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Subject Activity in Case 1:02-cv-01237-JR FEDERAL ELECTION COMMISSION v. MALENICK et al "Judgment"

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**U.S. District Court  
District of Columbia**

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**Case Name:** FEDERAL ELECTION COMMISSION v. MALENICK et al

**Case Number:** 1:02-cv-1237

**Filer:**

**WARNING: CASE CLOSED on 07/26/2005**

**Document Number:**

**Docket Text:**

JUDGMENT in favor of Federal Election Commission against Carolyn S. Malenick d/b/a Triad Management Services. Final judgment and order granting declaratory and injunctive relief attached to FEC's reply filed 7/25/05 [docket #57] is approved and SO ORDERED. Signed by Judge James Robertson on 7/26/05. (Robertson, James)

The following document(s) are associated with this transaction:

**1:02-cv-1237 Notice will be electronically mailed to:**

Stephen E. Hershkowitz shershkowitz@fec.gov,

Erin Kathleen Monaghan emonaghan@fec.gov,  
dkolker@fec.gov;sgarr@fec.gov;vgraham@fec.gov;jchang@fec.gov

Gregory John Mueller gmueller@fec.gov,  
dkolker@fec.gov;jchang@fec.gov;sgarr@fec.gov;vgraham@fec.gov

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U.S. DISTRICT COURT  
DISTRICT OF COLUMBIA

**1:02-cv-1237 Notice will be delivered by other means to:**

CAROLYN MALENICK  
8913 Early Street  
Manassas, VA 22110

Mark D. Shonkwiler  
Federal Election Commission  
999 E Street, NW  
Washington, DC 20463

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLUMBIA

FEDERAL ELECTION COMMISSION, )  
 )  
 Plaintiff, ) Civ. Act. No. 02-CV-01237 (JR)  
 )  
 v. )  
 )  
 CAROLYN MALENICK D/B/A ) ORDER  
 TRIAD MANAGEMENT SERVICES, )  
 et al., )  
 )  
 Defendants. )

**FINAL JUDGMENT AND  
ORDER GRANTING DECLARATORY AND INJUNCTIVE RELIEF**

In accordance with the Court’s Memorandum Orders of March 30, 2004, and March 7, 2005, and in consideration of the Federal Election Commission’s Motion for Reconsideration and Proposal for Final Resolution, Supplemental Motion Regarding Final Judgment and Order, and the responses thereto, the Court hereby enters the following Final Judgment in this case:

IT IS HEREBY DECLARED that Carolyn S. Malenick d/b/a Triad Management Services and Triad Management Services, Inc. violated 2 U.S.C. 433 by failing to register as a political committee in 1996; and it is further

DECLARED that Carolyn S. Malenick d/b/a Triad Management Services and Triad Management Services, Inc. violated 2 U.S.C. 434 by failing to file periodic reports of their receipts and disbursements with the Federal Election Commission beginning in 1996; and it is further

DECLARED that Carolyn S. Malenick d/b/a Triad Management Services and Triad Management Services, Inc. violated 2 U.S.C. 441a(f) by knowingly accepting in 1996 more than

\$800,000 in contributions that exceeded the limitations set forth in 2 U.S.C. 441a; and it is further

DECLARED that Carolyn S. Malenick and Triad Management Services, Inc. violated 2 U.S.C. 441b by knowingly accepting corporate contributions; and it is further

DECLARED that Carolyn S. Malenick d/b/a Triad Management Services and Triad Management Services, Inc. violated 2 U.S.C. 441a(a) by making excessive contributions to candidates through the combined contributions of an affiliated political committee and their own in-kind contributions to the same candidates.

WHEREAS the aforementioned violations of the Federal Election Campaign Act (“FECA”) in 1996 involved hundreds of thousands of dollars of excessive contributions and deprived the voting public of information about millions of dollars of political receipts and disbursements;

WHEREAS, despite the seriousness of the above violations for which the FECA authorizes a civil penalty of hundreds of thousands of dollars, *see* 2 U.S.C. 437g(a)(6), the Defendant Carolyn S. Malenick has submitted documentation to the Federal Election Commission demonstrating that she and Triad Management Services, Inc., are unable to pay an appropriate penalty;

WHEREAS, the Federal Election Commission has agreed to forego further litigation of the factual issues left open in the Court’s Memorandum Order of March 30, 2004, that would be necessary to quantify the full extent of the Defendants’ violations of the FECA; it is HEREBY

ORDERED that Carolyn S. Malenick shall pay a civil penalty in the amount of \$5,000 for the aforementioned violations, in monthly installments of \$100 for 50 consecutive months, the first payment to be made within 30 days of the date of this Judgment and Order.

It is FURTHER ORDERED that Carolyn S. Malenick and Triad Management Services, Inc. are hereby permanently enjoined from engaging in any further violations of 2 U.S.C. 433, 434, 441a(a), 441a(f), and 441b similar to those found by the Court in this lawsuit; and it is further

ORDERED that Carolyn S. Malenick d/b/a Triad Management Services and Triad Management Services, Inc. shall complete the Federal Election Commission's form required to register as a political committee, and shall also complete a comprehensive disclosure report on a form to be provided by the Commission covering all receipts and disbursements from the beginning of 1996, the year in which they became a political committee, through the end of 2000, and that completion and submission of these forms to the Federal Election Commission within three (3) months of the date of this Judgment and Order shall satisfy the registration and reporting requirements of 2 U.S.C. 433-434. For the purpose of completing these reports, all receipts and income received by Carolyn S. Malenick d/b/a/ Triad Management Services and by Triad Management Services, Inc., shall be considered contributions; and it is further

ORDERED that the parties shall each bear their own costs and expenses.

IT IS SO ORDERED.

\_\_\_\_\_  
Date

\_\_\_\_\_  
James Robertson  
UNITED STATES DISTRICT JUDGE

Copies to:

Lawrence H. Norton  
Richard B. Bader  
David Kolker  
Erin K. Monaghan  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

and

Carolyn S. Malenick, Defendant Pro Se  
8913 Early Street  
Manassas, VA 20110