



FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20463

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THIS IS THE END OF MUR # 1346

Date Filmed 10/25/82 Camera No. 1

Cameraman J. A. Q.

FEDERAL ELECTION COMMISSION

Conciliatory efforts

Investigative techniques

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

- |  |   |
|--|---|
| <input type="checkbox"/> (1) Classified Information                                | <input type="checkbox"/> (6) Personal privacy                             |
| <input checked="" type="checkbox"/> (2) Internal rules and practices               | <input checked="" type="checkbox"/> (7) Investigatory files               |
| <input checked="" type="checkbox"/> (3) Exempted by other statute                  | <input type="checkbox"/> (8) Banking Information                          |
| <input type="checkbox"/> (4) Trade secrets and commercial or financial information | <input type="checkbox"/> (9) Well Information (geographic or geophysical) |
| <input type="checkbox"/> (5) Internal Documents                                    |   |

Signed

*Michael S. Dwyer*

date

*September 9, 1988*

82740354397



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 27, 1982

Received from the Federal Election Commission, a Cashier's check #302178 dated August 19, 1982 drawn on the American City Bank by Brown for President in the amount of \$929.41 for deposit into the matching payment account of the U.S. Treasury pursuant to 26 U.S.C. 9038(d).

*Daniel P. Boyle*  
for

Federal Election Commission

*Lucille R. Matheis*  
for

U.S. Treasury

3204035119.3

202514

RECEIVED  
GCA # 8312  
82 AUG 24 P 3: 55  
HAND DELIVERED

**KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS**

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

1900 M STREET, N. W.

WASHINGTON, D. C. 20036

TELEPHONE (800) 452-7000  
CABLE: NIPRI  
TELEX 440800 NIPR UI  
WRITER'S DIRECT DIAL NUMBER  
(202) 452-8387

IN PITTSBURGH  
KIRKPATRICK, LOCKHART, JOHNSON & HUTCHISON  
800 OLIVER BUILDING  
PITTSBURGH, PENNSYLVANIA 15222  
(412) 526-0800

HAND DELIVERED

August 24, 1982

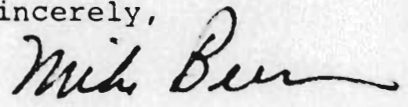
Mr. Mike Dymersky  
Office of the General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Re: Brown for President

Dear Mike:

I am enclosing a cashier's check in the amount of \$929.41 in response to your letter of June 21, 1982. Thank you for your consideration.

Sincerely,



Michael S. Berman

MSB:rv  
Enclosure: check

12040334397

2 AUG 24 P 4: 07

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AMERICAN CITY BANK

302178

Brown for President  
1125 West Sixth Street, #304  
Los Angeles, CA 90017

AUGUST 19 82

\*\*\*929.41\*\*\*

PAY TO THE  
ORDER OF

\*\*\* U.S. TREASURY \*\*\*

AMERICAN CITY BANK 929.41  
CITY BANK 929.41

DOLLARS



CASHIER'S CHECK

*D. W.*

⑈ 302178 ⑆ 122005543 ⑆ 507000002 ⑈

#507

BEFORE THE FEDERAL ELECTION COMMISSION

\_\_\_\_\_  
In the Matter of \_\_\_\_\_  
Radford Freel \_\_\_\_\_  
\_\_\_\_\_

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) MUR 1346  
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CONCILIATION AGREEMENT

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This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Probable cause to believe has been found that Radford Freel ("Respondent") violated 2 U.S.C. § 441f by making contributions to the Brown for President Committee ("the Committee") in the names of other people.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 473g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding.

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

1. Respondent was the President of the Sioux Natural Gas Corp. (now Rapada Corp.) during the time of the subject activity.

2. Respondent solicited employees of the corporation to make contributions by check to the Committee on September 24, 1979.

3. Respondent contends that the following employees agreed to make a contribution to the Committee in an amount of \$250 apiece:

Bob Tucker

Karen Tucker

Louis Law

Jim Engstrom

4. Respondent contends that said corporate employees uniformly declared that they lacked personal checks by which to make the intended contribution, and that, by mutual agreement, Respondent loaned \$250 of his personal funds to each of the corporate employees.

5. Respondent caused four bank checks to be purchased in amounts of \$250 apiece and in the respective names of the four corporate employees.

6. Respondent gave four, \$250 contributions to a Committee agent sometime during the evening of September 24, 1979,

13040354502

and represented each as a contribution from the employees whose names were notated thereon.

7. Respondent contends that the four \$250 contributions were actually representative of personal loans to the four identified employees.

8. Respondent was reimbursed by Bob and Karen Tucker on January 7, 1980 (\$500).

9. Respondent contends that he was reimbursed by Louis Law in U.S. currency sometime in November.

10. Respondent contends that he was never reimbursed by Jim Engstrom.

11. Respondent contends that he had no knowledge that the personal loans made to the four corporate employees could constitute a basis for a civil action under the Federal Election laws.

12. Respondent contends that he did not then, nor at any time since, intend to violate any provision of the Federal Election laws.

WHEREFORE, Respondent agrees that:

V. 2 U.S.C. § 441f prohibits the making of a contribution by one person in the name of another person.

VI. A loan of money made for the purpose of influencing a federal election is a contribution. (2 U.S.C. § 431(8)(A); former 2 U.S.C. § 431(e)(1)).



VII. Respondent personally loaned \$250 to each of the identified corporate employees who, in turn, made individual contributions to the Committee.

VIII. Therefore, while Respondent contends that he was unaware that such loans were a violation and that therefore any such violation was inadvertent, the Respondent did contribute \$1000 to the Committee by virtue of the loans in the names of four other persons.

IX. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of five hundred dollars (\$500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

X. Respondent agrees that he shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

XI. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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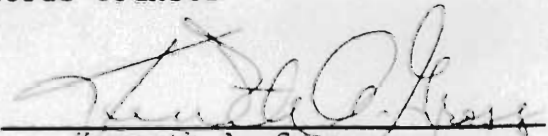
GENERAL CONDITIONS

XII. This Agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XIII. Respondent shall have no more than thirty (30) days from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

Date August 23, 1982

Charles N. Steele  
General Counsel

By:   
Kenneth A. Gross  
Associate General Counsel

Date August 13, 1982

  
Radford Freel

3204005400



**Merrill Lynch Cash Management Account**


119

**RADFORD H. FREEL**  
FIRST INTERNATIONAL PLAZA  
48TH FLOOR (713) 651-9712  
HOUSTON, TX 77002

August 13, 19 82 <sup>25 80</sup>/<sub>440</sub>

PAY TO THE ORDER OF United States Treasury | \$500.00

Five hundred & no/100-----DOLLARS

**BANK ONE**   
BANK ONE OF COLUMBUS, NA  
Columbus, Ohio 43215

*Radford H. Freel*

FOR  
⑈000119⑈ -⑈044000804⑈ 3012594568⑈

3 2 0 4 0 5 4 5 0 2 8



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 24, 1982

Michael J. Madigan, Esquire  
Akin, Gump et al.  
1333 New Hampshire Avenue, N.W.  
Suite 400  
Washington, D.C. 20036

RE: MUR 1346  
(Radford Freel)

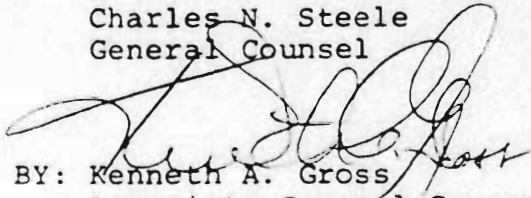
Dear Mr. Madigan:

On August 23, 1982, the Commission accepted the conciliation agreement signed by your client as well as his check for the civil penalty in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

Enclosure  
Conciliation Agreement

82040551507

202546

RECEIVED

600# 8325

82 AUG 26 9:54

**AKIN, GUMP, STRAUSS, HAUER & FELD**  
ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
1333 NEW HAMPSHIRE AVENUE, N.W.  
SUITE 400  
WASHINGTON, D. C. 20036

DALLAS OFFICE  
2800 REPUBLICBANK DALLAS BUILDING  
DALLAS, TEXAS 75201  
(214) 655 2800

(202) 687-4000  
TELEX 89-665 4017  
WRITER'S DIRECT DIAL NUMBER 887

AUSTIN OFFICE  
900 AMERICAN BANK TOWER  
AUSTIN, TEXAS 78701  
(512) 476-7167

August 25, 1982

2 AUG 28 P 1:27

Kenneth A. Gross, Esq.  
Associate General Counsel  
Federal Election Commission  
Washington, D. C. 20463

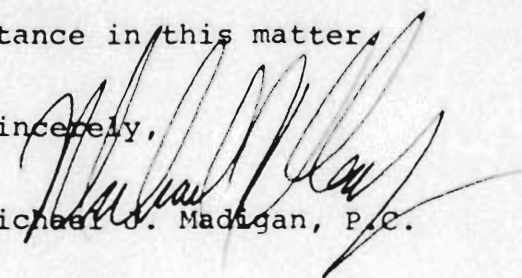
RE: MUR 1346  
(Radford Freel)

Dear Mr. Gross:

Thank you for your letter of August 24, 1982 regarding the above entitled case. Please be advised that Mr. Freel does not wish information of any kind to become part of the public record. I understand that you will follow the dictates of 2 U.S.C. 437g (a) (4) (B).

