

REPORTS ANALYSIS DIVISION REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: April 16, 2013

ANALYST: Carolina Cavano

I. COMMITTEE: Rob Zerban for Congress
C00495523
Teri Jacobson, Treasurer
P.O. Box 2286
Kenosha, WI 53141

II. RELEVANT STATUTES: 11 CFR §104.3(b)
2 U.S.C. § 434(b)(4)

III. BACKGROUND:

Failure to Provide Supporting Schedules (Failure to Disclose All Financial Activity)

Rob Zerban for Congress ("the Committee") amended its 2012 12 Day Pre-General Report to disclose additional disbursements of \$438,682.66, which were not reported in the original report (Attachment 2).

On October 22, 2012, the Committee filed the original 2012 12 Day Pre-General Report covering the period from October 1, 2012 through October 17, 2012 (Image 12960681423). The report disclosed \$323,024.29 in disbursements on Line 17 (Operating Expenditures), no disbursements on Line 20(a) (Refunds of Contributions to Individuals/Persons Other than Political Committees), and no disbursements on Line 21 (Other Disbursements) of the Detailed Summary Page (Image 12960681426).

On December 7, 2012, the Committee filed an Amended 2012 12 Day Pre-General Report (Image 12941450521). The report disclosed \$742,704.24 in disbursements on Line 17, no disbursements on Line 20(a), and no disbursements on Line 21 of the Detailed Summary Page (Image 12941450524).

On January 23, 2013, the Committee filed an Amended 2012 12 Day Pre-General Report (Image 13960388122). The report disclosed \$759,926.95 in disbursements on

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Line 17, \$1,280.00 in disbursements on Line 20(a), and \$500.00 in disbursements on Line 21 of the Detailed Summary Page, a total increase of \$438,682.66 from the original report (Image 13960388125, Attachment 2).

On January 30 and 31, 2013, the Reports Analysis Division (RAD) Analyst spoke with Ms. Teri Jacobson, Committee Treasurer, and informed her that the increased activity disclosed on the Amended 2012 12 Day Pre-General Report may be referred for further Commission action. Ms. Jacobson explained that the Committee was new, the level of financial activity was unanticipated, and the Committee experienced many staff changes. She indicated that she undertook an internal audit of the Committee's records after receiving several Requests for Additional Information (RFAI) from RAD in late 2012 and early 2013, and discovered transactions that had not been reported (Attachment 3).

On February 11, 2013, an RFAI was sent to the Committee, referencing the Amended 2012 12 Day Pre-General Report, received January 23, 2013. The RFAI requested clarification regarding the substantial increase in disbursements that were not disclosed in the original filing (Image 13330022635).

On March 8, 2013, the Committee filed a Miscellaneous Electronic Submission ("Form 99") in response to the RFAI. The Committee stated, in part:

"Zerban for Congress noticed several discrepancies in our records while completing the 2012 Post Election campaign filing and initiated an internal audit to rectify the problem. The internal audit was not completed by the 2012 Post Election filing deadline, so an attempt was made to correct the record to the best of our ability at the time by filing amended reports for the errors we had become aware of. Once the internal audit was completed, Zerban for Congress filed amended reports for all affected periods to correct the errors" (Image 13961139446).

On March 22, 2013, the RAD Analyst left a voicemail message for Ms. Jacobson. The Analyst stated that the issue of increased activity on the 2012 12 Day Pre-General Report, received January 23, 2013 would be referred to another office for further Commission action. Later that day, Mr. Al Beninghoff, Campaign Manager, returned the Analyst's call on behalf of Ms. Jacobson. The Analyst reiterated to Mr. Beninghoff that the Committee would be referred for further Commission action due to the increased activity reported (Attachment 3).

To date, no further communications have been received from the Committee regarding this matter.

