

**BEFORE THE OFFICE OF CAMPAIGN FINANCE
DISTRICT OF COLUMBIA BOARD OF ELECTIONS AND ETHICS
FRANK D. REEVES MUNICIPAL BUILDING
2000-14th STREET, N.W., SUITE 420
WASHINGTON, D.C. 20009
(202) 671-0550**

IN THE MATTER OF)	DATE: July 30, 2008
)	
The Methodist Home of D.C. and)	DOCKET NO.: 08L-008
Sean Glynn, Esq., and)	
Patrick Neal Lobbyist)	
Arent Fox LLP.)	
1050 Connecticut Avenue, NW)	
Washington, DC 20006)	

ORDER

Statement of the Case

This matter came before the Office of Campaign Finance (hereinafter OCF) Office of the General Counsel following a referral by the OCF Reports Analysis and Audit Division (RAAD), which determined that the Methodist Home of the District of Columbia (hereinafter compensating registrant), for whom Sean Glynn and Patrick Neal serve as lobbyists, failed to timely respond to a Request for Additional Information (RAI) which was due on March 27, 2008, in violation of D.C. Official Code §1-1103.02(a)(1)(A) (2001 Edition).

By Notice of Hearing, Statement of Violations and Order of Appearance dated July 1, 2008, OCF ordered Sean Glynn and Patrick Neal (hereinafter respondent lobbyists), to appear at a scheduled hearing on July 11, 2008 and show cause they and the compensating registrant should not be found in violation of the D.C. Campaign Finance Reform and Conflict of Interest Act of 1974, as amended by D.C. Official Code §§1-1101.01 et seq., and fined accordingly.

Summary of Evidence

On July 11, 2008 Craig Engle, Esq. appeared on behalf of the compensating registrant and the respondent lobbyists. OCF was represented by Renee Coleman, Audit Manager.

Ms. Coleman alleged a randomly selected audit of the respondent lobbyists' Activity Report revealed that the amount of compensation listed as payment to the

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lobbyists in the compensating registrant's Activity Report did not match the amount of compensation that was reported by the respondent lobbyists in the report filed with OCF on January 10, 2008. Mr. Engle stated respondent lobbyists' firm was retained by the compensating registrant to provide both lobbying and legal services and the discrepancy between the two reports occurred when the compensating registrant inadvertently combined the compensation it paid the firm for legal work with the compensation it paid the firm for lobbying. Mr. Engle additionally stated that he had submitted an amended report to OCF on behalf of the compensating registrant on July 9, 2008 which was consistent with the Lobbyist Activity Report previously submitted by the respondent lobbyists. Ms. Coleman stated that she had reviewed the amended report and was satisfied that all outstanding issues had been resolved.

Findings of Fact

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

1. The respondent lobbyists were requested to respond to a RFAI from RAAD on or before March 27, 2008 because a randomly selected audit revealed a discrepancy between the reports submitted by the respondent lobbyists and the compensating registrant.
2. Pursuant to the respondent lobbyists' failure to provide the requested documents RAAD referred the matter to the Office of the General Counsel on April 1, 2008.
3. Counsel for the respondent lobbyists and the compensating registrant submitted an amended compensating registrant's report to OCF on July 9, 2008, and, it is consistent with the Lobbyist Activity initially filed on January 10, 2008 by the respondent lobbyists.
4. RAAD has reviewed and accepted the amended report as sufficient to resolve all outstanding issues in this matter.
5. Both the compensating registrant and the respondent lobbyists are currently in compliance with the statute.

Conclusions of Law

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

1. Respondent lobbyist did not violate D.C. Official Code §1-1103.02(a) (1) (A).
2. RAAD's acceptance of the amended report as resolution of all outstanding

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issues in this matter eliminated the basis for the RFAI.

3. For good cause shown pursuant to 3DCMR § 3711.6, the Director of Campaign Finance (Director) may modify, rescind, dismiss or suspend any fine.

4. The compensating registrant's submission of an amended report which was accepted by RAAD constitutes good cause for dismissal of this matter.

Recommendation

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

Date

William O. SanFord
Hearing Officer

Concurrence

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

Date

Kathy S. Williams
General Counsel

ORDER OF THE DIRECTOR

IT IS ORDERED that this matter is hereby dismissed.

Date

Cecily Collier-Montgomery
Director

This Order may be appealed to the Board of Elections and Ethics 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 Craig Engle, Esq. and the District of Columbia Methodist Home, by regular mail, on July 30, 2008.

NOTICE

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 420, 2000-14th Street, N.W., Washington, D.C. 20009.