

1. **FEDERAL ELECTION COMMISSION**

2
3 **FIRST GENERAL COUNSEL'S REPORT**

4
5 Pre-MUR 598
6 DATE RECEIVED: 09/28/2016
7 DATE OF NOTIFICATIONS: 10/03/2016
8 DATE SUPPLEMENTAL SUBMISSION
9 RECEIVED: 05/12/2017
10 LAST RESPONSE RECEIVED: 02/09/18
11 DATE ACTIVATED: 11/20/2017

12
13 EXPIRATION OF SOL: 02/2016 – 06/02/2020¹
14 ELECTION CYCLES: 2012 - 2016

15
16 **SOURCE:** *Sua Sponte* Submission

17
18 **RESPONDENTS:** Vincent Barletta
19 Barletta Engineering Corporation
20 Barletta Heavy Division, Inc.
21 Adphalt Corp.
22 BBG Agency, LLC
23 First Fidelity Corporation
24 Puma Corporation
25 Dallas Babineau
26 Linda Brown
27 Leonard Brown
28 John Dargin
29 Thomas Day
30 Ann-Marie Gardella
31 Daniel Gardella
32 Kevin Huie
33 Martin Naughton
34 Ryan Ondrejko
35 Christopher Spencer

36
37 **RELEVANT STATUTES** 52 U.S.C. § 30118(a)
38 **AND REGULATIONS:** 52 U.S.C. § 30122
39 11 C.F.R. § 110.4(b)(1)(i)
40 11 C.F.R. § 114.2(b), (e)

41
42 **INTERNAL REPORTS CHECKED:** FEC Disclosure Reports
43 FEC Contributor Database

¹ Respondents have signed tolling agreements extending the statute of limitations for 540 days (Barletta and Barletta-controlled entities) and 390 days (the conduit employees/spouses).

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1 **FEDERAL AGENCIES CHECKED:** None

2 **I. INTRODUCTION**

3
4 In this *sua sponte* submission ("Submission"), Vincent Barletta ("Barletta") and various
5 business entities under his control² disclosed that between 2011 and 2015, Barletta caused three
6 corporations he controlled (BEC, First Fidelity, and Adphalt) to reimburse \$39,800 in federal
7 contributions made in the names of these companies' employees or their spouses.³ Barletta and
8 his businesses filed the Submission because the Massachusetts Office of Campaign and Political
9 Finance ("OCPF") raised questions about the reimbursement of federal contributions during its
10 investigation of Respondents' reimbursement of state contributions, and Respondents'
11 Disposition Agreement with OCPF required them to self-report possible federal violations to the
12 Commission.⁴

13 Based on the available information, we recommend that the Commission: (1) open a
14 Matter Under Review; (2) find reason to believe that BEC, First Fidelity, and Adphalt violated
15 52 U.S.C. §§ 30118 and 30122 and 11 C.F.R. §§ 110.4(b)(1) and 114.2(b); (3) find reason to
16 believe that Vincent Barletta violated 52 U.S.C. §§ 30118 and 11 C.F.R. §114.2(e); (4) authorize

² See Submission, Pre-MUR 598 (Barletta) (Sept. 28, 2016). Although the initial submission listed six Barletta-controlled entities, later supplemental submissions clarified that only three of these entities: Barletta Engineering Corporation ("BEC"); First Fidelity Corporation ("First Fidelity"); and Adphalt Corp. ("Adphalt") had reimbursed federal contributions. See E-mail from David Vicinanza, Esq. to Kimberly Hart, OGC (Jan. 8, 2018) ("January 8, 2018 E-mail"); E-mail from David Vicinanza, Esq. to Kimberly Hart, OGC (Jan. 9, 2018) ("January 9, 2018 E-mail"); E-mail from David Vicinanza, Esq. to Kimberly Hart, OGC (Jan. 21, 2018) ("January 21, 2018 E-mail"). Given that no funds from the other three entities: Barletta Heavy Division, Inc. ("BHD"); Puma Corporation ("Puma"); and BBG Agency, LLC ("BBG") were used to reimburse contributions, we are recommending that the Commission close the file as to these entities.

³ After CELA notified the individual conduits of the submission, Barletta, the corporations, and the conduits filed a joint supplemental submission that included a sworn affidavit from each conduit. See CELA Notification Letters, P-MUR 598 (Barletta) (Dec. 21, 2016.); see also Supplemental Submission, P-MUR 598 (Barletta) (May 12, 2017) ("Suppl. Submission"); Supplemental Submission, P-MUR 598 (Barletta) (July 6, 2017) ("Suppl. Submission #2").

