065	C00444992	FRIENDS OF JOHN STROUP	STROUP, JOHN REA	ERIC LEO FUNK	\$142,927.00	0		Not Filed	\$47,642 (est)	\$900

2067	C00445189	JACKSON FOR CONGRESS	JACKSON, MICHAEL	MURPHY F. BELL JR.	\$429,544.00	0		Not Filed	\$53,693 (est)	\$2,700
2068	C00441444	JENNIFER DOUGHERTY FOR CONGRESS	DOUGHERTY, JENNIFER P.	KATHLEEN D. CASSIDY	\$345,248.00	0		Not Filed	\$49,321 (est)	\$900

2070	C00442863	JONEIROD.COM	ELROD, JONATHAN ROBERT	JAN MARSHALL	\$397,888.00	0		Not Filed	\$56,841 (est)	\$2,700
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AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2072	C00001743	LOCAL 1814 INTERNATIONAL LONGSHOREMENS ASSOC AFL-CIO POLITICAL ACTION AND EDUCATION FUND		ANTHONY GRAFFINO	\$206,842.00	0	3/25/2009	Not Filed	\$10,213	\$500
2074	C00409631	LOUISIANA REFORM PAC		JOHN C. SCHMIDT	\$451,239.00	0	2/27/2009	27	\$14,204	\$235
2076	C00381277	OHIO COAL ASSOCIATION PAC		MICHAEL CAREY	\$182,844.00	0	3/1/2009	29	\$3,471	\$170
2077	C00446799	ONDER FOR CONGRESS	ONDER, ROBERT FRANK, JR.	PHIL ECKELKAMP	\$1,441,485.00	0		Not Filed	\$360,371 (est)	\$9,000
2078	C00165324	PHILADELPHIA JOINT BOARD UNITE HERE TIPS		MILDRED SALDANA	\$153,899.00	0	2/23/2009	23	\$330	\$140
2081	C00449629	REED FOR US SENATE 2008 INC	REED, CHRISTOPHER	KIMBERLY REED	\$117,880.00	0		Not Filed	\$29,470 (est)	\$900
2082	C00433128	RICARDO MUNOZ FOR CONGRESS	MUNOZ, RICARDO	CARMEN FLORES-RANCE	\$690,313.00	0		Not Filed	\$172,578 (est)	\$5,500.00
2085	C00430520	TODD LONG FOR CONGRESS	LONG, WILLIAM TODD	WILLIAM TODD LONG	\$653,524.00	0		Not Filed	\$81,691 (est)	\$3,500

AF#	Committee ID	Committee Name	Candidate Name	Treasurer	Threshold	PV	Receipt Date	Days Late	LOA	Penalty
2086	C00340828	TROVER SOLUTIONS INC		DOUGLAS R. SHARPS	\$104,354.00	0	3/5/2009	Not Filed	\$2,832	\$250
2087	C00403774	UNITED DEMOCRATIC CAMPAIGN OF ALAMEDA COUNTY		KENNETH PON	\$105,456.00	0	2/18/2009	18	\$6,881	\$140
2088	C00451831	WYNE FOR CONGRESS	WYNE, JAMSHAD	MARIA SCHILLACI	\$610,514.00	0		Not Filed	\$203,505 (est)	\$6,500

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Withdrawal and Resubmission of Reason )  
To Believe Recommendation - 2008 Year )  
End Report for the Administrative Fine )  
Program: )

BENJAMIN LODMELL FOR U S ) AF# 2046  
CONGRESS, and BENJAMIN LODMELL )  
as treasurer; )

CARRARO FOR CONGRESS, and C ) AF# 2048  
BERT LEDBETTER as treasurer; )

COMMITTEE TO ELECT MARY ) AF# 2055  
WRIGHT, and MARY WRIGHT as )  
treasnrer; )

Federal Election Commission  
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DARIUS FOR CONGRESS, and ) AF# 2058  
SHAHINFAR, DARIUS as treasurer; )