Thank you for your assistance in this matter.

Sincerely,

  
Michael J. Madigan, P.C.

MJM:jp

cc: Radford Freel

82040751008



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 24, 1982

Michael S. Berman, Esquire  
Kirkpatrick, Lockhart et al.  
1900 M Street, N.W.  
Washington, D.C. 20036

RE: MUR 1346  
(Brown for President)

Dear Mr. Berman:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days.

Should you have any questions, contact Michael Dymersky at 523-4057.

Sincerely,

Charles N. Steele  
General Counsel

A handwritten signature in cursive script, appearing to read "Kenneth A. Gross".

BY: Kenneth A. Gross  
Associate General Counsel

32040331000



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 24, 1982

Bob D. Tucker  
3605 Wakeforest  
Houston, Texas 77098

RE: MUR 1346  
(Bob Tucker)

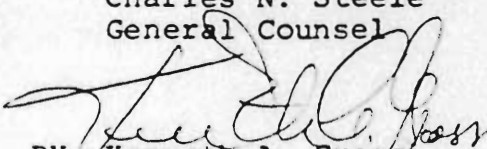
Dear Mr. Tucker:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days.

Should you have any questions, contact Michael Dymersky at (202) 523-4057.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

82040354610



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 24, 1982

Karen Tucker  
3605 Wakeforest  
Houston, Texas 77098

RE: MUR 1346  
(Karen Tucker)

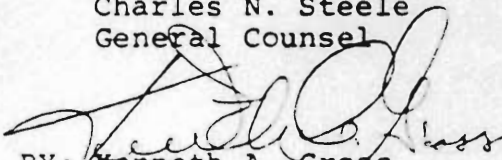
Dear Ms. Tucker:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days.

Should you have any questions, contact Michael Dymersky at (202) 523-4057.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

02040354511





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 24, 1982

Jim Engstrom  
12114 Sugar Springs  
Houston, Texas

RE: MUR 1346  
(Jim Engstrom)

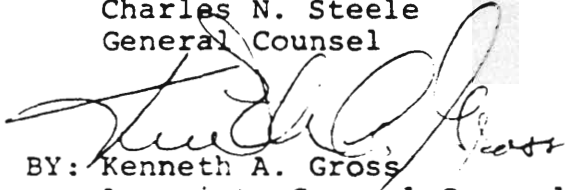
Dear Mr. Engstrom:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days.

Should you have any questions, contact Michael Dymersky at (202) 523-4057.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
                          )  
Radford Freel        )

MUR 1346

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 23, 1982, the Commission decided by a vote of 6-0 to take the following actions in MUR 1346:

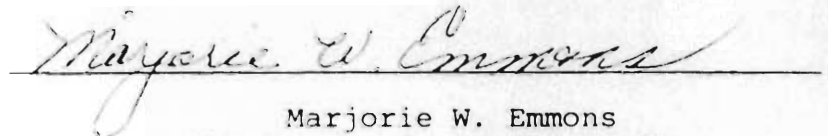
1. Accept the conciliation agreement signed by Radford Freel as submitted with the General Counsel's August 18, 1982 Memorandum to the Commission and the check for the civil penalty in settlement of his violation of 2 U.S.C. § 441f.
2. Close the file in this matter.
3. Approve the letters as attached to the Memorandum to the Commission dated August 18, 1982.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

8-23-82

Date



Marjorie W. Emmons  
Secretary of the Commission

Received in Office of Commission Secretary:  
Circulated on 48 hour tally basis:

8-18-82, 4:25  
8-19-82, 11:00

32040654613

**SENSITIVE**

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION 82 AUG 18 P 4: 25  
WASHINGTON, D.C. 20463

August 18, 1982

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel *KAG*

SUBJECT: MUR 1346; (Radford Freel)

On August 16, 1982, a check in the amount of \$500 made payable to the United States Treasury was received from Radford Freel. In addition, on August 13, 1982, Freel signed the conciliation agreement which was approved by the Commission on August 6, 1982. Therefore, the General Counsel recommends that the file be closed in this matter.

Recommendation

Accept the conciliation agreement signed by Radford Freel as well as his check for the civil penalty in settlement of his violation of 2 U.S.C. § 441f, close the file in this matter, and approve the attached letters.

Attachments

- (1) conciliation agreement signed by Radford Freel
- (2) photostat of civil penalty check
- (3) letter from Freel's counsel dated August 16, 1982
- (4) proposed letter to Freel's counsel
- (5) proposed letters to all other respondents

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of  
Radford Freel

MUR 1346

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Probable cause to believe has been found that Radford Freel ("Respondent") violated 2 U.S.C. § 441f by making contributions to the Brown for President Committee ("the Committee") in the names of other people.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 473g(a)(4)(A)(i) do hereby agree as follows:

- I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding.
- II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this Agreement with the Commission.

02040551515

Attachment I - (1)

IV. The pertinent facts in this matter are as follows:

1. Respondent was the President of the Sioux Natural Gas Corp. (now Rapada Corp.) during the time of the subject activity.

2. Respondent solicited employees of the corporation to make contributions by check to the Committee on September 24, 1979.

3. Respondent contends that the following employees agreed to make a contribution to the Committee in an amount of \$250 apiece:

Bob Tucker

Karen Tucker

Louis Law

Jim Engstrom

4. Respondent contends that said corporate employees uniformly declared that they lacked personal checks by which to make the intended contribution, and that, by mutual agreement, Respondent loaned \$250 of his personal funds to each of the corporate employees.

5. Respondent caused four bank checks to be purchased in amounts of \$250 apiece and in the respective names of the four corporate employees.

6. Respondent gave four, \$250 contributions to a Committee agent sometime during the evening of September 24, 1979,

02040354615

and represented each as a contribution from the employees whose names were notated thereon.

7. Respondent contends that the four \$250 contributions were actually representative of personal loans to the four identified employees.

8. Respondent was reimbursed by Bob and Karen Tucker on January 7, 1980 (\$500).

9. Respondent contends that he was reimbursed by Louis Law in U.S. currency sometime in November.

10. Respondent contends that he was never reimbursed by Jim Engstrom.

11. Respondent contends that he had no knowledge that the personal loans made to the four corporate employees could constitute a basis for a civil action under the Federal Election laws.

12. Respondent contends that he did not then, nor at any time since, intend to violate any provision of the Federal Election laws.

WHEREFORE, Respondent agrees that:

V. 2 U.S.C. § 441f prohibits the making of a contribution by one person in the name of another person.

VI. A loan of money made for the purpose of influencing a federal election is a contribution. (2 U.S.C. § 431(8)(A); former 2 U.S.C. § 431(e)(1)).

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Attachment I-(3)

VII. Respondent personally loaned \$250 to each of the identified corporate employees who, in turn, made individual contributions to the Committee.

VIII. Therefore, while Respondent contends that he was unaware that such loans were a violation and that therefore any such violation was inadvertent, the Respondent did contribute \$1000 to the Committee by virtue of the loans in the names of four other persons.