⁴ See OCPF Disposition Agreement at pp.6, n.2, 13-14.

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1 pre-probable cause conciliation and approve a proposed conciliation agreement; (5) close the file
2 as to three Barletta-controlled entities that joined the Submission but did not reimburse any
3 contributions; and (6) close the file as to the conduit employees/spouses, but send each a letter of
4 caution.

5 **II. FACTUAL BACKGROUND**

6 Vincent Barletta owns or controls a number of Massachusetts-based construction
7 businesses. Barletta is the president, CEO, and owner of BEC, which is an active Massachusetts
8 corporation.⁵ Barletta also controls and funds First Fidelity, a corporation that loans money to
9 other Barletta-controlled entities.⁶ Finally, Barletta owned and controlled Adphalt, a corporation
10 that was involuntarily dissolved by court order on June 30, 2016.⁷

11 As shown on the chart below, between 2011 and 2015, BEC, First Fidelity, and Adphalt
12 reimbursed eighteen federal contributions totaling \$39,800 made by BEC employees or their
13 spouses.⁸ Barletta admits he was solely responsible for asking his employees to make the
14 contributions and approving their reimbursement requests.⁹

⁵ *Id.* at 1.

⁶ Although Ronald Gillis is listed as the nominal President and owner of First Fidelity, Respondents maintain that Barletta exercised total control over First Fidelity activities. *See* January 8, 2018 Email; Email from David Vicinanza, Esq. to Kimberly D. Hart, Esq., OGC (Feb. 4, 2018) (“February 4, 2018 Email”). Respondents claim that there are “sound business reasons for this common structure.” *See* February 4, 2018 Email.

⁷ *See* January 8, 2018 Email. Barletta and Timothy Barletta had an 80% ownership interest in Adphalt, and the remaining 20% was owned by individuals not related to the Barletta family. *Id.* Barletta was the manager for Adphalt. *Id.*

⁸ Submission at 1. Although Barletta made a total of \$31,100 in contributions to federal candidates and committees from his own personal funds between 2012 and 2015, the Submission states that he was never reimbursed for any of his political contributions. *Id.*

⁹ *Id.* at 2.

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<u>Contributor</u> ¹⁰	<u>Date</u>	<u>Recipient Committee</u>	<u>Contr. Amount</u>	<u>Reimbursement Amount</u>	<u>Reimbursement Method</u> ¹¹
Ann-Marie Gardella	2/22/11	Capuano for Congress	\$2,500	\$2,500	Adphalt check
Daniel Gardella	2/25/13	Lynch for Senate	\$2,600	\$2,600	Adphalt check
Martin Naughton	4/26/13	Lynch for Senate	\$2,600	\$2,600	cash or check
Leonard Brown	6/09/14	Lynch for Congress	\$500	\$500	cash
Linda Brown	6/09/14	Lynch for Congress	\$500	\$500	cash
Daniel Gardella	6/09/14	Lynch for Congress	\$500	\$500	cash
Ann-Marie Gardella	6/09/14	Lynch for Congress	\$500	\$500	cash
Kevin Huie	6/09/14	Lynch for Congress	\$2,000	\$2,000	cash or check
Christopher Spencer	6/09/14	Lynch for Congress	\$2,000	\$2,000	cash or check
Christopher Spencer	8/18/14	Massachusetts Democratic State Committee	\$5,000	\$5,000	First Fidelity check
Ryan Ondrejko	8/27/14	Massachusetts Democratic State Committee	\$5,000	\$5,000	BEC check
Dallas Babineau	6/05/15	Lynch for Congress	\$2,600	\$2,600	cash or check
Daniel Gardella	6/06/15	Lynch for Congress	\$2,600	\$2,600	First Fidelity check
Ann-Marie Gardella	6/06/15	Lynch for Congress	\$2,600	\$2,600	First Fidelity check
Ryan Ondrejko	6/06/15	Lynch for Congress	\$2,600	\$2,600	First Fidelity check
Dallas Babineau	7/22/15	Schuster for Congress	\$500	\$500	First Fidelity check
John Dargin	9/28/15	Capuano for Congress	\$2,600	\$2,600	cash or check
Thomas Day	9/28/15	Capuano for Congress	\$2,600	\$2,600	First Fidelity check
			Total Contr. Amt. = \$39,800	Total Reimb. Amt. = \$39,800	