FINEGOLD COMMITTEE, and TRAVIS ) AF# 2063  
M DROUIN as treasurer; )  
FRIENDS OF BARBARA FERRIS, and ) AF# 2064  
BARBARA ANNE FERRIS as treasurer; )  
FRIENDS OF JOHN STROUP, and ERIC ) AF# 2065  
LEO FUNK as treasurer; )

JACKSON FOR CONGRESS, and ) AF# 2067  
MURPHY F BELL JR as treasurer; )  
JENNIFER DOUGHERTY FOR ) AF# 2068  
CONGRESS, and KATHLEEN D )  
CASSIDY as treasurer; )

JONELROD.COM, and JAN MARSHALL ) AF# 2070  
as treasurer; )

LOCAL 1814 INTERNATIONAL ) AF# 2072  
LONGSHOREMENS ASSOC AFL-CIO )  
POLITICAL ACTION AND EDUCATION )  
FUND, and ANTHONY GRAFFINO as )  
treasurer; )

LOUISIANA REFORM PAC, and ) AF# 2074  
SCHMIDT, JOHN C as treasurer; )

Federal Election Commission  
Certification for Administrative Fines  
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OIIIO COAL ASSOCIATION PAC, and ) AF# 2076  
CAREY^MICHAEL^^ as treasurer; )  
ONDER FOR CONGRESS, and PHIL ) AF# 2077  
ECKELKAMP as treasurer; )  
PHILADELPHIA JOINT BOARD UNITE ) AF# 2078  
HERE TIPS, and MS MILDRED )  
SALDANA as treasurer; )

REED FOR US SENATE 2008 INC, and ) AF# 2081  
KIMBERLY REED as treasurer; )  
RICARDO MUNOZ FOR CONGRESS, ) AF# 2082  
and CARMEN FLORES-RANCE as )  
treasurer; )

TODD LONG FOR CONGRESS, and ) AF# 2085  
LONG, WILLIAM TODD MR. as )  
treasurer; )  
TROVER SOLUTIONS INC, and ) AF# 2086  
DOUGLAS R SHARPS as treasurer; )  
UNITED DEMOCRATIC CAMPAIGN OF ) AF# 2087  
ALAMEDA COUNTY, and KENNETH )  
PON CPA as treasurer; )  
WYNE FOR CONGRESS, and MARIA ) AF# 2088  
SCHILLACI as treasurer; )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby  
certify that on April 08, 2009 the Commission took the following actions on the  
Withdrawal and Resubmission of Reason To Believe Recommendation - 2008 Year End  
Report for the Administrative Fine Program as recommended in the Reports Analysis  
Division's Memorandum dated April 07, 2009, on the following committees:

AF#2046 Decided by a vote of 6-0 to: (1) find reason to believe that BENJAMIN LODMELL FOR U S CONGRESS, and BENJAMIN LODMELL 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 letter. Commissioners Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2048 Decided by a vote of 6-0 to: (1) find reason to believe that CARRARO FOR CONGRESS, and C BERT LEDBETTER 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 letter. Commissioners Baucry, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2055 Decided by a vote of 6-0 to: (1) find reason to believe that COMMITTEE TO ELECT MARY WRIGHT, and MARY WRIGHT 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2058 Decided by a vote of 6-0 to: (1) find reason to believe that DARIUS FOR CONGRESS, and SHAHINFAR, DARIUS 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2063 Decided by a vote of 6-0 to: (1) find reason to believe that FINEGOLD COMMITTEE, and TRAVIS M DROUIN 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2064 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF BARBARA FERRIS, and BARBARA ANNE FERRIS 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2065 Decided by a vote of 6-0 to: (1) find reason to believe that FRIENDS OF JOHN STROUP, and ERIC LEO FUNK 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2067 Decided by a vote of 6-0 to: (1) find reason to believe that JACKSON FOR CONGRESS, and MURPHY F BELL JR 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2068 Decided by a vote of 6-0 to: (1) find reason to believe that JENNIFER DOUGHERTY FOR CONGRESS, and KATHLEEN D CASSIDY 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2070 Decided by a vote of 6-0 to: (1) find reason to believe that JONELROD.COM, and JAN MARSHALL 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2072 Decided by a vote of 6-0 to: (1) find reason to believe that LOCAL 1814 INTERNATIONAL LONGSHOREMENS ASSOC AFL-CIO POLITICAL ACTION AND EDUCATION FUND, and ANTHONY GRAFFINO 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2074 Decided by a vote of 6-0 to: (1) find reason to believe that LOUISIANA REFORM PAC, and SCHMIDT, JOHN C 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2076 Decided by a vote of 6-0 to: (1) find reason to believe that OHIO COAL ASSOCIATION PAC, and CAREY^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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2077 Decided by a vote of 6-0 to: (1) find reason to believe that ONDER FOR CONGRESS, and PHIL ECKELKAMP 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2078 Decided by a vote of 6-0 to: (1) find reason to believe that PHILADELPHIA JOINT BOARD UNITE HERE TIPS, and MS MILDRED SALDANA 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2081 Decided by a vote of 6-0 to: (1) find reason to believe that REED FOR US SENATE 2008 INC, and KIMBERLY REED 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2082 Decided by a vote of 6-0 to: (1) find reason to believe that RICARDO MUNOZ FOR CONGRESS, and CARMEN FLORES-RANCE 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2085 Decided by a vote of 6-0 to: (1) find reason to believe that TODD LONG FOR CONGRESS, and LONG, WILLIAM TODD MR. 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2086 Decided by a vote of 6-0 to: (1) find reason to believe that TROVER SOLUTIONS INC, and DOUGLAS R SHARPS 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2087 Decided by a vote of 6-0 to: (1) find reason to believe that UNITED DEMOCRATIC CAMPAIGN OF ALAMEDA COUNTY, and KENNETH PON CPA 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2088 Decided by a vote of 6-0 to: (1) find reason to believe that WYNE FOR CONGRESS, and MARIA SCHILLACI 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 letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

April 8, 2009  
Date

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



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 13, 2009

Darius Shahinfar as Treasurer  
Darius for Congress  
P.O. Box 8777  
Albany, NY 12208

C00447029  
AF#: 2058

Dear Darius Shahinfar:

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires that your committee file a Year End Report of Receipts and Disbursements every calendar year. This report, covering the period through December 31, 2008, was due no later than January 31, 2009. 2 U.S.C. § 434(a). Records at the Federal Election Commission ("FEC") indicate that this report was filed on February 18, 2009, 18 days late.

The Act was 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 April 8, 2009, the FEC found that there is reason to believe ("RTB") that Darius for Congress and you as treasurer violated 2 U.S.C. § 434(a) by failing to file timely this report on or before January 31, 2009. 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 \$140. Please see the attached copy of the Commission's administrative fine regulations at 11 C.F.R. §§ 111.30-11.46. Attachment 1. The Commission's website contains further information about how the administrative fine program works and how the fines are calculated. See <http://www.fec.gov/af/af.shtml>. 11 C.F.R. § 111.34. Your payment is due within forty (40) days of the finding, or by May 18, 2009, and is based on these factors:

Election Sensitivity of Report: Not Election Sensitive  
Level of Activity: \$7,089  
Number of Days Late: 18  
Number of Previous Civil Money Penalties Assessed: 0

**To Pay the Calculated Civil Money Penalty**

If you should decide to pay the calculated civil money penalty, send the enclosed remittance form, along with your payment, to the FEC at the address on page 4. 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**

