



**Federal Election Commission
Washington, DC 20463**

October 20, 2009

Cornelius D. Murray, Treasurer
Friends of Phil Steck
39 North Pearl St., 4th Floor
Albany, NY 12211

Re: ADR 506(RAD 09L-29)
Friends of Phil Steck and Cornelius D. Murray, Treasurer

Dear Mr. Murray:

Enclosed is the signed copy of the agreement resolving the referral initiated on July 27, 2009 by the Federal Election Commission ("FEC/Commission") involving Friends of Phil Steck and Cornelius D. Murray, Treasurer ("Respondents"). The agreement for ADR 506(RAD 09L-29) was approved by the Commission on October 15, 2009 – the effective date of the agreement.

Note the specific time frames for compliance in paragraph 6 of the agreement. **Please forward to this office, a statement confirming Respondent's compliance with the terms listed in the aforementioned agreement.** The letter should note the dates on which Respondents satisfied each of the terms listed in paragraph 6, 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 or before November 15, 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 complaint/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.



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Case Number: ADR 506
Source: RAD 09L-28
Case Name: Friends of Phil Steck

NEGOTIATED SETTLEMENT

This matter was initiated by the Federal Election Commission (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, (FECA) and resolve this matter, the Commission entered into negotiations with Cornelius D. Murray, Esq., representing the Friends of Phil Steck and Cornelius D. Murray, in his official capacity as Treasurer (the Committee or Respondents). 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:

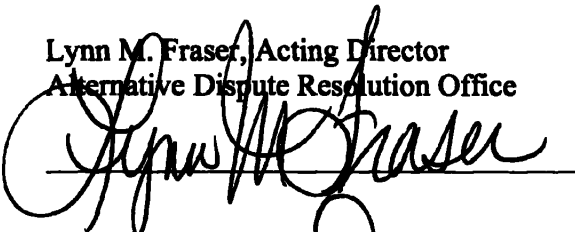
1. The Commission entered into this agreement as part of its responsibility for administering the FECA, and in an effort to promote compliance on the part of Respondents. The Commission's use of alternative dispute resolution procedures (ADR) is guided by "The Administrative Dispute Resolution Act of 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 (RAD) referred Respondents for a failure to disclose all financial activity on their 2008 12 Day Pre-Primary Report and their 2008 October Quarterly Report. The Committee filed a 2008 12 Day Pre-Primary Report on August 28, 2008. The Committee filed several amended 2008 12 Day Pre-Primary Reports beginning on October 25, 2008, which resulted in additional disbursements of \$94,987.16. The Committee filed a 2008 October Quarterly Report on October 15, 2008. The Committee filed several amended 2008 October Quarterly Reports beginning on December 29, 2008, which resulted in additional disbursements of \$92,706.
4. Treasurers of political committees are required to report all financial activity, including all disbursements, pursuant to the FECA. 2 U.S.C. §§ 434(a)(1), 434(b)(4), 11 C.F.R. §§ 104.1, 104.3(b).
5. Respondents acknowledge inadvertent omissions on the two reports which resulted from three wire transfers. These wire transfers were for media buys and were

inadvertently not recorded in the campaign's check book. As soon as the omission was discovered, the Committee filed amended reports to correct the record.

6. Respondents, in an effort to resolve this matter, agree to: (a) work with Commission staff to terminate the Committee within sixty (60) days of the effective date of this agreement; and (b) pay a civil penalty of \$2,000 within thirty (30) days of the effective date of this agreement.
7. 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.
8. 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.
9. This agreement shall become effective on the date signed by all parties and approved by the Commission. Respondents shall comply with the terms of this agreement as set out in paragraph 6 above.
10. This Negotiated Settlement constitutes the entire agreement between the parties on ADR 506 (RAD 09L-28), and resolves those issues identified in paragraph 3 above. No other statement, promise or agreement, either written or oral, made by either party, not included herein, shall be enforceable.

FOR THE COMMISSION:


Lynn M. Fraser, Acting Director
Alternative Dispute Resolution Office



10-15-09

Date Signed

FOR THE RESPONDENTS:


Cornelius D. Murray, Esq.
Representing Friends of Phil Steck and
Cornelius D. Murray, Treasurer

September 21, 2009

Date Signed