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 2 Barletta's sworn affidavit details the circumstances of the contributions and the
 3 reimbursements by BEC, First Fidelity, and Adphalt.¹² Barletta states that he received "urgent"
 4 or "last minute" requests from industry associations or unions to raise certain amounts in
 5 contributions to political candidates and committees, and Barletta felt pressured to meet these
 6 requests.¹³ Accordingly, he asked BEC employees if they, or their spouses, would consider

¹⁰ All of the conduits, except for Leonard Brown and Ann-Marie Gardella, are employed by BEC. See January 21, 2018 E-mail. Leonard Brown and Ann-Marie Gardella are spouses to Linda Brown and Daniel Gardella, respectively. *Id.*

¹¹ Respondents have not been able to locate the reimbursement check Adphalt issued to Ann-Marie Gardella for her 2011 contribution. See February 8, 2018 E-mail. As to the contributions designated as being reimbursed with cash, Respondents indicate that it is most likely either that Adphalt or First Fidelity was the source, although they cannot be certain. *Id.* For the contributions designated as being reimbursed with "cash or check," Respondents indicate that they are unable to determine whether the reimbursements were made in cash or by check from Adphalt or First Fidelity. *Id.*

¹² See Barletta Affidavit, P-MUR 598 (Barletta) (Oct. 17, 2017) ¶¶ 2-5 ("Barletta Aff."). Barletta further indicates that he had very little, if any, interaction with the candidates to whom he contributed and never hosted fundraisers for any of these candidates. *Id.* ¶ 3.

¹³ *Id.*

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1 making political contributions.¹⁴ Barletta maintains that he never pressured or required an
2 employee or a spouse to make a contribution, but he approved reimbursements to any
3 contributing employee or spouse who asked.¹⁵ Barletta states that the majority of the employees
4 and spouses who requested reimbursement were “lower-earning employees for whom the
5 political contributions were financially onerous.”¹⁶ According to Respondents, the
6 reimbursements were made from whichever Barletta-controlled company had extra funds on
7 hand.¹⁷

8 Barletta states that he approved the reimbursements because it was the “obligation of the
9 businesses to support the industry request and I did not want to burden employees who were
10 affected by the contribution they made.”¹⁸ Barletta claims that he did not give much thought or
11 attention to the legality of the reimbursements.¹⁹

12 In 2015, OCPF investigated state campaign contributions made by employees of Barletta-
13 controlled entities.²⁰ In September 2016, OCPF, Barletta, and his companies entered into a
14 Disposition Agreement regarding state contributions totaling \$35,500 nominally made by
15 employees at Barletta-controlled companies and these employees’ spouses. According to
16 OCPF’s review, on at least 60 occasions, Barletta and his companies either advanced conduits

14 Barletta Aff. ¶ 3.

15 *Id.* at ¶¶ 4, 5.

16 *Id.*

17 *Id.*

18 *Id.* ¶ 2.

19 *Id.*

20 Submission at 2.

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1 money to make political contributions, or reimbursed their contributions.²¹ Under the
2 Disposition Agreement, Respondents resolved these violations and were required to pay
3 \$185,000 to the state's general fund and were barred from any state political activities for five
4 years.²² The Disposition Agreement also required Respondents to notify the Commission
5 regarding alleged corporate reimbursements of federal contributions.²³

6 Respondents assert that they immediately stopped reimbursing contributions as soon as
7 OCPF's investigation made them aware that such reimbursements were illegal.²⁴ To prevent any
8 recurrence, Respondents also implemented a compliance and training program to educate current
9 and future employees on the Federal Election Campaign Act of 1971, as amended (the "Act")
10 requirements and restrictions. The Disposition Agreement required Barletta and his companies to
11 implement the compliance and training program.²⁵

12 II. LEGAL ANALYSIS

13 The Act and Commission regulations prohibit a corporation from making a contribution
14 to a federal committee (other than an independent-expenditure-only committee) and any person,
15 including a corporation, from making a contribution in the name of another person.²⁶ The term

²¹ Disposition Agreement at 2, 12. OCPF found that Barletta and his companies violated Massachusetts statutes prohibiting corporate contributions and "contributions made in a manner intended to disguise the true source of the contributions." *Id.* at 11-12.