If you should decide 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 within forty (40) days of the Commission's RTB finding, or May 18, 2009. 11 C.F.R. § 111.35(a). 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 in the RTB finding; miscalculation of the calculated civil money penalty by the FEC; or your demonstrated use of best efforts to file in a timely manner when prevented from doing so by reasonably unforeseen circumstances that were beyond your control. 11 C.F.R. § 111.35(b). In order for a challenge to be considered on the basis of best efforts, you must have filed the required report no later than 24 hours after the end of these reasonably unforeseen circumstances. *Id.* Examples of circumstances that will be considered reasonably unforeseen and beyond your control include, but are not limited to, a failure of Commission computers or Commission-provided software despite you seeking technical assistance from Commission personnel and resources; a widespread disruption of information transmissions over the Internet that is not caused by the Commission's or your computer systems or Internet service provider; and severe weather or other disaster-related incident. 11 C.F.R. § 111.35(c). Examples of circumstances that will not be considered reasonably unforeseen and beyond your control include, but are not limited to, negligence; delays caused by vendors or contractors; treasurer and staff illness, inexperience or unavailability; committee computer, software, or internet service provider failures; failure to know filing dates; and failure to use filing software properly. 11 C.F.R. § 111.35(d). 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. 11 C.F.R. § 111.36(c).

Pursuant to the Commission's regulations, the "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 Darius for Congress 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.

As noted earlier, you may obtain additional information on the FEC's administrative fine program, including the final regulations, on the FEC's website at <http://www.fec.gov/af/af.shtml>. If you have questions regarding the payment of the calculated civil money penalty, please contact Rhiannon Magruder 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.

On behalf of the Commission,



Steven T. Walther  
Chairman

12060306

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**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 \$140 for the 2008 Year-End 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 979058  
St. Louis, MO 63197-9000

If you choose to send your remittance and payment by courier or overnight delivery, please use this address:

U.S. Bank - Government Lockbox  
FEC #979058  
1005 Convention Plaza  
Attn: Government Lockbox, SL-MO-C2GL  
St. Louis, MO 63101

The remittance and your payment are due by May 18, 2009. Upon receipt of your remittance and payment, the FEC will send you a final determination letter.

**PAYMENTS BY PERSONAL CHECK**

Personal checks will be converted into electronic funds transfers (EFTS). Your account will be electronically debited for the amount on your check, usually within 24 hours, and the debit will appear on your regular statement. We will destroy your original check and keep a copy of it. In case the EFT cannot be processed for technical reasons, you authorize us to process the copy in lieu of the original check. Should the EFT not be completed because of insufficient funds, we may try to make the transfer twice.

**PLEASE DETACH AND RETURN THE PORTION BELOW WITH YOUR PAYMENT**  
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FOR: Darius for Congress

FEC ID#: C00447029

AF#: 2058

PAYMENT DUE DATE: May 18, 2009

PAYMENT AMOUNT DUE: \$140



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 11, 2009

RECEIVED  
FEDERAL ELECTION COMMISSION  
2009 JUN 11 P 5:21

MEMORANDUM

**SENSITIVE**

TO: THE COMMISSION

THROUGH: ROBERT A. HICKEY  
STAFF DIRECTOR *H.*

FROM: JOHN D. GIBSON *JG*  
CHIEF COMPLIANCE OFFICER

PATRICIA CARMONA *PC*  
ASSISTANT STAFF DIRECTOR  
REPORTS ANALYSIS DIVISION

BY: NATALIYA IOFFE/RHIANNON MAGRUDER *RM*  
COMPLIANCE BRANCH

SUBJECT: ADMINISTRATIVE FINE PROGRAM – FINAL DETERMINATION  
RECOMMENDATION FOR THE 2008 YEAR END REPORT

Attached are five 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 2008 Year End Report. The first list contains the names of those committees that have paid the civil money penalty. The second list contains the names of those committees that have not paid the civil money penalty, with no changes in the penalty amount since the RTB finding. The third list contains the names of those committees that have not paid the civil money penalty but disclosed a level of activity during the 2008 Year End reporting period after the RTB finding which would result in a lowered civil money penalty at Final Determination (FD). The fourth list contains the names of those committees that have not paid the civil money penalty but disclosed no activity during the 2008 Year End reporting period after the RTB finding, which would result in no civil money penalty at FD. The fifth list contains the name of the committee for which Reports Analysis Division (RAD) recommends the Commission take no further action. 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 11 CFR 111.40, the Commission shall send a final determination notice to those respondents that have either paid or not paid the civil money penalty.