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O-Index (2013-2014)
 Cmte. ID: C00495523 Cmte. Name: ROB ZERBAN FOR CONGRESS
 Treasurer Name: TERI JACOBSON Address: PO BOX 2286, KENOSHA, WI 53141
 Cmte. Designation: P (PRINCIPAL CAMPAIGN COMMITTEE OF A CANDIDATE) Filing Frequency: QUARTERLY FILER

Form Tp	Rpt Tp	All	Recpt Dt	Pgs	Begin Img#	Begin Cvg Dt	End Cvg Dt	Ltr Mail Dt	Begin Cash	Recpts	Disb	End Cash	Debits	Loans	Debits & Loans
MS-T			3/8/2013	1	13961139446										
F3N	Q1	N	4/15/2013	26	1396164434	1/1/2013	3/31/2013		\$21,370	\$277	\$20,059	\$1,597			\$0
Totals															
										\$277	\$20,050				

O-Index (2011-2012)
 Cmte. ID: C00495523 Cmte. Name: ROB ZERBAN FOR CONGRESS
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MS-T			10/22/2012	5	12030824594										
RQ1		N	10/18/2012	2	12330014522	1/1/2012	3/31/2012	10/19/2012							
RQ2	Q1	A	2/7/2013	2	13330022127	1/1/2012	3/31/2012	2/7/2013							
RQ2	Q1	N	5/30/2012	6	12330007257	1/1/2012	3/31/2012	5/30/2012							
RQ2	Q2	A	2/7/2013	2	13330022129	4/1/2012	6/30/2012	2/7/2013							
RQ2	Q2	A	1/15/2013	3	12330015301	4/1/2012	6/30/2012	1/15/2013							
RQ2	Q3	A	2/11/2013	2	13330022633	7/26/2012	9/30/2012	2/11/2013							
RQ2	Q3	A	1/2/2013	3	13330019130	7/1/2012	7/25/2012	1/2/2013							
RQ2	Q3	A	1/2/2013	3	13330019139	7/26/2012	9/30/2012	1/2/2013							
F3N	Q2	N	7/15/2011	69	11931840958	4/1/2011	6/30/2011	7/15/2011	\$0	\$221,310	\$16,733	\$204,576		\$120,000	\$120,000
F3A	Q3	N	10/15/2011	75	11952654267	7/1/2011	9/30/2011	10/15/2011	\$204,576	\$70,606	\$50,857	\$224,825	\$1,567	\$105,000	\$116,567
F3A	Q3	A	12/7/2012	76	12950235785	7/1/2011	9/30/2011	12/7/2012	\$204,576	\$70,481	\$50,880	\$224,377	\$11,567	\$105,000	\$116,567
F3A	YE	N	12/7/2012	168	12950235561	10/1/2011	12/31/2011	12/7/2012	\$224,377	\$222,263	\$142,234	\$304,331	\$0	\$100,000	\$100,000
F3A	YE	A	4/15/2013	196	13961639195	10/1/2011	12/31/2011	4/15/2013	\$204,331	\$327,083	\$203,486	\$427,928	\$1,567	\$100,000	\$100,000
F3A	Q1	N	4/13/2012	339	1295112214	1/1/2012	3/31/2012	4/13/2012	\$304,331	\$327,083	\$203,486	\$427,928			
F3A	Q1	A	1/23/2013	396	13960382068	1/1/2012	3/31/2012	1/23/2013	\$304,331	\$327,083	\$203,486	\$427,928			
F3A	Q1	A	4/15/2013	392	13961639491	7/1/2012	9/30/2012	4/15/2013	\$304,408	\$327,093	\$203,520	\$428,279			
F3A	Q2	N	7/1/2012	527	12952320735	4/1/2012	6/30/2012	7/1/2012	\$427,928	\$355,643	\$226,049	\$557,522		\$100,000	\$100,000
F3A	Q2	A	10/22/2012	361	12940374082	4/1/2012	6/30/2012	10/22/2012	\$427,928	\$355,643	\$226,057	\$557,514		\$100,000	\$100,000
F3A	Q2	A	1/23/2013	609	13960384493	4/1/2012	6/30/2012	1/23/2013	\$417,266	\$355,857	\$243,522	\$529,590		\$100,000	\$100,000
F3A	Q2	A	4/15/2013	612	13961640121	7/1/2012	9/30/2012	4/15/2013	\$426,279	\$355,857	\$243,794	\$535,342		\$100,000	\$100,000
F3A	12P	N	7/27/2012	69	12952599412	7/1/2012	7/25/2012	7/27/2012	\$557,522	\$43,840	\$73,795	\$527,567		\$100,000	\$100,000
F3A	12P	A	10/22/2012	84	12940374624	7/1/2012	7/25/2012	10/22/2012	\$556,714	\$3,940	\$145,771	\$454,882		\$109,090	\$109,090
F3A	12P	A	1/23/2013	89	13960385966	7/1/2012	7/25/2012	1/23/2013	\$529,590	\$43,840	\$117,747	\$455,784		\$100,000	\$100,000
F3A	12R	A	4/15/2013	96	13961640942	7/1/2012	7/25/2012	4/15/2013	\$535,342	\$43,940	\$117,747	\$461,535		\$100,000	\$100,000
F3A	Q3	N	10/16/2012	1255	12972691710	7/26/2012	9/30/2012	10/16/2012	\$527,567	\$731,930	\$293,050	\$866,447		\$100,000	\$100,000
F3A	Q3	A	10/22/2012	1272	12940374954	7/26/2012	9/30/2012	10/22/2012	\$454,882	\$732,031	\$367,289	\$824,604		\$100,000	\$100,000
F3A	Q3	A	1/23/2013	1323	13960386208	7/26/2012	9/30/2012	1/23/2013	\$455,784	\$732,184	\$384,728	\$803,240		\$100,000	\$100,000
F3A	Q3	A	4/15/2013	1323	13961641270	7/26/2012	9/30/2012	4/15/2013	\$461,535	\$732,184	\$384,728	\$808,991		\$100,000	\$100,000
F3N	12G	N	10/22/2012	381	12960681423	10/1/2012	10/17/2012	10/22/2012	\$824,604	\$164,503	\$323,024	\$666,083		\$100,000	\$100,000
F3A	12G	A	12/7/2012	402	12941450521	10/1/2012	10/17/2012	12/7/2012	\$824,604	\$164,845	\$74,204	\$246,745		\$100,000	\$100,000
F3A	12G	A	1/23/2013	420	13960388122	10/1/2012	10/17/2012	1/23/2013	\$803,240	\$164,845	\$761,706	\$206,378		\$100,000	\$100,000
F3A	12G	A	4/15/2013	420	13961642662	10/1/2012	10/17/2012	4/15/2013	\$808,991	\$164,845	\$761,706	\$212,130		\$100,000	\$100,000