²² See Disposition Agreement at 12-13.

²³ *Id.*

²⁴ Suppl. Submission at 3; *see also* Barletta Aff. ¶ 8.

²⁵ Disposition Agreement at 13. Affidavits provided by the conduits and managers attest to the fact that they have received training and now understand that contributions cannot be reimbursed with company funds. *See* Conduits Affs.; Barletta Aff.; Email from George Vien, Esq. to Kimberly Hart, Esq., OGC (Feb. 9, 2018) at ¶ 4 ("Gillis Aff.").

²⁶ *See* 52 U.S.C. §§ 30118(a) and 30122; *see also United States v. O'Donnell*, 608 F.3d 546, 550 (9th Cir. 2010) (concluding that the plain language of section 30122 [formerly section 441f] encompasses straw donor contributions whether accomplished through the advancement or reimbursement of funds).

1 “person” for purposes of the Act and Commission regulations includes corporations.²⁷ Further,
2 the Act prohibits an officer or director of a corporation from consenting to the making of a
3 corporate contribution.²⁸ A person also may not knowingly permit one’s name to be used to
4 effect the making of a contribution in the name of another²⁹

5 **A. There is Reason to Believe that Barletta, Adphalt, BEC, and First Fidelity**
6 **Violated Sections 30118(a) and 30122.**
7

8 The Submission states that Barletta caused Adphalt, BEC, and First Fidelity to use
9 corporate funds to reimburse \$39,800 in federal contributions. This establishes reason to believe
10 that Adphalt, BEC, and First Fidelity made prohibited corporate contributions in the names of
11 others in violation of sections 30118(a) and 30122; and that Barletta, as a corporate officer
12 consented to the making of prohibited contributions in violation of section 30118. The conduits
13 acknowledge that they were asked to make contributions to the various federal candidates and
14 committees and were reimbursed.³⁰ Accordingly, we recommend that the Commission find
15 reason to believe that Adphalt, BEC, and First Fidelity violated 52 U.S.C. §§ 30118(a) and
16 30122 and 11 C.F.R. §§ 114.2(b) and 110.4(b)(1).³¹ In addition, we recommend that the

²⁷ *Id.* § 30101(11); 11 C.F.R. § 100.10.

²⁸ *Id.* § 30118(a), 11 C.F.R. § 114.2(e).

²⁹ 11 C.F.R. § 110.4(b)(1)(i). The Commission’s regulations also provide that it is a violation for any person to knowingly help or assist in making a contribution in the name of another. 11 C.F.R. § 110.4(b)(1)(iii). On April 6, 2018, a district court enjoined the Commission from enforcing 11 C.F.R. § 110.4(b)(1)(iii) and struck that regulation from the Code of Federal Regulations. *FEC v. Swallow*, No. 15-439 (D. Utah). The court held that 52 U.S.C. § 30122 is unambiguous and leaves no room for the FEC’s interpretation that a person may violate the statute by knowingly helping or assisting in making a contribution in the name of another. Accordingly, we make no recommendation regarding Barletta’s assisting in the making of contributions in the names of others.

³⁰ *See* Conduit Affs.

³¹ Although Gillis was the nominal president/owner of First Fidelity, the available information indicates that he was an employee of Barletta and had no control over the use of First Fidelity funds to reimburse contributions. *See* Gillis Aff. Given that Barletta has taken full responsibility for the reimbursements, we make no recommendation as to Gillis.

1 Commission find reason to believe that Vincent Barletta violated 52 U.S.C. §§ 30118(a) and
2 114.2(e).

3 **B. Under the Circumstances, the Commission Should Make Non-Knowing and**
4 **Willful Findings in this Matter.**

5
6 The Act prescribes additional monetary penalties for violations that are knowing and
7 willful.³² A violation of the Act is knowing and willful if the “acts were committed with full
8 knowledge of all the relevant facts and a recognition that the action is prohibited by law.”³³ This
9 does not require proving knowledge of the specific statute or regulation the respondent allegedly
10 violated.³⁴ Instead, it is sufficient to demonstrate that a respondent “acted voluntarily and was
11 aware that his conduct was unlawful.”³⁵ This may be shown by circumstantial evidence from
12 which the respondents’ unlawful intent reasonably may be inferred.³⁶ For example, a person’s
13 awareness that an action is prohibited may be inferred from “the elaborate scheme for disguising
14 . . . political contributions.”³⁷

³² 52 U.S.C. § 30109(a)(5)(B), (d).

