



**Federal Election Commission  
Washington, DC 20463**

February 18, 2009

Kenneth Kranz  
7236 North Lafayette  
Dearborn Heights, MI 48127

Re: ADR 433 (RAD 07L-52)  
Trupiano for Congress and Kenneth Kranz, Treasurer

Dear Mr. Kranz:

Enclosed is the signed copy of the agreement resolving the referral initiated on November 26, 2007 with the Federal Election Commission ("FEC/Commission") against Trupiano for Congress and Kenneth Kranz, Treasurer ("Respondents"). The agreement for ADR 433 (RAD 07L-52) was approved by the Commission on February 10, 2009 – the effective date of the agreement.

Note the specific time frames for compliance in paragraph 10 of the agreement. Please forward to this office, a statement confirming Respondent's compliance with the terms listed in paragraph 7 of the aforementioned agreement. The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 7 and contain the ADR caption and case number. **The civil penalty payment should be sent to the attention of the Accounting/Finance Office of the FEC. The civil penalty under the agreement is due on March 12, 2009. Please put the ADR case number on the civil penalty check as well, to ensure crediting to the correct case.**

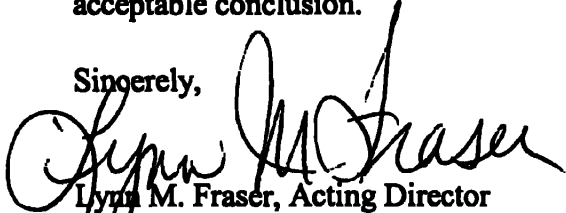
As you are aware, the settlement agreement will be made part of the record that is released to the public. The Commission will also place on the record copies of the referral, correspondence exchanged between your office and this office prior to our entry into settlement negotiations and reports prepared for the Commission by this office to assist 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 resolves the matter that was initiated by the Commission pursuant to information ascertained in the normal course of carrying out its supervisory

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responsibilities regarding violations of federal election campaign laws. I appreciate your assistance in effectively resolving this matter and bringing the case to a mutually acceptable conclusion.

Sincerely,

  
Lynn M. Fraser, Acting Director  
Alternative Dispute Resolution Office  
202-694-1665

Enclosure: Agreement

cc: Ken Pezzella, Finance and Accounting Office  
Room 819



**THE FEDERAL ELECTION COMMISSION**  
**Washington, DC 20463**

Case Number: ADR 433  
Source: RAD 07L-52  
Case Name: Trupiano for Congress

**NEGOTIATED SETTLEMENT**

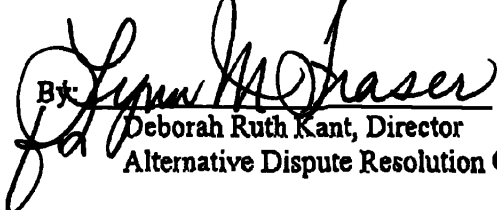
This matter was initiated by the Federal Election Commission ("FEC" or "the Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Following review of the matter, and in an effort to promote compliance with the Federal Election Campaign Act of 1971, as amended ("the FECA"), and resolve this matter, the Commission entered into negotiations with Kenneth Kranz, representing Trupiano for Congress and Kenneth Kranz, in his official capacity as Treasurer (collectively "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 addressed the issues raised in this referral. 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 guided by 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. The Reports Analysis Division referred the Respondents for reporting a negative cash balance of \$38,200.95 on its 2006 30 Day Post-General Report and a negative cash balance of \$34,317.31 on its 2006 Year End Report, the 2007 April Quarterly, and the 2007 July Quarterly.
4. In response to several Requests for Further Information relating to the negative cash balances on the four reports, the Candidate explained that there were missing records due to the neglectful finance director. The Candidate further stated that he was facing bankruptcy and currently had a job as a short-order cook. Subsequently, Mr. Kranz, who was still working with the Committee on reporting, explained that he was waiting for bank statements and without them, he could not correct the reports.

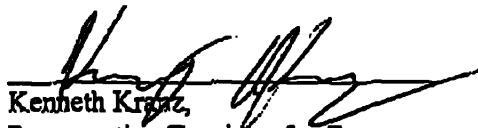
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5. Treasurers of political committees may not report negative cash on hand balances. 11 U.S.C. § 434(b)(8), 11 C.F.R. § 104.3(d). Negative cash balances may indicate that the Committee has debts which should be reported as such and properly reported on Schedule D. Negative cash balances may also constitute prohibited bank contributions if the balances result from an overdraft.
  6. The Committee further states that it will resolve all administrative fines pending with the Commission.
  7. Respondents, in an effort to settle this matter, agree to: (a) work with the Commission to terminate and (b) pay a \$900 penalty.
  8. 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.
  9. The parties agree that if Respondents fail to comply with the terms of this settlement, the Commission may submit any unpaid civil penalty to the U.S. Treasury for collection or undertake civil action in the U.S. District Court for the District of Columbia to secure compliance.
  10. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms set forth in paragraph 7 within thirty (30) days of the effective date of this agreement.
  11. This Negotiated Settlement constitutes the entire agreement between the parties on the resolution of ADR 433 (RAD 07L-52), and effectively resolves only those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party that is not included herein shall be enforceable.

FOR THE COMMISSION:

By:   
Deborah Ruth Kant, Director  
Alternative Dispute Resolution Office

2-10-09  
Date Signed

FOR THE RESPONDENTS:

  
Kenneth Kranz,  
Representing Trupiano for Congress,  
and Kenneth Kranz, in his official capacity as Treasurer

3-1-09  
Date Signed