

**BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS
FRANK D. REEVES MUNICIPAL BUILDING
2000-14th STREET, N.W., SUITE 433
WASHINGTON, D.C. 20009
(202) 671-0550**

IN THE MATTER OF)	DATE: September 26, 2012
)	
Edens & Avant Investments Limited)	DOCKET NO.: P.I. 2012-106B
Partnership)	
1221 Main Street)	
Suite 1000)	
Columbia, South Carolina 29201)	

ORDER

Statement of the Case

This matter came before the Office of Campaign Finance (hereinafter OCF) based on allegations in the media that Limited Liability Companies (LLCs) located at the same address may have been used to make excessive contributions to District of Columbia candidates. Consequently, a referral by OCF's Reports Analysis and Audit Division (RAAD) was made to its Office of the General Counsel (OGC) for a determination of whether excessive contributions were made to the Kwame for Chair Committee (hereinafter Committee) by Edens & Avant Investments Limited Partnership (Edens) and EAJ-FLA LLC (EAJ) of Columbia, South Carolina in violation of D.C. Official Code § 1-1163.33(a)(2). According to information obtained by OCF, both entities, located at 1221 Main Street, Suite 1000, Columbia South Carolina issued checks to the Committee for \$1,500.00 each on June 9, 2010. Further, the checks were fully executed by the same individual on behalf of these entities.

On May 8, 2012, OCF issued a letter of inquiry to Edens to request an explanation of the relationship, if any, between the entities, as well as the relationship of the executing signatory on the checks. On May 31, 2012, the respondent company filed full responses, through counsel, to OCF's inquiries.

Findings of Fact

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

1. Edens and EAJ are limited liability companies formed in the State of Delaware for separate and distinct business purposes.
2. Edens and EAJ share the same business address located at 1221 Main Street, Suite 1000, Columbia, South Carolina 29201.

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3. Contributions to candidates for Chairman of the District of Columbia Council are limited to \$1,500.00 [per individual contributor] pursuant to D.C. Official Code § 1-1163.33(a)(2).
4. Edens and EAJ made contributions of \$1,500.00 each to the Kwame for Chair Committee on June 9, 2010 from separate bank accounts, and operate under a separate financial basis.
5. The signatory on the checks issued as contributions to the Kwame for Chair Committee neither directed nor determined the recipient of the contributions, but rather issued and signed the checks as instructed and approved by executive officers of each company.

Conclusions of Law

Based upon the record reviewed by OCF, I therefore conclude:

Respondent did not violate D.C. Official Code § 1-1163.33(a)(2).

Recommendation

In view of the foregoing and information included in the record, I hereby recommend that the Director dismiss this matter.

Date

_____/s/_____
Jean Scott Diggs
Senior Hearing Officer

Concurrence

In view of the foregoing, I hereby concur with the Recommendation.

Date

_____/s/_____
William O. SanFord
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that this matter is hereby dismissed.

Date

_____/s/_____
Cecily Collier-Montgomery
Director

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This Order may be appealed to the Board of Elections within 15 days from the date of issuance.

SERVICE OF ORDER

This is to certify that I have served a true copy of the foregoing Order on Thomas J. Spulak, Esq., King & Spalding LLP, 1700 Pennsylvania Avenue, N.W., Suite 200, Washington, D.C. 20006 by email and by regular mail on September 26, 2012.

_____/s/_____

NOTICE

Any party adversely affected by an Order of the Director may obtain review of the Order by filing, with the Board of Elections, a request for a hearing de novo. Pursuant to 3DCMR §3711.5 (March 2007), any fine imposed by the Director shall become effective on the 16th day following the issuance of a decision and order, if the respondent does not request an appeal of this matter. If applicable, within 10 days of the effective date of this order, please make a check or money order payable to the D.C. Treasurer, c/o Office of Campaign Finance, Suite 433, 2000-14th Street, N.W., Washington, D.C. 20009.