For your information, Carraro for Congress (AF 2048) paid the civil money penalty assessed at RTB (see first list). However, the committee filed the 2008 Year End Report after the RTB finding and disclosed a level of activity which would result in a lower civil money penalty than assessed at RTB. The committee disclosed total receipts and disbursements of \$17,331 (previously estimated to be \$36,625), thus the fine would be lowered from \$900 to \$500. We will therefore issue a refund for the difference (\$400).

**RAD Recommendation**

- (1) \_\_\_\_\_
- (2) Make final determination that all other political committees and their treasurers listed on the attached reports violated 2 U.S.C. 434(a) and assess the final civil money penalties so indicated.
- (3) Send the appropriate letters.

20090205 10221

Federal Election Commission  
FD Circulation Report Fine Paid  
2008 YEAR-END Not Election Sensitive 01/31/2009 H\_S\_P\_UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Final Money Penalty	Date Paid	Amount Paid
2048	CARRARO FOR CONGRESS	CARRARO, JOSEPH J	C00443762	C. BERT LEDBETTER	05/12/2009	Not Filed	\$17,331	0	04/08/2009	\$900	\$500	5/18/2009	\$900
2058	DARIUS FOR CONGRESS	SHAHINFAR, DARIUS	C00447029	DARIUS SHAHINFAR	02/18/2009	18	\$7,089	0	04/08/2009	\$140	\$140	05/19/2009	\$140
2072	LOCAL 1814 INTERNATIONAL LONGSHOREMENS ASSOC AFL-CIO POLITICAL ACTION AND EDUCATION FUND		C00001743	ANTHONY GRAFFINO	03/25/2009	Not Filed	\$10,213	0	04/08/2009	\$500	\$500	05/12/2009	\$500
2074	LOUISIANA REFORM PAC		C00409631	JOHN C. SCHMIDT	02/27/2009	27	\$14,204	0	04/08/2009	\$235	\$235	05/12/2009	\$235
2076	OHIO COAL ASSOCIATION PAC		C00381277	MICHAEL CAREY	03/01/2009	29	\$3,471	0	04/08/2009	\$170	\$170	05/18/2009	\$170
2078	PHILADELPHIA JOINT BOARD UNITE HERE TIPS		C00165324	MS. MILDRED SALDANA	02/23/2009	23	\$330	0	04/08/2009	\$140	\$140	05/06/2009	\$140
2086	TROVER SOLUTIONS INC		C00340828	DOUGLAS R. SHARPS	03/05/2009	Not Filed	\$2,832	0	04/08/2009	\$250	\$250	05/18/2009	\$250
2087	UNITED DEMOCRATIC CAMPAIGN OF ALAMEDA COUNTY (UDCAC)		C00403774	GREGORY E. SANBORN	02/18/2009	18	\$6,881	0	04/08/2009	\$140	\$140	05/26/2009	\$140

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Federal Election Commission  
FD Circulation Report - No Penalty  
2008 YEAR-END Not Election Sensitive 01/31/2009 H S P UNAUTH

AF#	Committee Name	Candidate Name	Committee ID	Treasurer	Receipt Date	Days Late	LOA	PV	RTB Date	RTB Penalty	Days Since RTB	FD Penalty
2046	BENJAMIN LODMELL FOR U S CONGRESS	LODMELL, BENJAMIN	C00436535	BENJAMIN LODMELL	05/13/2009	Not Filed	\$0	0	04/08/2009	\$900	64	\$0
2055	COMMITTEE TO ELECT MARY WRIGHT	WRIGHT, MARY D.	C00449876	MARY DELOIS WRIGHT	4/30/2009	Not Filed	\$0	1	04/08/2009	\$3,375	64	\$0