IX. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of five hundred dollars (\$500), pursuant to 2 U.S.C. § 437g(a)(5)(A).

X. Respondent agrees that he shall not undertake any activity which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

XI. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this Agreement. If the Commission believes that this Agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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GENERAL CONDITIONS

XII. This Agreement shall become effective as of the date that all parties hereto have executed same and the Commission has approved the entire agreement.

XIII. Respondent shall have no more than thirty (30) days from the date this Agreement becomes effective to comply with and implement the requirements contained in this Agreement and to so notify the Commission.

82040351617

Date \_\_\_\_\_

Charles N. Steele  
General Counsel

By: \_\_\_\_\_  
Kenneth A. Gross  
Associate General Counsel

Date August 13, 1982

Gabriel H. Freel  
Radford Freel



6



**Merrill Lynch Cash Management Account**

119

**RADFORD H. FREEL**  
FIRST INTERNATIONAL PLAZA  
48TH FLOOR (713) 651-9712  
HOUSTON, TX 77002

August 13, 1982 <sup>25.80</sup>/<sub>440</sub>

PAY TO THE ORDER OF United States Treasury | \$500.00

Five hundred & no/100-----DOLLARS

**BANK ONE**

BANK ONE OF COLUMBUS, NA  
Columbus, Ohio 43215

*Radford H. Freel*

FOR  
⑈000119⑈ -⑈044000804⑈ 3012594568⑈

*Attachment II - (1)*

82040354520

600#8260

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AKIN, GUMP, STRAUSS, HAUER & FELD  
ATTORNEYS AT LAW

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS  
1333 NEW HAMPSHIRE AVENUE, N.W.  
SUITE 400  
WASHINGTON, D.C. 20036

DALLAS OFFICE  
2800 REPUBLIC BANK DALLAS BUILDING  
DALLAS, TEXAS 75201  
(214) 655-2800

(202) 887-4000  
TELEX 89-665 4017  
WRITER'S DIRECT DIAL NUMBER 887-

AUSTIN OFFICE  
900 AMERICAN BANK TOWER  
AUSTIN, TEXAS 78701  
(512) 476-7167

August 16, 1982

Charles N. Steele, Esquire  
General Counsel  
FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D.C. 20463

RE: MUR 1346  
(Radford Freel)

2 AUG 16 P 3:45

Dear Mr. Steele:

Enclosed is a copy of the Conciliation Agreement executed by our client, Mr. Radford Freel, in the above-referenced matter. In addition, we have enclosed his check for five hundred dollars (\$500) made payable to the United States Treasury in accordance with your instructions.

It is our understanding that upon your execution of the enclosed document, this matter will be closed. If you have any questions, please do not hesitate to contact us.

Sincerely,

Michael J. Madigan, P.C.  
Edward S. Knight  
Timothy S. Davis

/gl  
Enclosures

82040354521

Attachment III - (1)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Michael J. Madigan, Esquire  
Akin, Gump et al.  
1333 New Hampshire Avenue, N.W.  
Suite 400  
Washington, D.C. 20036

RE: MUR 1346  
(Radford Freel)

Dear Mr. Madigan:

On August , 1982, the Commission accepted the conciliation agreement signed by your client as well as his check for the civil penalty in settlement of a violation of 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

Enclosure  
Conciliation Agreement

Attachment IV - (1)

12740354522

9



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Michael S. Berman, Esquire  
Kirkpatrick, Lockhart et al.  
1900 M Street, N.W.  
Washington, D.C. 20036

RE: MUR 1346  
(Brown for President)

Dear Mr. Berman:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days.

Should you have any questions, contact Michael Dymersky at 523-4057.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

12040354625

Attachment V - (1)

10



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Bob D. Tucker  
3605 Wakeforest  
Houston, Texas 77098

RE: MUR 1346  
(Bob Tucker)

Dear Mr. Tucker:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days.

Should you have any questions, contact Michael Dymersky at (202) 523-4057.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

12040351521

Attachment V - (2)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

(11)

Karen Tucker  
3605 Wakeforest  
Houston, Texas 77098

RE: MUR 1346  
(Karen Tucker)

Dear Ms. Tucker:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days.

Should you have any questions, contact Michael Dymersky at (202) 523-4057.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

32040354625

Attachment V - (3)

12



FEDERAL ELECTION COMMISSION  
WASHINGTON D C 20463

Jim Engstrom  
12114 Sugar Springs  
Houston, Texas

RE: MUR 1346  
(Jim Engstrom)

Dear Mr. Engstrom:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days.

Should you have any questions, contact Michael Dymersky at (202) 523-4057.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

000351323

Attachment II - (4)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 25, 1982

Michael J. Madigan, Esquire  
Akin, Gump, Strauss, Hauer and Feld  
1333 New Hampshire Ave., N.W.  
Suite 400  
Washington, D.C. 20036

RE: MUR 1346  
(Radford Freel)

Dear Mr. Madigan:

On June 22, 1982, the Commission determined that there is probable cause to believe that your client, Radford Freel, committed a violation of Section 441f of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431 et seq., by making contributions to Governor Brown's 1980 Presidential campaign in the names of other persons.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the U.S. Treasurer.

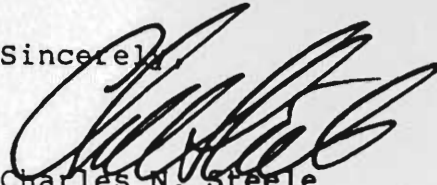
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Letter to Michael J. Madigan  
Page 2  
MUR 1346 (Radford Freel)

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Michael Dymersky, at 523-4039.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure

conciliation agreement

32040351523

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 ) MUR 1346  
 Radford Freel )

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on June 22, 1982, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1346:

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1. Find probable cause to believe that Radford Freel violated 2 U.S.C. §441f by making contributions in the names of four (4) other people.
2. Approve and authorize the sending of the notification letter attached to the General Counsel's June 9, 1982 report.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for the decision.

Attest:

6-23-82

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary of the Commission

**SENSITIVE**

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

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In the Matter of  
Radford Freel

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MUR 1346

**EXECUTIVE SESSION**

GENERAL COUNSEL'S REPORT

JUN 22 1982

I. Background

On April 27, 1981, the Commission found reason to believe that Radford Freel violated 2 U.S.C. § 441f by making contributions in the names of other people. Radford Freel responded to questions posed by letter dated January 28, 1981, on April 24, 1981, and was interviewed by OGC staff on June 18, 1981. Subsequent to a broad investigation, a brief recommending a finding of probable cause to believe was mailed to Freel's counsel on January 28, 1982. By letter dated February 23, 1982, Freel's counsel requested an extension of time to file a reply to the General Counsel's brief. This request was granted.

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A response brief was filed by Freel's counsel on May 14, 1982.

## II. Legal Analysis

This matter involves the making of contributions by Radford Freel in the names of four (4) of his employees.<sup>1/</sup> See the General Counsel's Brief directed to Radford Freel dated January 28, 1982.

The response brief filed in this matter contains several defenses. The first argument raised is that the four personal loans provided by Freel to his employees do not constitute contributions within the meaning of 2 U.S.C. § 431(8)(A) (formerly 2 U.S.C. § 431(e)). See Freel's reply brief at p.6. The respondent reasons that 2 U.S.C. § 431 only embraces valuable transfers (including loans) to a political candidate, committee or organization, and does not comprehend personal loans to private individuals who in turn contribute the loaned money to a political committee.

It is the view of the General Counsel that the above argument is without merit and unsupported by the Act. Contrary to respondent's contention, the Act specifically addresses this situation by defining the term "contribution" to include loans made for the purpose of influencing a federal election. Respondent has not adduced any evidence which suggests that Freel's "loans" to his employees were made for any purpose other than to influence a federal election. Indeed, the only reason

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<sup>1/</sup> Jim Engstrom (\$250); Bob Tucker (\$250); Karen Tucker (\$250); and Louis Law (\$250).

