

THIS IS THE BEGINNING OF ADMINISTRATIVE FINE CASE

603

DATE FILMED 8/10/03

CAMERA NO. 4

CAMERAMAN EEJ

23-09-254-3304



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

April 28, 2003

2003 APR 28 A 9:47

MEMORANDUM

SENSITIVE

TO: THE COMMISSION

THROUGH: JAMES A. PEHRKON
STAFF DIRECTOR

ALISON L. DOONE
DEPUTY STAFF DIRECTOR

FROM: SHAWN WOODHEAD WERTH
REVIEWING OFFICER
OFFICE OF ADMINISTRATIVE REVIEW

SUBJECT: FINAL DETERMINATION RECOMMENDATION IN
AF# 603 - MAXIMUS INC. POLITICAL ACTION
COMMITTEE (MAXPAC) AND GLENN YANIS,
AS TREASURER (C00343707)

On August 30, 2002, the Federal Election Commission ("the Commission") found reason to believe ("RTB") that the Maximus Inc. Political Action Committee (MAXPAC) and Glenn Yanis, as Treasurer ("the respondents"), violated 2 U.S.C. § 434(a) for failing to file in a timely manner the 2002 April Quarterly Report. The report was filed on April 24, 2002, 9 days late. As a result, on August 30, 2002, the Commission also made a preliminary determination that the civil money penalty was \$650 based on the schedule of penalties at 11 C.F.R. § 111.43.

On September 30, 2002, the Commission received the respondents' written response and supporting documentation ("challenge"). After reviewing the challenge, the Reviewing Officer's recommendation dated April 8, 2003 was forwarded to the Commission. A copy was simultaneously forwarded to the respondents. The Reviewing Officer recommended that the Commission make a final determination that the respondents violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$650 because the respondents submitted no evidence that a factual error was made, that the civil money penalty was miscalculated at RTB or that extraordinary circumstances existed which prevented them from filing the April Quarterly Report in a timely manner.

Within 10 days of transmittal of the recommendation, the respondents may file a written response with the Commission Secretary which may not raise any arguments not raised in the respondents' challenge or not directly responsive to the Reviewing Officer's recommendation. 11 C.F.R. § 111.36(f). As of this date, a written response has not been received.

OAR Recommendations

- (1) Make a final determination in AF# 603 that the Maximus Inc. Political Action Committee (MAXPAC) and Glenn Yanis, as Treasurer, violated 2 U.S.C. § 434(a) and assess a civil money penalty of \$650; and
- (2) Send the appropriate letter.



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Worth
SENSITIVE

DATE & TIME OF TRANSMITTAL: Monday, April 28, 2003 11:00

BALLOT DEADLINE: Thursday, May 01, 2003 4:00

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

SUBJECT: **Final Determination Recommendation in AF #603 -Maximus Inc. Political Action Committee (MAXPAC) and Glenn Yanis, As Treasurer (C00343707). Memorandum from the Reviewing Officer, Office of Administrative Review dated April 28, 2003.**

- () I approve the recommendation(s)
- () I object to the recommendation(s)
- () I abstain from voting on the recommendation(s)
- () I am recused from voting on the recommendation(s)
- () 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

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Maximus Inc. Political Action) AF #603
Committee (MAXPAC) and Glenn Yanis,)
as Treasurer (C00343707))
Final Determination Recommendation.)

CERTIFICATION

I, Mary W. Dove, Secretary of the Federal
Election Commission, do hereby certify that on
May 1, 2003 the Commission decided by a vote
of 6-0 to take the following actions in AF #603:

1. Make a final determination in AF #603
that the Maximus Inc. Political Action
Committee (MAXPAC) and Glenn Yanis, as
Treasurer, violated 2 U.S.C. § 434(a)
and assess a civil money penalty of \$650.00.
2. Send the appropriate letter, as recommended
in the Reviewing Officer's Memorandum dated
April 28, 2003.

(Continued)

Federal Election Commission
Certification for AF #603
May 1, 2003

Page 2

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

Attest:

May 1, 2003
Date

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

Received in the Secretariat: Mon., Apr. 28, 2003 9:47 a.m.
Circulated to the Commission: Mon., Apr. 28, 2003 11:00 a.m.
Deadline for vote: Thurs., May. 01, 2003 4:00 p.m.

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FOR Maximus Inc. Political Action Committee (MAXPAC)

PAGE 4

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WESTERN UNION

Messing Service

MAILGRAM



UNITED STATES
POSTAL SERVICE

FEC ID # C00343707

AF # 603

PAYMENT AMOUNT DUE \$650

MGMCOMP 16:31 EST

QUALITY IS OUR PRIORITY FOR LOCKBOX 2182
SEQ# 001 \$ 0000065000 BA# 1 05-20-03 20 9

CARLIN & DRYGDALE

BASE OF AIRCRAFT
WASHINGTON, D.C.

18-120740 Check:

006561

NO
0000001

05/13/2003
DATE

\$650.00
AMOUNT

••SIX HUNDRED FIFTY AND XX / 100

**PAY
TO THE
ORDER OF**

Federal Election Commission
999 E Street, NW
Room 820
Washington, DC 20463

CARLIN & DRYGALA

Lucius B. Brown

THIS IS THE END OF ADMINISTRATIVE FINE CASE

603

DATE FILMED 8/10/03 CAMERA NO. 4

CAMERAMAN ΣΣΣ

2004-08-10 14:00:00