



FEDERAL ELECTION COMMISSION  
999 E Street, N.W.  
Washington, DC 20463

September 28, 2005

Wayne A. Carlson, Treasurer  
Friends of Greg Parke  
P.O. Box 6569  
92 Church Street  
Rutland, VT 05701

Re: ADR 235/MUR 5469

Dear Mr. Carlson:

Enclosed is the signed copy of the agreement between the Federal Election Commission and the Friends of Greg Parke committee and Wayne A. Carlson, Treasurer, resolving the matter that was initiated by a complaint filed by Zachary Long. The agreement, ADR 235/MUR 5469, was approved by the Federal Election Commission on September 12, 2005 -- the effective date of the agreement.

As you are aware, the settlement agreement will be made part of the record that is released to the public. In addition, as of January 1, 2004, the Commission also will place on the record copies of correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared by this office to assist the Commission in its consideration of this matter. The Commission is obliged by Federal statute to place on the public record documents in closed enforcement and alternative dispute resolution cases; accordingly, copies of documents relative to this matter will be forwarded shortly to the FEC's Public Information Office.

This agreement effectively resolves the issues raised in the submission referenced above.

I appreciate your assistance in resolving this matter and helping to bring this case to a mutually satisfactory conclusion.

Sincerely,

A handwritten signature in black ink, appearing to read "Allan D. Silberman", with a long horizontal line extending to the right.

Allan D. Silberman,  
Director, ADR Office

Enclosure: a/s

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FEDERAL ELECTION COMMISSION  
Washington, DC 20463

Case Number: ADR 235

Source: MUR 5469

Case Name: Friends of Greg Parke

### NEGOTIATED SETTLEMENT

This matter was initiated by a signed, sworn and notarized complaint filed by Zachary M. Long on behalf of the Friends of Bob Anderson Committee. Following a review of the matter and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended ("the FECA"), and to resolve this matter, the Federal Election Commission (the "Commission") entered into negotiations with Wayne A. Carlson on behalf of Friends of Greg Parke and Wayne A. Carlson, Treasurer (the "Respondents" or the "Committee"). 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 have addressed all the issues raised in this matter. The parties have agreed to resolve the matter according to the following terms:

1. The Commission has entered into this agreement as part of its responsibility for administering the Federal Election Campaign Act and in an effort to promote compliance with the FECA on the part of the Respondents. The Commission's use of ADR procedures 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 have voluntarily entered into this agreement with the Commission.
3. The complaint alleges that Respondents used contributor information contained in a Disclosure Report filed April 15, 2004 with the Commission by the Bob Anderson committee to solicit contributions to the Committee. In addition, Complainant contends that Respondents made erroneous and misleading statements to solicit contributions from individuals who had previously contributed to the Bob Anderson committee.
4. Any information copied, or otherwise obtained, from any report or statement, or any copy, reproduction, or publication thereof, filed under the Act, shall not be sold or used by any person for the purpose of soliciting contributions or for any commercial purpose. 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15(a).
5. Respondents acknowledge that they inadvertently and mistakenly included 30 names from the list of Bob Anderson contributors in a merged mailing database. Respondents explained that after receiving a copy of the complaint and learning of the Committee's error they apologized to the Anderson committee for the unauthorized use of the latter's contributor list.
6. In order to resolve this matter and avoid similar errors in the future, Respondents agree to: 1) to select and send a representative from the Committee to attend, within the next

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twelve (12) months of the effective date of this agreement, a FEC seminar on Federal election campaign reporting requirements; and 2) pay a civil penalty of \$500.

7. Respondents agree that all information provided to resolve this matter is true and accurate to the best of their knowledge and that they sign this agreement under penalty of perjury pursuant to 28 U.S.C. § 1746.
8. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may undertake civil action in the U.S. District Court for the District of Columbia to secure compliance and/or forward any outstanding civil penalty to the U.S. Treasury for collection.
9. This agreement will become effective on the date signed by all the parties and approved by the Commission. Respondents shall comply with the terms of this settlement within twelve (12) months of the effective date of this agreement for item one and within thirty (30) days of the effective date of the agreement for item two of paragraph six.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 235/MUR 5469 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



Allan D. Silberman

September 28, 2005

Date

FOR RESPONDENTS:



Wayne A. Carlson, on behalf of  
Friends of Greg Parke and  
Wayne A. Carlson, Treasurer

August 31, 2005

Date

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