

## REPORTS ANALYSIS REFERRAL

TO

ALTERNATIVE DISPUTE RESOLUTION OFFICE

DATE: June 9, 2009

ANALYST: Laura Sinram

I. COMMITTEE: The Doctors' Company Federal PAC (DOCPAC)  
C00300376  
Leona Egeland Siadek, Treasurer  
185 Greenwood Road  
Napa, CA 94558

II. RELEVANT STATUTES: 2 U.S.C. § 434(b)(1)  
2 U.S.C. § 434(b)(8)  
11 C.F.R. § 104.3(a)(1)  
11 C.F.R. § 104.3(b) and (d)

## III. BACKGROUND:

**Failure to Provide Supporting Schedules (Disclosure of Negative Ending Cash on Hand Balance)**

The Doctors' Company Federal PAC (DOCPAC) ("the Committee") disclosed a negative ending cash balance of \$37,733.36 on its 2008 12 Day Pre-General Report and failed to disclose a positive ending cash balance on its 2008 30 Day Post-General Report (Attachment 2).

On October 23, 2008, the Committee filed a 2008 12 Day Pre-General Report covering the reporting period from October 1, 2008 through October 15, 2008. The report disclosed a negative ending cash balance of \$37,733.36 on Line 8 (Cash on Hand at Close of Reporting Period) of the Summary Page (Image 28992942445).

On December 1, 2008, the Committee filed a 2008 30 Day Post-General Report covering the reporting period from October 16, 2008 through November 24, 2008. The report disclosed a negative ending cash balance of \$30,531.96 on Line 8 of the Summary Page (Image 28934444446).

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On January 23, 2009, a Request for Additional Information ("RFAI") was sent to the Committee referencing the 2008 12 Day Pre-General Report. Among other items, the RFAI asked for clarification regarding the negative ending cash balance of \$37,733.36 (Image 29039990568).

On January 26, 2009, the Committee filed a 2008 Year End Report covering the reporting period from November 25, 2008 through December 31, 2008. The report disclosed a positive ending cash balance of \$16,481.45 on Line 8 of the Summary Page (Image 29931986806).

On March 3, 2009, the Reports Analysis Division (RAD) analyst ("the Analyst") called the Committee to discuss the potential referral of the negative ending cash balance disclosed on the 2008 12 Day Pre-General Report for further Commission action. Participants in the resulting conference call included the Committee's Executive Administrator in Government Affairs, Betty McKibben; Treasurer, Leona Siadek; Assistant Treasurer, Sal Bianco; and another Committee representative, Hal Dashingier. Mr. Bianco said he thought the negative ending cash reporting problem had occurred before the current Committee leadership took over, and might be related to issues with the Committee's electronic filing database. Mr. Bianco stated that the Committee had never overdrawn its bank account. The Analyst informed Mr. Bianco that the reporting problems would still need to be addressed by the current Committee staff. The Analyst recommended that the Committee review its previous bank statements and records and contact the Electronic Filing Office for assistance with electronic filing database issues (Attachment 3).

On March 9, 2009, Mr. Bianco and Ms. McKibben called the Analyst in reference to the pending referral of the 2008 12 Day Pre-General Report, among other issues. The Committee found several problems with their electronic filing database. While they were unable to determine the source of the negative ending cash-on-hand error, Mr. Bianco stated the Committee had about \$52,000.00 cash-on-hand. The Analyst said the referral would be sent forward, but encouraged the Committee to continue looking for the cause of the discrepancy. The Analyst also suggested the Committee amend its 2008 Year End Report to disclose the correct cash-on-hand balance and add a memo text or file a Miscellaneous Electronic Submission (FEC FORM 99) to explain the change (Attachment 3).

On March 10, 2009, the Committee filed an FEC FORM 99 indicating that "As of December 31, 2008, The Doctors Company's {sic} Federal DOCPAC had a positive checking account balance or cash on hand of \$50,070.22" (Image 29933165014).

On April 13, 2009, the Committee filed a 2009 April Quarterly Report covering the reporting period from January 1, 2009 through March 31, 2009. The report disclosed a negative ending cash balance of \$7,075.26 (Image 29991933377).

To date, no further communication has been received from the Committee regarding this matter.

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