



FEDERAL ELECTION COMMISSION
Washington, DC 20463

August 25, 2014

Frederick Garver
Faegre BD
300 N. Meridian St, Ste. 2700
Indianapolis, IN 46204

Re: ADR 733 (RAD 14L-28)
FaegreBD PAC and Frederick Garver, Treasurer

Dear Mr. Garver:

The Federal Election Commission (FEC or Commission) referred a compliance issue to the FEC's Alternative Dispute Resolution Office (ADR Office) for processing. The referral by the Reports Analysis Division/Audit Division (RAD) was based on a review of reports filed by FaegreBD PAC which reflect a possible failure to comply with the Federal Election Campaign Act of 1971, as amended.

The FEC established the ADR Program to provide an informal means for resolving matters that come before the Commission and to facilitate negotiations directly with FaegreBD PAC and Frederick Garver, Treasurer (Respondents or the Committee). The ADR Program provides Respondents with an opportunity to negotiate settlement of a matter that is mutually agreeable. The negotiations occur prior to any Commission consideration of whether there is reason to believe a violation has occurred. If negotiations are successful, the resulting settlement would conclude the matter.

The Commission, in referring the matter to the ADR Office, determined that the case is eligible for processing in the ADR program. If Respondents decide to participate in the ADR Program, you must: 1) indicate in writing a willingness to have your case submitted for ADR processing; 2) agree to participate in the bilateral interest based negotiations; and 3) waive the statute of limitations while the matter is being processed under the FEC's ADR program.

The issues referred to the ADRO, and the focus of our subsequent negotiations are summarized as follows:

RAD referred Respondents for failing to disclose all financial activity on the 2013 October Monthly Report, originally filed on October 18, 2013. On March 19, 2014, the Committee filed an Amended 2013 October Monthly Report disclosing additional receipts of \$125,000.

In a Miscellaneous Electronic Submission (Form 99) filed on May 27, 2014, the Respondents asserted that as a result of a recent merger of the Committee's supporting law firm, inexperienced staff handled the management of the accounting and FEC reporting. The Committee contended it discovered the omissions as a result of a routine year-end audit. The Committee contended that it has procedures requiring a monthly reconciliation of bank statements and accounting records, and is ensuring the training of redundant accounting and reporting personnel in these procedures. In addition, the Committee contended it will utilize new reporting software and will require all those involved with management and reporting responsibilities to attend FEC training.

If after reviewing this letter and the enclosed ADR Frequently Asked Questions, which describe the ADR program, Respondent(s) would like to participate in ADR processing, you need to affirmatively indicate that on the enclosed Commitment to Submit Matter to ADR form. **Failure to respond affirmatively within fifteen (15) business days of receipt of this letter will be taken as a notice of disinterest in the program and your case will be dropped from further consideration for ADR.** In that event, your case will be sent to the FEC's Office of General Counsel for further processing, and the likelihood that the Committee will be audited during the next election cycle will increase.

This matter has been designated as **ADR 733**. Please refer to this number in future correspondence with the FEC. If you have questions about the ADR Program, please contact the ADRO at my direct dial as indicated below

Sincerely,



Krista J. Roche
Assistant Director
Alternative Dispute Resolution Office

Enclosures: ADR Frequently Asked Questions
Commitment to Submit to ADR & Designation of Representative/Counsel