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Freel "loaned" money to his employees by purchasing cashier's checks was to be able to give the checks to Richard Maullin, an agent of the Brown Committee, in order to "avoid the embarrassment of not being able to deliver the checks personally to Governor Brown that evening" (September 24, 1979). See Freel's reply brief at p.3. Freel also understood that it was critical that the contributions be in amounts of \$250 to help Governor Brown qualify for matching funds. See Freel's reply brief at p.2. In a word, Freel "loaned" \$250 to each of four employees for the sole purpose of influencing Mr. Brown's election. The Supreme Court has said that "[F]unds provided to a candidate . . . or campaign committee either directly or indirectly through an intermediary constitute a contribution." Buckley v. Valeo, 424 U.S.1, 24, n.24 (1975). Thus, in a practical sense, Freel provided \$1,000 to the Brown Committee indirectly (by loans) through four intermediaries (employees), and this act constitutes the making of contributions by Freel, at least until his employees repay him. (Apparently Engstrom has not yet reimbursed Freel). In addition, respondent's position would clearly undermine the purpose of the Act, by allowing a massive infusion of capital into a political campaign from a wealthy individual, by use of the mere technicality that "loans" were made to other private individuals to enable them to contribute.

The respondent's second argument, that even if the personal loans at issue constitute contributions, none of the transactions

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constitute a contribution made in the name of another as prohibited by 2 U.S.C. § 441f, is also meritless in the General Counsel's view. See Freel's reply brief at p.6. The respondent supports the position by arguing that 11 C.F.R. § 110.4(b)(2)(ii) is directed at situations where an individual's motive is to hide his identity or contribute more than the legal maximum by utilizing a "straw man" to make the additional contribution. The respondent goes on to say that he contributed \$250 in his own name (thus not hiding his identity) to the Brown Committee on September 24, 1979, the same evening as he transmitted the cashier's checks in question, and that in addition, he could still contribute up to \$750 before he reached his legal maximum. See Freel's reply brief at p.16.

A significant motive which respondent overlooks in his analysis is that Freel understood that it was critical to the Brown Committee that the contributions be in amounts of \$250 to help Governor Brown qualify for matching funds. Moreover, he understood that "although an individual could contribute a total of \$1,000, only a maximum of \$250 per contribution would be counted towards qualification for matching funds." See Freel's reply brief pp. 1-2. Had Freel merely contributed \$1,000 to Brown, representing all \$1,000 as his own personal funds, and not used that money to purchase cashier's checks in the names of each of four (4) employees in increments of \$250, he would have

frustrated both his intention to be recognized as someone who could produce matchable contributions, and his intention of furthering the Brown Committee's goal of a strong showing in terms of qualifying for matching funds. Moreover, Section 441f prohibits the mere making of a contribution in the name of another person, regardless of motive.

Respondent then takes issue with the General Counsel's reliance upon language in MUR 397 as an example of the reach of Section 441f. Respondent contends that MUR 397 actually helps respondent's case. On the contrary, the critical distinction between the circumstances of the loan from the three (3) individuals to Pearl Levine in MUR 397, and the circumstances of the loan from Radford Freel to his four (4) employees in the instant case is one of intent. In MUR 397, the three (3) individuals who loaned Ms. Levine \$50 so that she could repay Mr. Sullivan were intending to help Ms. Levine correct a perceived violation of election law which she could not correct without help, due to her lack of financial resources. There was no demonstrable intention to influence the election of then Governor Carter, whereas here, Radford Freel made the loans to the four (4) employees with the obvious intention of influencing the election of Governor Brown. In fact, the circumstances of Freel's loans were such that the employees could not exercise any choice whatsoever in determining the disposition of the "loaned"

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funds, as Mr. Freel caused his own personal funds to be used to purchase cashier's checks in the names of four (4) employees, caused them to be made payable to the Brown Campaign, and delivered them to Mr. Maullin, a campaign representative, personally. As the General Counsel said in MUR 397, "[T]his situation [where Ms. Levine received the \$50 loan to correct a violation of law] is distinguishable from one where money is loaned or given to a person with the intention that the person give the money to a Federal candidate or committee." See MUR 397, p.4.

The respondent suggests that his actions were "inadvertent, unknowing and unwilling." See Freel's reply brief at p.20. Once again, respondent's argument is meritless. As a general proposition, ignorance of a statutory provision is no excuse. Moreover, Section 441f proscribes the making of a contribution in the name of another person. There is no requirement that a person know that his acts constitute a violation of law. Indeed, even the inadvertent or unknowing making of a contribution in the name of another person, would still be a violation of Section 441f.

As to respondent's assertion that the Brown Committee should have asked questions (in attempting to verify the contributions) which were designed to elicit information as to whether the funds were "given" or "loaned," the General Counsel views such to be



irrelevant to Mr. Freel's activity. Simply because the Brown Committee failed to alert Freel that his actions might constitute a violation of law, there can be no persuasive assertion that such nonfeasance exculpates the respondent from personal responsibility for his actions.


Finally, respondent suggests that further prosecution of the matter "would serve no public policy purpose and . . . could produce a chilling effect on . . . first amendment rights." See Freel's reply brief at p.23. Again, the General Counsel views such assertions as meritless. Respondent remembers correctly that the Act has been amended three times since its inception, and that implementing regulations are being continuously refined. Such actions do indeed reflect the concerns with which Congress and the Commission view the regulation of political activity. However, the fact that a "contribution" is still defined to include a loan of money for the purpose of influencing a federal election, and that the making of a contribution in the name of another person is still prohibited, gives weight to the importance both legislator and regulator put in keeping the political process free of corruption or the appearance of corruption. By pursuing this matter, then, the Commission is seeking only to redress a wrong. It is not deterring legal participation of individuals in the election process. On the contrary, in the instant case, the Commission is seeking to deter unlawful participation such as is constituted by Mr. Freel's conduct.

Accordingly, the General Counsel recommends that the Commission find probable cause to believe that Radford Freel violated 2 U.S.C. § 441f.

III. Recommendation

Find probable cause to believe tht Radford Freel violated 2 U.S.C. § 441f, by making contributions in the names of four (4) other people, and approve and authorize the sending of the attached notification letter.

9 June 1982  
Date

  
Charles N. Steele  
General Counsel

Attachments

Proposed notification letter directed to Michael J. Madigan, respondent's counsel.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

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Michael J. Madigan, Esquire  
Akin, Gump, Strauss, Hauer and Feld  
Suite 400  
Washington, D.C. 20036

RE: MUR 1346  
(Radford Freel)

Dear Mr. Madigan:

On June , 1982, the Commission determined that there is probable cause to believe that your client, Radford Freel, committed a violation of Section 441f of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431 et seq., by making contributions to Governor Brown's 1980 Presidential campaign in the names of other persons.

The Commission has a duty to attempt to correct such violations for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion, and by entering into a conciliation agreement. If we are unable to reach an agreement during that period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the U.S. Treasurer.

Attachment I - (1)

Letter to Michael J. Madigan  
Page 2  
MUR 1346 (Radford Freel)

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Michael Dymersky, at 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

Enclosure  
Conciliation Agreement

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Attachment I - (2)

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600# 7744  
02 MAY 14 P2:21

AKIN, GUMP, STRAUSS, HAUER & FELD

ATTORNEYS AT LAW

1333 NEW HAMPSHIRE AVENUE, N.W.

SUITE 400

WASHINGTON, D. C. 20036

(202) 887-4000

TELEX 89-888

WRITER'S DIRECT DIAL NUMBER 887- 4017

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DALLAS, TEXAS 75201  
(214) 655-2800

AUSTIN OFFICE  
900 AMERICAN BANK TOWER  
AUSTIN, TEXAS 78701  
(512) 476-7167

May 14, 1982

HAND DELIVERED

MAY 14 P2:58

Ms. Marjorie W. Emmons  
Secretary to the Commission  
FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D. C. 20463

RE: MUR 1343

Dear Ms. Emmons:

On behalf of Radford Freel, we hereby submit the original and ten (10) copies of the enclosed Respondent's Brief replying to the General Counsel's Report regarding the above-referenced matter.