2063	FINEGOLD COMMITTEE	FINEGOLD, BARRY	C00431049	TRAVIS M. DROUIN	05/18/2009	Not Filed	\$0	1	04/08/2009	\$8,125	64	\$0
2064	FRIENDS OF BARBARA FERRIS	FERRIS, BARBARA ANNE	C00395392	BARBARA ANNE FERRIS		Not Filed	\$0	0	04/08/2009	\$500	64	\$0
2065	FRIENDS OF JOHN STROUP	STROUP, JOHN REA	C00444992	ERIC LEO FUNK		Not Filed	\$0	0	04/08/2009	\$900	64	\$0
2067	JACKSON FOR CONGRESS	JACKSON, MICHAEL	C00445189	MURPHY F. BELL, JR.	06/08/2009	Not Filed	\$0	0	04/08/2009	\$2,700	64	\$0
2068	JENNIFER DOUGHERTY FOR CONGRESS	DOUGHERTY, JENNIFER P	C00441444	KATHLEEN D. CASSIDY		Not Filed	\$0	0	04/08/2009	\$900	64	\$0
2070	JONELROD.COM	ELROD, JONATHAN ROBERT	C00442863	JAN MARSHALL	05/14/2009	Not Filed	\$0	0	04/08/2009	\$2,700	64	\$0
2077	ONDER FOR CONGRESS	ONDER, ROBERT FRANK JR	C00446799	PHIL ECKELKAMP	04/15/2009	Not Filed	\$0	0	04/08/2009	\$9,000	64	\$0
2081	REED FOR US SENATE 2008 INC	REED, CHRISTOPHER	C00449629	KIMBERLY REED	05/19/2009	Not Filed	\$0	0	04/08/2009	\$900	64	\$0
2082	RICARDO MUNOZ FOR CONGRESS	MUNOZ, RICARDO	C00433128	CARMEN FLORES-RANCE		Not Filed	\$0	0	04/08/2009	\$5,500	64	\$0
2085	TODD LONG FOR CONGRESS	LONG, WILLIAM TODD	C00430520	WILLIAM TODD LONG	05/15/2009	Not Filed	\$0	0	04/08/2009	\$3,500	64	\$0
2088	WYNE FOR CONGRESS	WYNE, JAMSHAD	C00451831	MARIA SCHILLACI		Not Filed	\$0	0	04/08/2009	\$6,500	64	\$0

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
)  
Administrative Fines Final Determination )  
Recommendation for the 2008 Year End )  
Report: )  
OHIO COAL ASSOCIATION PAC, and ) AF# 2076  
CAREY MICHAEL as treasurer; )  
LOUISIANA REFORM PAC, and ) AF# 2074  
SCHMIDT, JOHN C as treasurer; )  
PHILADELPHIA JOINT BOARD UNITE ) AF# 2078  
HERE TIPS, and MS MILDRED )  
SALDANA as treasurer; )  
DARIUS FOR CONGRESS, and ) AF# 2058  
SHAHIN FAR, DARIUS as treasurer; )  
UNITED DEMOCRATIC CAMPAIGN OF ) AF# 2087  
ALAMEDA COUNTY (UDCAC), and )  
GREGORY E SANBORN as treasurer: )

BENJAMIN LODMELL FOR U S ) AF# 2046  
CONGRESS, and BENJAMIN LODMELL )  
as treasurer: )

CARRARO FOR CONGRESS, and C ) AF# 2048  
BERT LEDBETTER as treasurer; )

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

COMMITTEE TO ELECT MARY  
WRIGHT, and MARY DELOIS WRIGHT  
as treasurer:

AF# 2055

FINEGOLD COMMITTEE, and TRAVIS	)	AF# 2063
M DROUIN as treasurer;	)	
FRIENDS OF BARBARA FERRIS, and	)	AF# 2064
BARBARA ANNE FERRIS as treasurer;	)	
FRIENDS OF JOHN STROUP, and ERIC	)	AF# 2065
LEO FUNK as treasurer;	)	

JACKSON FOR CONGRESS, and	)	AF# 2067
MURPHY F BELL JR as treasurer;	)	
JENNIFER DOUGHERTY FOR	)	AF# 2068
CONGRESS, and KATHLEEN D	)	
CASSIDY as treasurer;	)	
JONELROD.COM, and JAN MARSHALL	)	AF# 2070
as treasurer;	)	

