



FEDERAL ELECTION COMMISSION
Washington, DC 20463

COMMISSION
SECRETARIAT

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February 23, 2006

MEMORANDUM

TO: The Commission

SENSITIVE

THROUGH: Robert J. Costa
Acting Staff Director

FROM: Allan D. Silbermann
Director, ADR Office

SUBJ: ADR 292 – W. R. Timken, Jr.
Recommendation to Approve Settlement Agreement

Attached for your review is a signed negotiated ADR settlement agreement pertaining to ADR 292/PMUR 428, W. R. Timken, Jr. (the "Contributor"). This matter was opened on August 15, 2005, and assigned to the ADR Office on October 6, 2005.

On a *sua sponte* submission, the contributor, W. R. Timken, Jr., advised that he inadvertently exceeded the individual annual aggregate contribution limit in 2001. He explained that in July 2005 he learned that he exceeded the aforementioned \$25,000 limit that was applicable at the time by \$6,449.00. On learning of his error, the Contributor stated that he sought and received on July 26 and 27, 2005, refunds from recipients of the subject contributions. Receipt of the aforementioned refunds brought the contributor's aggregate total contributions for 2001 to the statutory limit at the time, i.e., \$25,000.

Note: The *sua sponte* submission reported that the Contributor exceeded the annual aggregate limit for individuals by \$6,499.00. Following a review of the FEC's data base of contributions for 2001, the correct figure was found to be \$6,999.00, which is reflected in the final terms of settlement in the agreement.

Recommendations:

- 1) Approve the attached Settlement Agreement pertaining to W.R. Timken, Jr.
- 2) Approve the appropriate letters.
- 3) Close the file on this matter.

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