Respectfully submitted,

AKIN, GUMP, STRAUSS, HAUER & FELD

By: 

Michael J. Madigan, P.C.  
Edward S. Knight  
Timothy S. Davis

Counsel for Radford Freel

/gl

Enclosures

cc: Charles N. Steele, Esquire (w/encl.)  
General Counsel  
Federal Election Commission

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IN THE MATTER OF )  
RADFORD FREEL )  
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MUR 1346

RESPONDENT'S BRIEF

I. STATEMENT OF THE CASE

In the fall of 1979 the Respondent, Radford Freel, was approached by an agent of the "Brown for President Committee" and asked to contribute to Governor Jerry Brown's Presidential Campaign. In addition to contributing, Mr. Freel agreed to host a fundraising event in his home for Governor Brown who was planning a trip through Houston, Texas on September 24, 1979. Furthermore, Mr. Freel was encouraged to assist in the solicitation of contributions to the Brown Committee from as many people as possible.

At this time, Governor Brown was in the process of qualifying for matching funds. Mr. Freel believes that he was informed by an agent of the Committee that, although an individual could contribute a total of \$1,000, only a maximum of \$250 per contribution would be counted towards qualification for matching funds and subsequently matched by the federal government. To the best of Respondent's memory and recollection there was no mention of any further federal election law requirements

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by the agent of the Brown Committee. Moreover, Mr. Freel had never raised money for any other candidate for federal office. He had, upon occasion, personally contributed to candidates for federal office. Nevertheless, as a political neophyte, he had no knowledge of any of the other substantive laws or legal requirements of the Federal Election Campaign Act (hereafter referred to as "FECA").

Mr. Freel does remember a sense of urgency in the various requests made by the Brown Committee. Governor Brown was planning to announce his candidacy for the Presidency in the early part of November of 1979. The Brown Committee indicated that concurrent to the announcement of Governor Brown's candidacy, it was critical that he also announce that he had qualified for matching funds in order to demonstrate the depth and range of support he enjoyed in the United States.

In the days leading up to the September 24th fundraiser, Mr. Freel contacted several family members and business associates to solicit contributions to the Brown campaign. Although many of those contacted declined to make a contribution, he obtained commitments from five individuals to contribute \$250 a piece. In addition to his own contribution of \$250, Mr. Freel's wife, Patricia Freel, Louis Law, Jim Engstrom, Bob Tucker (all employees of Mr. Freel's corporation, Sioux National Gas Corporation now denoted as Rapada) and Mr. Tucker's wife, Karen, each committed to contribute \$250 to the Brown Campaign.

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On September 24, 1979, the fundraiser having been scheduled for that evening, Mr. Freel had pledges from the aforementioned individuals but no checks in hand. He approached the four individuals again and they reasserted their willingness to contribute. For various reasons, however, they were unable to provide cash or personal checks at that time. Mr. Freel had decided to purchase two Cashier's Checks for \$250 to cover the contributions of he and his wife, Patricia Freel.<sup>1/</sup> Mr. Freel, wishing to avoid the embarrassment of not being able to deliver the checks personally to Governor Brown that evening, stated to the four other individuals that he would agree to loan them the funds necessary to cover their respective contributions of \$250 with the express condition that they repay the loan at a subsequent time. The four individuals voluntarily and without coercion on Mr. Freel's part readily agreed to the arrangement.

In reliance upon the employees' express commitment to repay the loans, Mr. Freel provided his own personal funds for the purchase of six consecutively-numbered Cashier's Checks for

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<sup>1/</sup> The General Counsel has found no reason to recommend a finding of probable cause to believe that Mr. Freel violated 2 U.S.C. § 441f with respect to Patricia Freel's contribution. As Mrs. Freel asserted in her affidavit to the FEC, community property funds were utilized by Mr. Freel for this transaction. Consistent with the cases and regulations cited in the General Counsel's brief (pp. 3-4), the Respondent Radford Freel has not violated Section 441f with respect to this contribution. Accordingly, Respondent's Counsel does not address this issue further.



\$250, listing himself, Patricia Freel, Louis Law, Jim Engstrom, Bob Tucker, and Karen Tucker as remitters on each of the checks.

At the fundraiser that evening, Mr. Freel delivered the consecutively-numbered Cashier's Checks to Richard Maullin, an agent of the Brown Committee who was familiar with federal election law. It is important to recognize that Mr. Freel, at this time, had no knowledge or reason to believe that the transaction at issue in this matter presented even the appearance of a violation of 2 U.S.C. § 441f. Moreover, Mr. Freel did not then nor at any time since have the intention or desire to violate any federal election law or regulation. Furthermore, neither Mr. Maullin nor any other person suggested to Mr. Freel that the six consecutively-numbered Cashier's Checks presented the appearance of a possible violation of Section 441f.

Subsequently, Louis Law repaid the loan Mr. Freel had made to him sometime before November 15, 1979. Bob and Karen Tucker repaid Mr. Freel on January 7, 1980, well before the present FEC investigation began. To the best of Mr. Freel's recollection, Mr. Engstrom never repaid the personal loan. Mr. Freel has maintained this position from the very beginning of the FEC investigation.

Contrary to the General Counsel's assertion that Mr. Engstrom "has repeatedly declared that he has never reimbursed Mr. Freel," (see p. 2 of General Counsel's brief), Mr. Engstrom signed a contribution verification letter, dated January 7, 1980, addressed

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to Ms. Jodi Krajewski, then Treasurer of the Brown Committee, stating that the \$250 Cashier's Check "came out of my personal funds."<sup>1/</sup> Such a representation by Mr. Engstrom implicitly suggests that his position on January 7, 1980 was that he had repaid the loan. Mr. Engstrom now apparently maintains the position that someone, not Mr. Freel, told him that the loan need not be repaid. As a consequence, Mr. Engstrom now states that he never reimbursed Mr. Freel. Mr. Engstrom left Mr. Freel's corporation for another job in October 1980.

Mr. Freel has repeatedly maintained from the beginning of this investigation that the Engstrom loan had not been repaid.<sup>2/</sup> Moreover, Mr. Freel does not take issue with Mr. Engstrom's current position that the loan was never repaid. Mr. Freel does take issue with any implication drawn and denies that he instructed or that he caused Mr. Engstrom to be instructed that repayment of the loan was unnecessary.

Mr. Freel made two subsequent contributions to the Brown Committee. On December 17, 1979, Mr. Freel contributed \$250 and on March 4, 1980, he contributed \$300. The Respondent's total individual contribution to the Brown Committee was \$800.

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1/ See attached Exhibit 1.

2/ See Statement of Radford Freel dated April 24, 1981 attached as Exhibit 2.

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II. THE GENERAL COUNSEL OF THE FEC HAS FAILED TO DEMONSTRATE THAT THERE IS PROBABLE CAUSE TO BELIEVE THAT ANY OF THE LOANS AT ISSUE IN THIS MATTER CONSTITUTE A CONTRIBUTION IN THE NAME OF ANOTHER AS PRESCRIBED BY 2 U.S.C. § 441f

The General Counsel in this matter has provided insufficient justification to warrant an FEC finding of probable cause that the Respondent violated 2 U.S.C. § 441f.<sup>1/</sup> The Respondent maintains that the four personal loans provided to his employees do not constitute contributions within the meaning of 2 U.S.C. § 431(8)(A) (formerly 2 U.S.C. § 431(e)). Moreover, even if the personal loans at issue in this matter constitute contributions within the meaning of FECA, none of these transactions constitute a contribution in the name of another as prohibited in 2 U.S.C. § 441f.

1. Respondent's Loans Do Not Constitute Contributions As Defined In 2 U.S.C. § 431

At the time of Mr. Freel's involvement with the Brown Committee, the term "contribution" was defined in the following way.

[C]ontribution --

(1) means a gift, subscription, loan, advance or deposit of money or anything of value made for the purpose of --

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<sup>1/</sup> At the outset, Respondent is constrained to note, for the record, that this case was commenced more than a year ago with no material fact at issue from its inception. Respondent has suffered considerable harm to his personal and business reputation because of General Counsel's failure to grant him rights reasonably calculated to ensure an expeditious and fair resolution to these proceedings.

(A) influencing the nomination for election, or election of any person to Federal office or for the purpose of influencing the results of a primary held for the selection of delegates to a national nominating convention of a political party, or

(B) influencing the result of an election held for the expression of a preference for the nomination of persons for election to the Office of President of the United States;

(2) means a written contract, promise, or agreement, whether or not legally enforceable, to make a contribution for such purposes; . . .

