



**FEDERAL ELECTION COMMISSION**  
Washington, DC

1  
2 **MEMORANDUM**

3  
4 **TO:** The Commission  
5  
6 **FROM:** Lisa J. Stevenson  
7 Acting General Counsel  
8  
9 Charles Kitcher  
10 Associate General Counsel for Enforcement  
11  
12 Claudio J. Pavia  
13 Deputy Associate General Counsel for Enforcement  
14  
15 **BY:** Mark Allen *MA*  
16 Assistant General Counsel  
17  
18 Rocelyn Halili *RH*  
19 Attorney  
20  
21 **SUBJECT:** MUR 8178 (Spencer Toder for Senate)  
22 Pre-Probable Cause Conciliation Agreement  
23

24  
25 On October 5, 2023, the Commission found reason to believe that Spencer Toder for  
26 Senate and Spencer Toder in his official capacity as treasurer (the "Committee") violated  
27 52 U.S.C. § 30104(b)(4) and 11 C.F.R. § 104.3(b) by failing to timely and accurately report  
28 disbursements in its 2022 12-Day Pre-Primary Report, totaling \$521,598.14.<sup>1</sup> The Commission  
29 also voted to enter into pre-probable cause conciliation with the Committee.<sup>2</sup> Attached is a  
30 negotiated conciliation agreement with the Committee, signed by the Committee's counsel,  
31 which would resolve the violations.<sup>3</sup> We recommend that the Commission accept the signed  
32 agreement.  
33  
34

<sup>1</sup> Certification ¶ 3.b (Oct. 6, 2023), MUR 8178 (Spencer Toder for Senate).

<sup>2</sup> *Id.* ¶ 3.c.

<sup>3</sup> Attach. 1.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31

Therefore, we recommend that the Commission accept the attached agreement and close the file in this matter.

**RECOMMENDATIONS:**

1. Accept the attached conciliation agreement with Spencer Toder for Senate and Spencer Toder in his official capacity as treasurer;
2. Approve the appropriate letter; and
3. Close the file.