LOCAL 1814 INTERNATIONAL	)	AF# 2072
LONGSHOREMENS ASSOC AFL-CIO	)	
POLITICAL ACTION AND EDUCATION	)	
FUND, and ANTHONY GRAFFINO as	)	
treasurer:	)	

ORDER FOR CONGRESS, and PHIL ) AF# 2077  
ECKELKAMP as treasurer; )

REED FOR US SENATE 2008 INC, and ) AF# 2081  
KIMBERLY REED as treasurer; )  
RICARDO MUNOZ FOR CONGRESS, ) AF# 2082  
and CARMEN FLORES-RANCE as )  
treasurer; )

TODD LONG FOR CONGRESS, and ) AF# 2085  
LONG, WILLIAM TODD MR. as )  
treasurer; )  
TROVER SOLUTIONS INC, and ) AF# 2086  
DOUGLAS R SHARPS as treasurer; )  
WYNE FOR CONGRESS, and MARIA ) AF# 2088  
SCHILLACI as treasurer; )

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal Election Commission, do hereby  
certify that on June 15, 2009 the Commission took the following actions on the  
Administrative Fines Final Determination Recommendation for the 2008 Year End  
Report as recommended in the Reports Analysis Division's Memorandum dated June 11,  
2009, on the following committees:

AF#2076 Decided by a vote of 6-0 to: (1) make a final determination that OHIO  
COAL ASSOCIATION PAC, and CAREY^MICHAEL^^ as treasurer , violated 2 U.S.C.  
434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter.  
Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted  
affirmatively for the decision.

AF#2074 Decided by a vote of 6-0 to: (1) make a final determination that  
LOUISIANA REFORM PAC, and SCHMIDT, JOHN C as treasurer , violated 2 U.S.C.  
434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter.  
Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted  
affirmatively for the decision.

AF#2078 Decided by a vote of 6-0 to: (1) make a final determination that PHILADELPHIA JOINT BOARD UNITE HERE TIPS, and MS MILDRED SALDANA as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2058 Decided by a vote of 6-0 to: (1) make a final determination that DARIUS FOR CONGRESS, and SHAHINFAR, DARIUS as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2087 Decided by a vote of 6-0 to: (1) make a final determination that UNITED DEMOCRATIC CAMPAIGN OF ALAMEDA COUNTY (UDCAC), and GREGORY E SANBORN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2046 Decided by a vote of 6-0 to: (1) make a final determination that BENJAMIN LODMELL FOR U S CONGRESS, and BENJAMIN LODMELL as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

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AF#2048 Decided by a vote of 6-0 to: (1) make a final determination that CARRARO FOR CONGRESS, and C BERT LEDBETTER as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

**Federal Election Commission  
Certification for Administrative Fines  
June 15, 2009**

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AF#2055 Decided by a vote of 6-0 to: (1) make a final determination that COMMITTEE TO ELECT MARY WRIGHT, and MARY DELOIS WRIGHT as treasurer, violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2063 Decided by a vote of 6-0 to: (1) make a final determination that FINEGOLD COMMITTEE, and TRAVIS M DROUTN as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2064 Decided by a vote of 6-0 to: (1) make a final determination that FRIENDS OF BARBARA FERRIS, and BARBARA ANNE FERRIS as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2065 Decided by a vote of 6-0 to: (1) make a final determination that FRIENDS OF JOHN STROUP, and ERIC LEO FUNK as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2067 Decided by a vote of 6-0 to: (1) make a final determination that JACKSON FOR CONGRESS, and MURPHY F BELL JR as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2068 Decided by a vote of 6-0 to: (1) make a final determination that JENNIFER DOUGHERTY FOR CONGRESS, and KATHLEEN D CASSIDY as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2070 Decided by a vote of 6-0 to: (1) make a final determination that JONELROD.COM, and JAN MARSHALL as treasurer , violated 2 U.S.C. 434(a) and

assess the civil money penalty so indicated; (2) send the appropriate letter.  
Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted  
affirmatively for the decision.