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F3N	30G	N	12/7/2012	931	12963015713	10/19/2012	11/26/2012	\$246,745	\$246,452	\$392,171	\$101,026	\$0	\$0
F3A	30G	A	12/3/2013	966	13960456524	10/19/2012	11/26/2012	\$206,376	\$246,514	\$424,859	\$28,033	\$0	\$0
F3A	30G	A	4/15/2013	968	13961643261	10/19/2012	11/26/2012	\$212,130	\$246,514	\$424,859	\$33,785	\$0	\$0
F3N	YE	N	12/3/2013	11	13960456955	11/27/2012	12/31/2012	\$28,033	\$1,305	\$13,720	\$15,618	\$0	\$0
F3A	YE	A	4/19/2013	11	13961644330	11/27/2012	12/31/2012	\$33,785	\$1,305	\$13,720	\$21,370	\$0	\$0
F1		N	5/16/2011	5	1030594098								
F2		N	5/16/2011	2	11030604339								
F6N			7/30/2012	1	12952601173								
F6N			8/3/2012	1	12952611740								
F6N			8/12/2012	1	12952629235								
F6N			8/3/2012	1	12952616481								
F2N		N	9/13/2011	1	11932328846								
F2N		N	9/11/2011	1	11932328851								
F6N			10/21/2012	1	12960681695								
F6N			10/22/2012	1	12960681178								
F6N			11/2/2012	1	12940749468								
F6N			11/5/2012	2	12961246137								
F6N			10/30/2012	1	12961223716								
F6N			11/4/2012	1	12961241271								
Totals								\$2,385,795	\$2,364,425				

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No records were found for this cycle.

Rob Zerban for Congress (C00495523)

2012 12 Day Pre-General Report/Amended 2012 12 Day Pre-General Report, received 1/23/13

Overview of Additional Disbursements

Report Line	2012 12 Day Pre-General Report (Image 12960681423)	Amended 2012 12 Day Pre-General Report, received 1/23/13 (Image 13960388122)	Variance Amount
Line 17: Operating Expenditures	\$323,024.29	\$759,926.95	\$436,902.66
Line 20(a): Refunds of Contributions to Individuals	\$0.00	\$1,280.00	\$1,280.00
Line 21: Other Disbursements	\$0.00	\$500.00	\$500.00
		Total Variance:	\$438,682.66

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