



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JUL 3 2007

Gary J. Russo, Esquire
Perret Doise
600 Jefferson Street
Suite 1200
Lafayette, LA 70501

RE: MUR 5652
Sammy Joe Russo

Dear Mr. Russo:

On June 20, 2007, the Federal Election Commission ("Commission") accepted the signed conciliation agreement submitted on your client's behalf in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. In addition, information obtained during conciliation indicates that Mr. Russo made contributions in the names of four other individuals by check dated November 8, 2002. The Commission admonishes Sammy Joe Russo that making contributions in the name of another is a violation of 2 U.S.C. § 441f. *See* 11 C.F.R. §§ 104.8(c) and 110.1(k). Your client should take steps to ensure that this activity does not occur in the future. The file has been closed in this matter as it pertains to your client Sammy Joe Russo.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. § 437g(a)(12)(A) still apply, and that this matter is still open with respect to other respondents. The Commission will notify you when the entire file has been closed.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the effective date of the conciliation agreement.

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Gary J. Russo, Esquire
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If you have any questions, please contact Cynthia Tompkins or me at (202) 694-1650.

Sincerely,

Kamau Philbert
Kamau Philbert *by OJT*
Attorney

Enclosure
Conciliation Agreement

28044211871

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)

) MUR 5652

Sammy Joe Russo)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission") pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that Sammy Joe Russo ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act").¹

NOW THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement entered pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

¹ The facts relevant to this matter occurred both prior to and after the effective date of the Bipartisan Campaign Reform Act of 2002 ("BCRA"), Pub. L. 107-155, 116 Stat. §1 (2002). Accordingly, the activity prior to BCRA is subject to the provisions of the Act as it existed at that time and the activity after BCRA is subject to the Act as amended by BCRA. However, the statutory provisions and Commission regulations at issue were not amended by BCRA in a manner relevant to the activity in this matter.

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COUNSEL

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Suzanne Haik Terrell
Summary Joe Russo
Conciliation Agreement

1 1. Terrell for Senate ("the Committee") is a political committee within the meaning of
2 2 U.S.C. § 431(4) and is the principal campaign committee for Suzanne Haik Terrell.

3 2. Suzanne Haik Terrell was a candidate in three elections during 2002: a primary
4 election held on August 23, 2002, a general election held on November 5, 2002, and a runoff
5 election held on December 7, 2002.

6 3. A contribution is a gift, subscription, loan, advance, deposit of money, or anything of
7 value made by a person for the purpose of influencing any election for federal office. 2 U.S.C.
8 § 431(8)(A). A person is prohibited from making contributions to any candidate and his or her
9 authorized political committees with respect to any election for federal office, which, in the
10 aggregate, exceed \$1,000.² 2 U.S.C. § 441a(a)(1)(A).

11 4. A contribution designated in writing for a particular election, but made after that
12 election, shall be made only to the extent that the contribution does not exceed net debts
13 outstanding from such election. 11 C.F.R. § 110.1(b)(3)(i).

14 5. Respondent contributed an aggregate amount of \$15,000 to the Committee during the
15 2002 election cycle. On September 11, 2002, Respondent contributed \$5,000 to the Committee,
16 \$3,000 of which exceeded the Act's contribution limits because the Committee did not have net
17 debts outstanding for the primary election and Respondent's contribution exceeded the amount
18 needed to retire the net debts outstanding for the general election. On November 8, 2002,
19 Respondent contributed \$5,000 to the Committee, all of which exceeded the Act's contribution
20 limits. On November 25, 2002, Respondent contributed \$5,000 to the Committee, all of which
21 exceeded the Act's contribution limits.

² The increased contribution limits of individuals to candidates and their authorized committees do not apply to contributions made before January 1, 2003.

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MUR 5652

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Sammy Joe Russo
Conciliation Agreement

V. Respondent made \$13,000 in contributions to the Committee that exceeded the Act's contribution limits in violation of 2 U.S.C. § 441a(a)(1)(A). Respondent contends that he made his contributions based on instructions from the Committee, and that he relied on the Committee to inform him if his contributions were unlawful. Respondent will cease and desist from any further violations of 2 U.S.C. § 441a(a)(1)(A).

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of Five Thousand Dollars (\$5,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may initiate a civil action for relief in the U.S. District Court for the District of Columbia.

VIII. This agreement shall become effective as of the date that all parties thereto have executed same and the Commission has approved the entire agreement.

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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Summy Joe Russo
Conciliation Agreement

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X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

Thomasenia P. Duncan
Acting General Counsel

BY:


Ann Marie Terzakian
Acting Associate General Counsel
for Enforcement

6/30/07
Date

FOR RESPONDENT:


Name
Position

4/24/07
Date

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