AF#2072 Decided by a vote of 6-0 to: (1) make a final determination that LOCAL  
1814 INTERNATIONAL LONGSHOREMENS ASSOC AFL-CIO POLITICAL  
ACTION AND EDUCATION FUND, and ANTHONY GRAFFINO as treasurer ,  
violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the  
appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and  
Weintraub voted affirmatively for the decision.

AF#2077 Decided by a vote of 6-0 to: (1) make a final determination that ONDER  
FOR CONGRESS, and PHIL ECKELKAMP as treasurer , violated 2 U.S.C. 434(a) and  
assess the civil money penalty so indicated; (2) send the appropriate letter.  
Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted  
affirmatively for the decision.

AF#2081 Decided by a vote of 6-0 to: (1) make a final determination that REED FOR US SENATE 2008 INC, and KIMBERLY REED as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2082 Decided by a vote of 6-0 to: (1) make a final determination that RICARDO MUNOZ FOR CONGRESS, and CARMEN FLORES-RANCE as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2085 Decided by a vote of 6-0 to: (1) make a final determination that TODD LONG FOR CONGRESS, and LONG, WILLIAM TODD MR. as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2086 Decided by a vote of 6-0 to: (1) make a final determination that TROVER SOLUTIONS INC, and DOUGLAS R SHARPS as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

AF#2088 Decided by a vote of 6-0 to: (1) make a final determination that WYNE FOR CONGRESS, and MARIA SCHILLACI as treasurer , violated 2 U.S.C. 434(a) and assess the civil money penalty so indicated; (2) send the appropriate letter. Commissioners Bauerly, Hunter, McGahn II, Petersen, Walther, and Weintraub voted affirmatively for the decision.

Attest:

Federal Election Commission  
Certification for Administrative Fines  
June 15, 2009

Page 9

June 15 2009  
Date

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

152045550231



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 26, 2009

Darius Shahinfar as Treasurer  
Darius for Congress  
P.O. Box 8777  
Albany, NY 12208

C00447029  
AF#: 2058

Dear Mr. Shahinfar:

On April 8, 2009, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that Darius for Congress and its treasurer violated 2 U.S.C. § 434(a) for filing late or failing to file the 2008 Year-End Report. By letter dated April 13, 2009, the Commission sent notification of the RTB finding that included a civil money penalty calculated at the RTB stage of \$140 in accordance with the schedule of penalties at 11 C.F.R. § 111.43.

On May 19, 2009, the FEC received payment of the civil money penalty calculated at the RTB stage. The FEC made a final determination on June 15, 2009 that you as treasurer and Darius for Congress violated 2 U.S.C. § 434(a), assessed a civil money penalty in the amount of \$140 in accordance with 11 C.F.R. § 111.43, and voted to close the file.

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's notification, this could occur at anytime following certification of the Commission's vote.

If you have any questions regarding this matter, please contact Rhiannon Magruder on our toll free number (800) 424-9530 (at the prompt press 5) or (202) 694-1130.

On behalf of the Commission,

A handwritten signature in cursive script, reading "Steven T. Walther".

Steven T. Walther  
Chairman

FOR: Darius for Congress

FEC ID#: C00447029

AF#: 2058

PAYMENT DUE DATE: May 18, 2009

PAYMENT AMOUNT DUE: \$140

QUALITY IS OUR PRIORITY FOR LOCKBOX 9058  
SEQ# 001 \$ 0000014000 BA# 1 05-18-09 20 3



**usbankcorp.**  
The New Banking Experience

**DARIUS FOR CONGRESS** 03-08 1143  
P.O. BOX 8777  
ALBANY, NY 12208

PAY TO THE ORDER OF Federal Election Commission DATE 5-12-09 \$ 140  
One hundred forty and 00/100 DOLLARS

**Bank of America**  
ACH RTT 02100322

FOR [Signature]



FEDERAL ELECTION COMMISSION  
Washington DC 20463

THIS IS THE END OF ADMINISTRATIVE FINE CASE # 2054

DATE SCANNED 8-10-09

SCANNER NO. 2

SCAN OPERATOR Jm13

20090810 09:23:44