³³ 122 Cong. Rec. 12,197, 12,199 (May 3, 1976).

³⁴ *United States v. Danielczyk*, 917 F. Supp. 2d 573, 579 (E.D. Va. 2013) (quoting *Bryan v. United States*, 524 U.S. 184, 195 & n.23 (1998) (holding that, to establish a violation is willful, government needs to show only that defendant acted with knowledge that conduct was unlawful, not knowledge of specific statutory provision violated)).

³⁵ *Id.* (citing jury instructions in *United States v. Edwards*, No. 11-61 (M.D.N.C. 2012), *United States v. Acevedo Vila*, No. 108-36 (D.P.R. 2009), *United States v. Feiger*, No. 07-20414 (E.D. Mich. 2008), and *United States v. Alford*, No. 05-69 (N.D. Fla. 2005)).

³⁶ *Cf. United States v. Hopkins*, 916 F.2d 207, 213 (5th Cir. 1990) (quoting *United States v. Bordelon*, 871 F.2d 491, 494 (5th Cir. 1989)). *Hopkins* involved a conduit contribution scheme, and the issue before the Fifth Circuit concerned the sufficiency of the evidence supporting the defendants’ convictions for conspiracy and false statements under 18 U.S.C. §§ 371 and 1001.

³⁷ *Hopkins*, 916 F.2d. at 214-15. As the *Hopkins* court noted, “It has long been recognized that ‘efforts at concealment [may] be reasonably explainable only in terms of motivation to evade’ lawful obligations.” *Id.* at 214 (quoting *Ingram v. United States*, 360 U.S. 672, 679 (1959)).

1 The Commission has found violations involving corporate reimbursement schemes to be
2 knowing and willful when respondents falsified documents, took active steps to conceal illegal
3 activities, kept multiple sets of financial records, or were deemed to be in possession of
4 information warning that their conduct was illegal.³⁸ In this case, there is no direct evidence that
5 establishes that Barletta, the Barletta-controlled entities, or any of the individual respondents
6 knew that the corporate reimbursements were unlawful at the time they were made. Further,
7 although many of the reimbursements were in cash, which might suggest that Barletta sought to
8 conceal them, many others were made by check, which indicates that Barletta may have simply
9 reimbursed transactions haphazardly, without intent to conceal them.

10 Further, even if the facts might support an investigation into whether the violations were
11 knowing and willful, the Commission may nonetheless “[r]efrain from making a formal finding
12 that a violation was knowing and willful” as a matter of policy,³⁹ particularly when a respondent
13 has made a full *sua sponte* submission, cooperated extensively, brought substantial information
14 to the attention of the Commission, and voluntarily incorporated significant remedial and
15 compliance measures.⁴⁰ Under the circumstances here, we do not recommend that the
16 Commission find that the violations of 52 U.S.C. §§ 30118 and 30122 were knowing and willful,
17 or conduct additional fact-finding because Barletta disclosed the violations, cooperated in

³⁸ See MUR 7027 (MV Transportation, Inc., *et al.*); MUR 6465 (The Fiesta Bowl, Inc.); MUR 6143 (Galen Capital); MUR 5818 (Feiger, Feiger, Kenney, Johnson and Giroux, P.C.).

³⁹ *Policy Regarding Self-Reporting of Campaign Finance Violations*, 72 Fed. Reg. 16695, 16,696 (Apr. 5, 2007) (“*Sua Sponte Policy*”).

⁴⁰ Factual and Legal Analysis at 13-14, MUR 6889 (Nat’l Air Transp. Ass’n) (Oct. 31, 2014). While the Disposition Agreement required Barletta and the Barletta-controlled entities to self-disclose the federal violations, Respondents have cooperated, brought substantial information to the attention of the Commission, and implemented specific remedial and compliance measures as to both state and federal contributions.

1 completing the *sua sponte* submission, and implemented the necessary remedial and compliance
2 measures.⁴¹

3 C. Recipient Candidates and Committees

4 The conduits made the contributions to the recipient committees by check, and there is
5 nothing in the record to indicate that the recipient committees accepted the checks knowing that
6 the contributions were prohibited. Therefore, we make no recommendations as to the recipient
7 committees other than requiring Barletta and his companies to notify them that they must
8 disgorge the reimbursed contributions.