2 U.S.C. § 431(e)(3). The definition above embraces transfers of most anything of value to a political candidate, committee or organization. The context in which a contribution is regulated is clear. FECA was enacted to ensure full disclosure of all transfers of anything of value to a candidate, political committee or organization. In contrast, it is Respondent's contention that he made a personal loan to four individuals, with the express agreement that the loans be repaid. It is clear from the statutory language above that the term "loan" as used in Section 431 was intended to reach a transfer of money or anything of value to a candidate or political organization where the obligation for repayment rests with those entities. Thus, Respondent contends that personal loans, such as those at issue in th's matter, were not covered by the definition of a "loan" for purposes of making a "contribution" under Section 431.

The regulations in effect at the time of Mr. Freel's involvement with the Brown Committee further supports the

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contention that personal loans between private individuals were not encompassed within the prescriptions of FECA:

- (i) [T]he term 'loan' includes a guarantee, endorsement, and any other form of security where the risk of nonpayment rests with the surety, guarantor, or endorser as well as with a political committee, candidate, or other primary obligor. A loan is a contribution to the extent that the obligation remains outstanding.

41 Fed. Reg. 35934 (1976).

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The regulation cited above states that a "loan" for purposes of defining the term "contribution" embraces a relationship between the maker of the loan and a political candidate or committee. The addition of the language "or other primary obligor" was included to encompass any agent of the candidate or committee referred to in the regulation. Congress was attempting to reach any agent of a candidate or his committee in order to ensure that a "straw man" could not be used to conceal a political contribution. Since neither Governor Brown, his committee nor an agent of his committee were ever under an obligation to repay any loan made by Mr. Freel, it is clear that at the time of the alleged violation, the term "contribution" did not cover the four personal loans made by the Respondent.

Moreover, neither Mr. Freel, Mr. Law, Mr. Tucker, Mrs. Tucker nor Mr. Engstrom questioned the fact that the funds used to purchase the Cashier's Checks constituted personal loans between Mr. Freel and the four individuals mentioned. Furthermore, the fact that three of the four individuals repaid their

obligation to the respondent lends further credence to the fact that they explicitly understood the nature of the transaction which took place on September 24, 1979. In addition, Mr. Engstrom continued to believe that he had an obligation to repay Mr. Freel until someone, not Mr. Freel, stated that the obligation had been extinguished.

As asserted above, the Brown Committee was never under any obligation to repay or reimburse Mr. Freel for the loan that he made to the four individuals. Neither Mr. Freel nor any of the four recipients of the loan at any time intended nor believed that the Brown Committee was under any obligation to repay the loan. The loans simply were not made to the Brown Committee. This is a critical fact since the statute and the regulations at the time of Mr. Freel's involvement with the Committee, defined the term "loan" as it is used in the definition of a "contribution" as an obligation between the maker of the loan and a political candidate, political committee or other primary obligor.

The 1979 amendments to FECA (Pub. L. 96-187, 93 Stat. 1339) and the regulations promulgated pursuant to these amendments were not in effect at the time of Respondent's alleged violations. Nevertheless, to the extent that Congress intended to clarify the definition of a "contribution" by drafting new legislative language, it is relevant to note that the context whereby a loan would be considered a "contribution" for Section 431 purposes was not changed. The statute defines a "contribution" as:

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(i) any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office; or

(ii) the payment by any person of compensation for the personal services of another person which are rendered to a political committee without charge for any purpose.

2 U.S.C. § 431(8)(A). Nor did the new regulations promulgated by the FEC to implement the 1979 amendments to FECA change the context in which a "loan" would be considered a "contribution" for Section 431 purposes. The regulations state in relevant part:

. . . the term 'loan' includes a guarantee, endorsement, and any other form of security.

(A) A loan which exceeds the contribution limitations of 2 U.S.C. 441a and 11 CFR Part 110 shall be unlawful whether or not it is repaid.

(B) A loan is a contribution at the time it is made and is a contribution to the extent that it remains unpaid. The aggregate amount loaned to a candidate or committee by a contributor, when added to other contributions from that individual to that candidate or committee, shall not exceed the contribution limitations set forth at 11 CFR Part 110. A loan, to the extent it is repaid, is no longer a contribution.

(C) A loan is a contribution by each endorser or guarantor. Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. Any reduction in the unpaid balance of the loan shall reduce proportionately the amount endorsed or guaranteed by each endorser or guarantor in such written agreement. In the event

that such agreement does not stipulate the portion of the loan for which each endorser or guarantor is liable, the loan shall be considered a loan by each endorser or guarantor in the same proportion to the unpaid balance that each endorser or guarantor bears to the total number of endorsers or guarantors.

11 C.F.R. §100.7(a)(1)(i) (emphasis supplied). The distinction previously drawn between a loan to a candidate or committee and a loan between two individuals is, therefore, implicit throughout the regulation. For example, the regulation states that "the aggregate amount loaned to a committee or candidate . . . shall not exceed" individual contribution limitations. The regulation states further that: "[a] loan is a contribution by each endorser or guarantor. Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of a loan for which he or she agreed to be liable in a written agreement." 11 C.F.R. § 100.7(a)(1) (i)(c). Thus, it is clear that when FECA and its implementing regulations address the question of a loan for purposes of determining whether a contribution has been made, the proper inquiry is whether there is an obligation on the part of the candidate or political committee to repay the loan and implicitly whether the guarantor of the loan had any legal remedies against the candidate or committee to ensure repayment.

The transactions at issue in this matter involved no obligation on the part of the Brown Committee to repay the loans at issue. Moreover, Respondent could not reasonably be considered



a guarantor or endorser of a loan to the Brown Committee. Nor did Mr. Freel have any remedy for seeking repayment of these four loans from the Brown Committee. The four loans represented a personal transaction between friends with no intent on Mr. Freel's part to circumvent FECA.

The General Counsel argues in his brief (p. 3) that the loans were made for the "purpose of influencing a Federal election," and thus constitute a contribution within the constraints of Section 431(8)(A)(i). Mr. Freel does not take issue with the fact that he used his own personal funds to purchase the Cashier's Checks which the four recipients of loans contributed to the Brown Campaign. However, Mr. Freel does deny that his making of such loans to the four individuals was for the purpose of influencing a federal election. Moreover, as the Supreme Court has stated:

The Act does not define the phrase -- 'for the purpose of influencing' an election -- that determines when a gift, loan, or advance constitutes a contribution. Other courts have given that phrase a narrow meaning to alleviate various problems in other contexts. The use of the phrase presents fewer problems in connection with the definition of a contribution because of the limiting connotation created by the general understanding of what constitutes a political contribution. Funds provided to a candidate or political party or campaign committee either directly or indirectly through an intermediary constitute a contribution. In addition, dollars given to another person or organization that are earmarked for political purposes are contributions under the Act.

Buckley v. Valeo, 424 U.S. 1, 23-24, n.24 (1975).

Respondent contends that a general understanding of what constitutes a contribution does not include a loan, with an express commitment for repayment, between two private individuals neither of whom are agents of a candidate or political committee. The term "loan" for purposes of a political contribution would require that the Brown Committee be considered the primary obligor and the four individuals whose names appear on the Cashier's Checks as the guarantors. As previously asserted, neither Mr. Freel nor the four recipients of the loans intended that the Brown Committee make any sort of repayment.

Nor did Mr. Freel intend that the four individuals be used as his conduits or intermediaries in order to hide his identity as the lender. This point is further supported by recognition of two additional facts. First, Mr. Freel made a personal contribution at this time of \$250. Consequently, had he wished to hide the fact that he was a contributor to the Brown Committee, he would not have contributed personally. That is, his identity as a Brown contributor was disclosed by virtue of his personal contribution of \$250. Second, Mr. Freel was entitled to contribute an additional \$750 under FECA. If respondent's intention was to contribute more than the legal maximum by using the four loan recipients as conduits or intermediaries, it would be ridiculous to suggest that he would not have given the legal maximum prior to resorting to illegal means.

