



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL ELECTION
COMMISSION
SECRETARIAT

2012 MAY 31 P 3 38

SENSITIVE

MEMORANDUM

May 31, 2011

TO: The Commission

THROUGH: Alec Palmer *AP*
Staff Director

FROM: Patricia Carmona *PC*
Chief Compliance Officer

Lynn M. Fraser *LMF*
Director, ADR Office

BY: Krista J. Roche *KJR*
Assistant Director, ADR Office

SUBJECT: ADR 579 Teri Davis Newman for Congress and Teri Davis Newman,
Treasurer, Recommendation to Approve Settlement Agreement

RESOLUTION TERMS: Respondents, in an effort to resolve this matter, agree to
work with the Commission to terminate the Committee
within thirty (30) days of the effective date of this agreement.

Attached for your review is a signed negotiated ADR Settlement Agreement pertaining to
ADR 579 (MUR 6387). The ADR Office received this referral on June 28, 2011.

SUMMARY: In this case, the Federal Election Commission voted to transfer MUR
6387 to the ADR Office. In MUR 6387 Complainant Kevin T. Hoerner alleges that
Teri Davis Newman for Congress and Teri Davis Newman, Treasurer (Respondents
or the Committee) failed to timely file a Statement of Organization, failed to timely
file a Statement of Candidacy, and failed to include disclaimers on public
communications including yard signs, post cards, a newspaper advertisement,
website, and a billboard.

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Respondents contend that, as a first time candidate, they were unaware of the requirements to file with the FEC and that the committee had no paid staff or legal counsel. Respondents further contend that they were unaware that items received for free, including the brochures and billboard, required disclaimers. Respondents contend the yard signs were ordered with the proper disclaimer, but the sign company failed to print them as ordered. Respondents contend that upon hearing of the complaint, all materials without disclaimers were removed from public distribution or appropriate disclaimers were appended. Respondent is not a candidate for federal office in the current election cycle and has no plans to run for office again.

RECOMMENDATIONS:

1. Approve the attached settlement agreement of Teri Davis Newman for Congress and Teri Davis Newman, Treasurer.
2. Approve the appropriate letters.
3. Close the file on this matter.