

**BEFORE THE OFFICE OF CAMPAIGN FINANCE  
DISTRICT OF COLUMBIA BOARD OF ELECTIONS  
FRANK D. REEVES MUNICIPAL BUILDING  
2000 14<sup>th</sup> STREET, N.W., SUITE 433  
WASHINGTON, D.C. 20009  
Telephone: (202) 671-0547  
Fax: (202) 671-0658**

IN THE MATTER OF ) Date: April 3, 2018  
)  
Greater Washington Board of Trade PAC ) Docket No: 17P-015  
James Dinegar, Treasurer )  
2233 N. Lincoln Avenue #4 )  
Chicago, IL 60614 )

**ORDER**

**Statement of Case**

This matter came before the Office of Campaign Finance (“OCF”) Office of the General Counsel following a determination by its Public Information and Records Management Division (“PIRM”) that pursuant to the District of Columbia Campaign Finance Act of 2011, D.C. Official Code § 1-1163.09(b) (2015) and District of Columbia Municipal Regulations, 3 DCMR § 3017.2 (March 2015, as amended), Treasurer James Dinegar of the **Greater Washington Board of Trade (“Greater Washington Trade PAC”) political action committee** failed to timely file the December 10<sup>th</sup>, 2017 Report of Receipts and Expenditures (“R&E Report”), which was due by December 11, 2017, the OCF deadline.

By Notice of Hearing, Statement of Violations and Order of Appearance dated December 20, 2017, OCF ordered James Dinegar, to appear at a scheduled hearing on January 9, 2018 and show cause why he should not be found in violation of D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2 and fined accordingly.

**Summary of Evidence**

On November 9, 2017, a reminder notice was mailed to the Respondent from the Public Information and Records Management Division reminding James Dinegar that the December 10<sup>th</sup> Report of Receipts and Expenditures was due on December 11, 2017. While the Committee did not file by the December 11<sup>th</sup> deadline, they did file the December 10<sup>th</sup> R&E Report on December 21, 2017, eight business days later.

On December 26, 2017, John Mannion submitted a notarized affidavit explaining the circumstances involving the Committee’s failure to timely file the December 10<sup>th</sup> R&E Report. He explained that he was hired by Greater Washington Trade PAC to file all required campaign finance reports. Mr. Mannion also asserted that he prepared his calendar to reflect each 2017 filing deadline but failed to properly note the December 10<sup>th</sup> filing obligation.

Once Mr. Mannion received notice from OCF that the Report had not been filed, he immediately took action. On December 21, 2017, Mr. Mannion filed the December 10<sup>th</sup> R&E Report. Greater Washington Trade PAC is now in compliance with the D.C. Official Code and the D.C. Municipal Regulations. Moreover, Greater Washington Trade PAC does not have a history of delinquent filings or non-compliance.

**Findings of Fact**

**Having reviewed the allegations and the record herein, I find:**

1. James Dinegar is the Treasurer for the Greater Washington Board of Trade PAC.
2. The Treasurer was required to file the December 10<sup>th</sup> Report of Receipts and Expenditures, which was due on December 11, 2017, the OCF deadline.
3. The Treasurer failed to timely file the required R&E report by the December 11, 2017 deadline.
4. By Notice of Hearing, Statement of Violations and Order of Appearance dated December 20, 2017, OCF ordered Respondent to appear for a scheduled hearing on January 9, 2018.
5. The Committee subsequently filed the December 10<sup>th</sup> R&E Report on December 21, 2017, eight (8) business days after the OCF deadline.
6. On December 26, 2017, the Committee provided a credible explanation for the failure to timely file the December 10<sup>th</sup> R&E report, in that John Mannion was hired by Greater Washington Board of Trade PAC to file all required campaign finance reports but inadvertently failed to note the December 10<sup>th</sup> filing obligation on his calendar which resulted in a failure to file the December 10<sup>th</sup> R&E Report.
7. Greater Washington Board of Trade PAC is currently in compliance with the applicable regulation(s).

**Conclusion of Law**

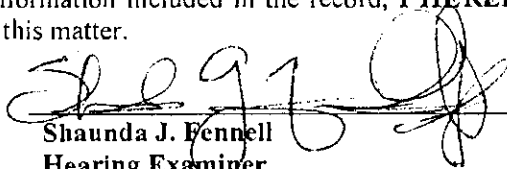
**Based upon the record provided by OCF, I therefore conclude:**

1. Greater Washington Board of Trade PAC violated D.C. Official Code § 1-1163.09(b) and 3 DCMR § 3017.2.
2. The penalty established by 3 DCMR § 3711.2(f) for failure to file a Report of Receipts and Expenditures with OCF, as required by D.C. Official Code § 1-1163.09(b), is a fine of \$50.00 per day for each business day subsequent to the due date.
3. Under the given facts, the Committee may be fined a total of \$400.00, as the Report was filed eight (8) business days after the due date.
4. For good cause shown pursuant to 3 DCMR § 3711.7, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.
5. On December 21, 2017, the Committee filed the December 10<sup>th</sup> R&E Report with OCF.
6. The Committee provided a credible explanation for the failure to timely file the December 10<sup>th</sup> R&E report, in that John Mannion was hired by Greater Washington Board of Trade PAC to file all required campaign finance reports but inadvertently failed to note the December 10<sup>th</sup> filing obligation on his calendar which resulted in a failure to file the December 10<sup>th</sup> R&E Report.
7. Mr. Mannion's explanation for the failure to timely file the required R&E Report constitutes good cause for suspension of a fine in this matter.

Recommendation

In view of the foregoing and information included in the record, I HEREBY RECOMMEND that the Director **SUSPEND A FINE** in this matter.

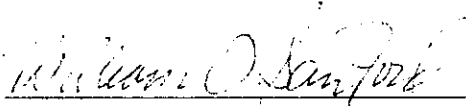
April 3, 2018  
Date

  
Shaunda J. Fennell  
Hearing Examiner

Concurrence

In view of the foregoing, I HEREBY CONCUR with the Recommendation.

April 3, 2018  
Date

  
William O. Sanford  
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that the fine in this matter is hereby suspended.

04/03/18  
Date

*Cecily E. Collier-Montgomery*  
Cecily E. Collier-Montgomery  
Director

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**CERTIFICATE OF SERVICE**

**THIS IS TO CERTIFY** that a true copy of the **ORDER** has been served on James Dinegar via regular and certified mail at 2233 N.Lincoln Avenue #4, Chicago, IL 60614 on this 3<sup>rd</sup> day of April, 2018.



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**Notice**

Any party adversely affected by an Order of the Director may: (1) file a Motion for Reconsideration (Motion) with the OCF within five (5) days after receipt of an Order, provided that, relevant evidence was omitted from consideration at the hearing (3 DCMR §3709.13); or (2) obtain review of the Order by filing a request for a **hearing de novo** with the Board of Elections within fifteen (15) days from the date of issuance of an Order. Any fine imposed by the Director, pursuant to §3711.2 shall become effective on the sixteenth (16<sup>th</sup>) day following the issuance of a decision or Order; provided that, the Respondent does not request a **hearing de novo** with the Board of Elections. Fines imposed shall be paid within ten (10) days of the effective date of the issued Order of the Director. Make payment by check or money order, payable to: District of Columbia Treasurer. Send payment to the *Office of Campaign Finance, Frank D. Reeves Municipal Building, 2000 14<sup>th</sup> Street NW, Suite 433, Washington, DC 20009.*