



**Federal Election Commission
Washington, DC 20463**

Case Number: ADR 076B
Source: MUR 5245
Case Name: Friends of Senator D'Amato and
Linda Schwantner, Treasurer

NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by Mark D. Serra, Esq. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended, ("FECA") and resolve this matter, the Federal Election Commission ("Commission") entered into negotiations with Arthur W. Jaspan, Esq., representing the Friends of Senator D'Amato and Linda Schwantner, Treasurer ("Respondents"). It is understood that this agreement will have no precedential value relative to any other matters coming before the Commission.

Negotiations between the Commission and respondents addressed the issues raised in this complaint. The parties agree to resolve the matter according to the following terms:

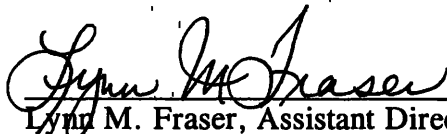
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures ("ADR") is authorized in "The Administrative Dispute Resolution Act of 1996," 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. Respondents voluntarily enter into this agreement with the Commission.
3. Complainant alleges that Respondents accepted prohibited contributions from employees of a law firm in New Jersey. Complainant alleges that while he was employed at the law firm employees were compelled to contribute a week's salary in the amount of \$580.84 to Respondents for the week of February 22, 1998.
4. The FECA prohibits candidates or political committees from knowingly accepting any contributions prohibited by 2 U.S.C. § 441b. 2 U.S.C. § 441b(a).

5. Respondents contend that a review of the April 1998 Quarterly Report reflects a \$250 individual contribution from Complainant on March 3, 1998. Respondents further contend, however, that they are unable to determine if this contribution relates in any way to allegations raised in the complaint.
6. After a review of the complaint, the response, and documentation in the file, the Office of Alternative Dispute Resolution concludes that the alleged violations of the FECA, in this matter, are unsubstantiated. The Commission agrees to dismiss this matter.
7. This agreement shall become effective on the date signed by all parties and approved by the Commission.
8. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 076B (MUR 5245), and effectively resolves this matter. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:

Allan D. Silberman, Director
Alternative Dispute Resolution Office

By:



Lynn M. Fraser, Assistant Director
Alternative Dispute Resolution Office

11/26/02
Date Signed

FOR THE RESPONDENTS:



Arthur W. Jaspan, Esq.
Counsel for Respondents

10/15/02
Date Signed