Consequently, respondent contends that the four loans in question were personal loans and as a result do not constitute contributions based on the explicit language of the regulations and statute. Moreover, respondent maintains that, given the context in which these terms are used, the four loans are not contributions attributable to him. Finally, the Respondent maintains that the transactions involved do not violate the spirit, intent and underlying purposes for which the term "loan" was inserted in Section 431 of FECA.

2. Even If The Loans At Issue Constitute Contributions, Such Personal Transactions Do Not Constitute Contributions In The Name Of Another As Prescribed By 2 U.S.C. § 441f.

2 U.S.C. § 441f states:

No person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another.

The FEC regulations promulgated pursuant to this provision provide two examples of transactions that are prohibited by Section 441f:

(i) Giving money or anything of value, all or part of which was provided to the contributor by another person (the true contributor) without disclosing the source of money or the thing or value to the recipient candidate or committee at the time the contribution is made;  
or

(ii) Making a contribution of money or anything of value and attributing as the source of

the money or the thing of value another person when in fact the contributor is the source.

11 C.F.R. § 110.4(6)(2) (emphasis added).

The statutory language as well as the FEC regulations do not encompass the transactions at issue in this matter. Neither Mr. Freel nor any of the four recipients of the loan have contended that Mr. Freel gave them money to make contributions to the Brown Committee. There is no disagreement that each of these parties viewed the arrangement as a personal loan. Three of the four recipients have repaid the loan to Mr. Freel. Even Mr. Engstrom does not deny the fact that the transaction between he and the Respondent was a loan. The fact that Mr. Engstrom did not repay the loan based on his assertion that someone, not Mr. Freel, told him that the loan was taken care of does not change the fact that the transaction was a loan.

Moreover, 11 C.F.R. § 110.4(b)(2)(ii) apparently is directed at situations, described above, where an individual is trying to hide his identity or contribute more than the legal maximum by utilizing a "straw man" to make the additional contribution. As previously asserted, Mr. Freel had no intention nor did he actually conceal his identity as a Brown contributor. Furthermore, as stated previously, Mr. Freel had contributed only \$250 at the time of transactions in question. Thus, he was able to contribute an additional \$750 before he would reach his legal maximum. Consequently, by virtue of the nature of the transactions of September 24, 1979, Mr. Freel has not violated the letter or spirit of Section 441f.

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Furthermore, it does not appear that a factual situation of the sort contained in this matter has been formally adjudicated either by the courts or the FEC. Criminal convictions under this statutory provision have been limited to situations where individuals intended to circumvent the individual contribution limits by soliciting contributions for a presidential candidate and subsequently reimbursing the actual contributors. United States v. Hankin, 607 F.2d 611 (3d Cir. 1979) (reversing district court conviction due to expiration of the statute of limitations); United States v. Passodelis, 615 F.2d 975, reh. denied, 622 F.2d 567 (3d Cir. 1980) (reversing district court conviction due to improper venue). See also FEC v. Weinstein, 462 F. Supp. 243 (S.D.N.Y. 1978) (court upheld the constitutionality of the prohibition against making contributions in the name of another where the president of a corporation directed one of his plant managers to distribute corporate funds to several of the company's employees so that they and their wives would make contributions to a designated presidential candidate).

The facts surrounding Mr. Freel's involvement with the Brown Committee make his situation distinguishable from the above-noted cases, as he did not intend to use other persons to conceal contributions of his own money. Rather, his transactions relating to the September 24th contributions were loans to other individuals, the effect of which were personal contributions by all individuals involved, including Mr. Engstrom.

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The General Counsel points to MUR 397 as an example of the reach of Section 441f. MUR 397 involved a gift of \$50 by the Respondent in that case to Pearl Levine. Ms. Levine subsequently took the \$50 and contributed it to the Jimmy Carter Presidential Campaign. The facts were not in dispute. Both Ms. Levine and the Respondent admitted that the \$50 constituted a gift from the Respondent with the intention that it be contributed to the Carter Campaign. (See p. 2). Upon realizing that the contribution violated Section 441f, Ms. Levine accepted loans from three individuals to repay the Respondent for the \$50 gift, believing that this would correct the violation.

It is important to recognize that the arrangement between Ms. Levine and the Respondent in MUR 397 was a gift. There was no representation that the transaction was a personal loan. It is precisely this type of activity that Section 441f was explicitly intended to prevent. Mr. Freel's transactions were loans. As a result, the General Counsel's findings in MUR 397 with respect to the Respondent in that matter have no connection or bearing with the instant case.<sup>1/</sup>

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<sup>1/</sup> It is also significant to note that the Respondent in MUR 397, unlike Mr. Freel, was Chairman of the Pennsylvania Carter Campaign Committee. He was involved, on a continuing basis, with raising funds on Mr. Carter's behalf in the 1976 election. In contrast to Mr. Freel, the Respondent in MUR 397 must have had an intimate understanding of FECA to accomplish his job in full compliance with the law. Nevertheless, even he did not know of the prohibition in Section 441f. If the Respondent in MUR 397, whose violation of 441f was more flagrant and obvious than the

Furthermore, in MUR 397, the General Counsel found that the loans provided by three individuals to Ms. Levine so that she could repay the Respondent in that action did not violate Section 441f. The General Counsel states with respect to the loans made to Ms. Levine:

The only evidence available to suggest that these individuals had a 'purpose of influencing [a Federal election]' (2 U.S.C. § 431(e)), was the inference that they knew the money would be used by Mrs. Levine to repay Mr. Sullivan [the Respondent] for his contribution. On the other hand, Mrs. Levine's alleged poor financial condition, and the fact that the money given or loaned to her was to be given to Mr. Sullivan (and not the Carter campaign), indicate that these persons had no 'purpose of influencing [a Federal election]'. This situation is distinguishable from one where money is loaned or given to a person with the intention that the person give the money to a Federal candidate or committee.

MUR 397, p. 4. Although the General Counsel appears to draw a distinction in this matter, it is beyond this counsel's comprehension to determine what purpose is served by such a distinction.

Under the General Counsel's logic asserted in the instant matter, the lenders in MUR 397 should have been charged with making a contribution in the name of another. To suggest that the lenders in MUR 397 were only trying to help a friend

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1/ FOOTNOTE CONTINUED FROM PREVIOUS PAGE

one alleged in this matter, had no knowledge of the prohibition contained in Section 441f then it is highly unlikely that Mr. Freel could have suspected that his actions could be subject to question in a proceeding such as the instant matter.

(Ms. Levine) repay an individual who violated Section 441f and did not intend to "influence a federal election" obscures the fact that the \$50 remained in the Carter coffers. Similarly, Mr. Freel was merely trying to assist, without coercion, certain friends who wished to contribute to the Brown campaign. Nevertheless, Respondent agrees with the General Counsel's finding with respect to the loans in MUR 397. The term "contribution" in Section 431 and the prescriptions in Section 441f clearly were not intended to reach such innocent behavior. Respondent does take issue, however, with any distinction drawn by the General Counsel in the instant matter from the conclusions he reached in MUR 397.

If the General Counsel is arguing that Mr. Freel loaned the money to the four individuals so that they could make a contribution to the Brown Committee, then Respondent's actions were expressly countenanced by the Commission and the General Counsel in MUR 397. If, however, the General Counsel distinguishes his findings in MUR 397 by arguing that Mr. Freel coerced the four individuals to agree to the loan, Respondent emphatically denies such an assertion. Moreover, the General Counsel appears to find persuasive, in MUR 397, the fact that the loans were made to Ms. Levine and "not the Carter campaign," in absolving the three lenders of liability under Section 441f. This is precisely the same circumstances surrounding the loans in the instant case.



Consequently, by virtue of the explicit language of the statute and regulations, and by the admission of the General Counsel and the Commission in MUR 397, the Respondent has not violated Section 441f as it is written, nor has he violated the spirit and purposes underlying its enactment.

B. Even If The Evidence Adduced With Respect To The Loans At Issue In This Matter Provide A Basis For A FEC Finding Of Probable Cause To Believe Respondent Violated Section 441f, Such Alleged Violation Was Inadvertent, Unknowing And Unwilling.

