



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

August 24, 2004

Mr. Mark W. Lobell  
Delta Medical Equipment & Supply Company  
P.O. Box 10504  
Jefferson, LA 70181

Re: ADR 255-16/MUR 5656

Dear Mr. Lobell:

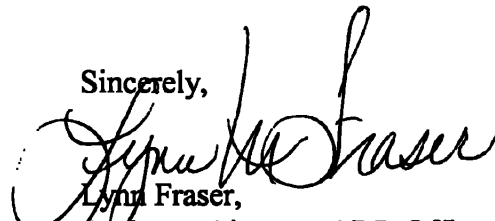
Enclosed is the signed copy of the agreement resolving the matter brought to the attention of this Office as a result of a referral from the Commission's audit division. The agreement, ADR 255-16/MUR 5656, was approved by the Federal Election Commission on August 15, 2005 -- the effective date of the 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 the submission, 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 referral referenced above.

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

Sincerely,

  
Lynn Fraser,  
Assistant Director, ADR Office

Enclosure as stated

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FEDERAL ELECTION COMMISSION  
Washington, DC 20463

Case Number: ADR 255-16

Source: MUR 5656

Case Name: Terrell for Senate

### **SETTLEMENT AGREEMENT**

This matter was initiated by the Federal Election Commission ("the Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following a review of the record and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended ("the FECA" or "Act"), and to resolve this matter, the Commission entered into negotiations with Mark. W. Lobell representing Delta Medical Equipment & Supply, Co. (the "Respondent"). 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 Respondent has addressed all the issues raised in this referral. The parties have agreed to resolve the matter according to the following terms:

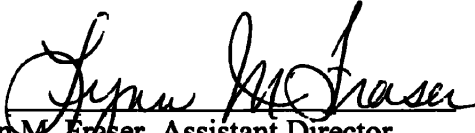
1. The Commission entered into this agreement as part of its responsibility for administering the FECA and in an effort to promote compliance with the Act on the part of Respondent. The Commission's use of ADR procedures is authorized in "The Administrative Dispute Resolution Act of 1996", 5 U.S.C. § 572 and is an extension of 2 U.S.C. § 437g.
2. The Respondent voluntarily entered into this agreement with the Commission.
3. An audit of the Terrell for Senate committee disclosed that Delta Medical Equipment & Supply, Co. contributed \$500 to the Committee in November 2002.
4. A corporation is prohibited from making a contribution, defined as including any direct or indirect payment, distribution, loan, or gift of money or any anything of value, etc. in connection with any Federal election. 2 U.S.C. § 441b(a) and 11 C.F.R. § 114.2(b)(1)
5. Respondent acknowledges to inadvertently making the aforementioned unlawful contribution to the Terrell committee. In order to resolve this matter, Respondent agrees to pay a civil penalty of \$250.
6. If Respondent fails 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 US Treasury for collection.
7. This agreement will become effective on the date signed by the parties and approved by the Commission. Respondent shall comply with the terms of this settlement within thirty (30) days of the effective date of the agreement.

8. This Settlement Agreement constitutes the entire agreement between the Commission and Delta Medical Equipment & Supply, Co. on ADR 255 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

8-15-05

Date Signed

FOR THE RESPONDENT:



Mark W. Lobell  
Representing, Delta Medical Equipment & Supply Co.

7-22-05

Date Signed

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