



FEDERAL ELECTION COMMISSION
Washington, DC 20463

Case Number: ADR 255-27

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 Kenneth Haik, M.D. (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 Kenneth Haik, M.D. contributed \$1000 to the Committee in the year 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 \$500.
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.

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8. This Settlement Agreement constitutes the entire agreement between the Commission and Kenneth Haik, M.D. 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:

By: Allan Silberman
Allan Silberman, Director
Alternative Dispute Resolution Office

9-15-05
Date Signed

FOR THE RESPONDENT:

Kenneth Haik
Kenneth Haik, M.D.

8.22.05
Date Signed

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