9 D. Conduit Employees/Spouses

10 The Commission does not typically pursue lower-level employees who serve as conduits
11 in reimbursement schemes.⁴² Accordingly, we recommend that the Commission take no action
12 against the employees and their spouses who made contributions and requested and received
13 reimbursements.⁴³ We do, however, recommend that the Commission issue letters of caution for
14 these individual conduits.

⁴¹ See MUR 6889 (Nat'l Air Transp. Ass'n); see also MUR 5765 (Crop Production Services, Inc.); 5643 (Carter's, Inc.) (same). We understand that Barletta and his companies were required to file the *sua sponte* as part of the settlement with OCFP. As discussed below, we take that fact into account in our recommendation that the Commission apply no *sua sponte* discount in its calculation of the civil penalty.

⁴² See, e.g., MUR 6922 (ACPAC); MUR 6889 (NATAPAC); MUR 6515 (PFFW).

⁴³ In past matters, the Commission has typically declined to pursue individual conduits who did not play some significant role in carrying out the conduit scheme. In more recent matters, it has done so by declining to take action against such individuals at the RTB stage. See MUR 6889 (Nat'l Air Transp. Ass'n) (taking no action against the conduits who were reimbursed by corporate funds for contributions to SSF); MUR 6623 (William A. Bennett) (taking no action against "lower-level conduit employees" who did not actively participate in the reimbursement scheme); MUR 6465 (The Fiesta Bowl, *et al.*) (taking no action against the "subordinate employees" and "employee spouses" who were not actively involved in the scheme and were acting under the direction of corporate officers). Prior to the more recent practice, the Commission in many instances initially found reason to believe but then took no further action at later stages of the respective matter. See e.g., MUR 6223 (Edward St. John, *et al.*) (initially finding RTB against six conduits on the grounds that they had an "expectation of reimbursement"; later taking no further action after finding no evidence that they "were told or expected that they would be reimbursed at the time they made the contributions"); MUR 6143 (Galen Capital) (finding RTB that conduits violated the Act; later recommending no further action even though conduits "consented" to reimbursement of contributions, because a

single individual was deemed to have directed the reimbursement scheme); MUR 5818 (Feiger, Feiger, Kenny, Johnson and Giroux, P.C.) (initially finding RTB against conduits but ultimately taking no action); MUR 5765 (Crop Production Services, Inc.) (finding RTB that all conduits violated the Act and conciliating with all except two conduits, who were deemed to have little involvement in the scheme); MUR 5666 (MZM, Inc.) (finding RTB that all conduits violated the Act; later taking no further action after determining that a single officer exercised almost total control over the scheme).

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IV. RECOMMENDATIONS

1. Open a Matter Under Review.
2. Find reason to believe that Vincent Barletta violated 52 U.S.C. § 30118(a) and 11 C.F.R. § 114.2(e).

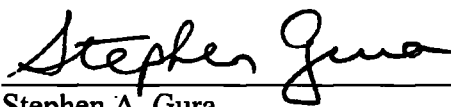
3. Find reason to believe that Barletta Engineering Corporation violated 52 U.S.C. §§ 30118(a) and 30122; and 11 C.F.R. §§ 110.4(b)(1)(i) and 114.2(b).
4. Find reason to believe that First Fidelity Corporation violated 52 U.S.C. §§ 30118(a) and 30122; and 11 C.F.R. §§ 110.4(b)(1)(i) and 114.2(b).
5. Find reason to believe that Adphalt Corp. violated 52 U.S.C. §§ 30118(a) and 30122; and 11 C.F.R. §§ 110.4(b)(1)(i) and 114.2(b).
6. Close the file as to Barletta Heavy Division, Inc., BBG Agency LLC, and Puma Corporation.
7. Approve the attached Factual and Legal Analysis.
8. Close the file, but issue letters of caution to Dallas Babineau, Linda Brown, Leonard Brown, John Dargin, Thomas Day, Ann-Marie Gardella, Daniel Gardella, Kevin Huie, Martin Naughton, Ryan Ondrejko, and Christopher Spencer.
9. Enter into conciliation with Vincent Barletta, Barletta Engineering Corp., First Fidelity Corporation, and Adphalt Corp prior to a finding of probable cause to believe.
10. Approve the attached joint conciliation agreement.
11. Approve the appropriate letters.


Lisa J. Stevenson
Acting General Counsel

Kathleen M. Guith
Associate General Counsel for
Enforcement

6.29.18

Date


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