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The Respondent in this matter, at the time of the contribution, was a political neophyte. He had, upon occasion made political contributions to various candidates for Federal office; however, he had never solicited campaign contributions from others prior to his involvement with the Brown Committee. To the best of his recollection, he probably was informed by the Brown campaign of the maximum legal contribution that he could make as well as the significance of the \$250 figure for purposes of matching funds. The Respondent had no knowledge of the prohibitions contained in Section 441f until he was notified by the General Counsel of the FEC that an investigation had begun.

Perhaps, had Respondent thought about it, he would have concluded that it would be illegal under FECA for an individual to give money to various individuals with the requirement that they contribute those funds to the Brown Committee. Nevertheless, it would have taken a certain leap in logic for the Respondent

to have concluded that the loans which are the subject of this matter were similarly prohibited. In addition to denying that Section 441f encompasses the transaction at issue in this matter, Mr. Freel had no knowledge, nor did he even suspect that these loans could be prescribed by Section 441f.

Furthermore, the Brown Committee never informed the Respondent or his employees that the contributions in question raised the appearance of a violation of Section 441f. The use of consecutively numbered Cashier's Checks to make the contributions certainly placed the Brown Committee on notice of a potential violation of Section 441f. Significantly, it was precisely this fact that brought these particular contributions to the attention of the General Counsel. One can only wonder why Mr. Maullin at the time of the September 24th fundraiser, or the Committee at a later date, never questioned the Respondent or his employees in a way that was likely to elicit whether a violation of Section 441f had occurred.

Although the Committee did ask the four employees whether the contributions came from their personal funds, the Brown Committee never asked the question of whether the funds were given or loaned to them by another person. Thus, if the contributor was unaware of the existence of Section 441f, he would not volunteer this seemingly irrelevant fact. Consequently, the General Counsel is requesting the Commission to place the entire burden of compliance with the federal election

laws on the Respondent, while permitting the Brown Committee to escape liability for its nonfeasance.

Moreover, the evidence adduced by the General Counsel from the Respondent, the recipients of the loans and the Brown Committee can lead to but one conclusion. If indeed the transactions at issue in this matter violate Section 441f, such violations were, at most, inadvertent and unintended. As previously asserted, at the time of the loans Mr. Freel had only given \$250. He was still entitled to give an additional \$750 before reaching the legal maximum. Thus, it cannot be said that Mr. Freel intended to perpetrate fraud by either contributing in excess of the legal maximum contribution or to conceal his identity as a Brown contributor.

Mr. Freel has freely cooperated with the FEC's investigation from its inception. He has answered all interrogatories honestly to the best of his recollection. The General Counsel can point to no evidence that would suggest that Mr. Freel has not cooperated or attempted to circumvent the investigation commenced by the General Counsel. Mr. Freel has instructed all those individuals involved with whom he has been in contact to cooperate with the legitimate investigative functions of the FEC and the General Counsel. Nor is there any evidence on which to determine that there is probable cause to believe Mr. Freel is about to commit a similar violation in the future, which determination might be the basis for procedures to prevent future violations.

Mr. Freel understands the importance of strict conformity with FECA and the serious consequences of a violation. However, the de minimus and inadvertent nature of such a violation, together with the total lack of any evidence that would suggest that Mr. Freel's alleged violation was intentional, knowing and willful nevertheless should place this matter at rest.

- C. Further Prosecution Of The Respondent For The Alleged Violation Of Section 441f Would Serve No Public Policy Purpose And, In Fact, Could Produce A Chilling Effect On The First Amendment Rights Of Citizens Who Wish To Support A Candidate For Federal Office By Making A Contribution.

Respondent submits one additional argument that goes beyond the substantive requirements of the law and addresses the broader public policy concerns that Congress intended to regulate by enacting FECA. The responsibility to exercise one's First Amendment rights by making a contribution or participating in other ways in Federal elections is a precious component of our democratic system. In noting the intricate statutory scheme adopted by Congress to regulate Federal election campaigns and also upholding the \$1000 limit on Federal campaign contributions, the Supreme Court stated:

The Act's contribution and expenditure limitations operate in an area of the most fundamental First Amendment activities. Discussion of public issues and debate on the qualifications of candidates are integral to the operation of the system of government established by our Constitution. The First Amendment affords

the broadest protection to such political expression in order 'to assure [the] unfettered interchange of ideas for the bringing about of political and social changes desired by the people.' Although First Amendment protections are not confined to 'the exposition of ideas, . . . there is practically universal agreement that a major purpose of that Amendment was to protect the free discussion of governmental affairs, . . . of course includ[ing] discussions of candidates. . . .' This no more than reflects our 'profound national commitment to the principle that debate on public issues should be uninhibited, robust, and wide-open.' In a republic where the people are sovereign, the ability of the citizenry to make informed choices among candidates for office is essential, for the identities of those who are elected will inevitably shape the course that we follow as a nation. As the Court observed in Monitor Patriot Co. v. Roy, 'it can hardly be doubted that the constitutional guarantee has its fullest and most urgent application precisely to the conduct of campaigns for political office.'

Buckley v. Valeo, 421 U.S. 1, 14-15 (1975) (citations omitted).

The Federal Election Campaign Act of 1971 has been amended no less than three times. The corresponding regulations have been rewritten on numerous occasions to reflect the changes incorporated in these various amendments. The Federal Election Commission has issued hundreds of Advisory Opinions interpreting the Federal election laws and regulations. The federal election laws make exceptions to the contribution limitations for legal and accounting services rendered by these professionals based on a recognition of the complexity of the task of complying with FECA. (See 2 U.S.C. § 431(8)(B)(ix)). The problem occurs in a situation, such as that presented in this matter, where an

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individual contributor must assume the burdens of informing himself of and complying with all of these laws and regulations in order that he not transgress the intricate contours of the federal election law. As the General Counsel and the FEC must realize, it is virtually impossible for an individual contributor, who is not a professional politician, to inform himself adequately of the parameters of FECA.

Respondent does not take issue with the proper investigation of alleged campaign violations. Nor is Respondent unsupportive of the legitimate functions of the FEC to ensure that Federal elections are conducted fairly and without corruption. Respondent does submit, however, that the FEC has an essential duty to ensure that, in its regulatory zeal, it does not deter unduly the legal participation of individuals, such as Mr. **Freel**, in the election process.

By placing the onus for compliance on individuals such as Mr. Freel, who have no substantive understanding of FECA and who have no desire or intention to violate FECA, the FEC inadvertently may be causing a chilling effect on the First Amendment rights of citizens to participate in the election process. The FECA regulatory scheme differs from other regulatory schemes in that normally only professionals in a given area are required to inform themselves of the laws and regulations and monitor compliance. FECA reaches every citizen who wishes to participate in the

election process, either by making a financial contribution or by contributing in-kind services. Respondent maintains that by failing to evaluate the chilling effects that this investigation and any subsequent proceedings could have on the First Amendment rights of the citizenry at large, the FEC is ignoring a critical public policy impact that Congress did not intend when it enacted FECA.

Respondent has been living under the shadow of this investigation for more than a year. It has affected his business and he has suffered the embarrassment normally associated with being investigated by an arm of the Federal government. He has cooperated fully with this investigation and has responded to any and all requests for information truthfully and expeditiously. The General Counsel has not produced any evidence that the alleged violation was anything more than an inadvertent mistake.

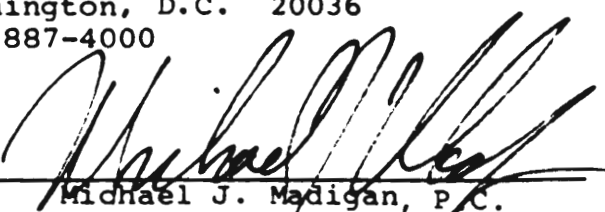
Therefore, further proceedings in this matter would serve no public policy concern. As asserted above, further proceedings would produce counterproductive public policy results. The FEC must weigh the public interests that would be served by further proceedings in this matter against the unintended results of deterring future participation by Mr. Freel and others like him, in the electoral process.


III. CONCLUSION

For the reasons asserted above, Respondent urges the Federal Election Commission to close this proceeding without a finding of probable cause to believe that Radford Freel violated 2 U.S.C. § 441f.

Respectfully submitted,

AKIN, GUMP, STRAUSS, HAUER & FELD  
1333 New Hampshire Avenue, N.W.  
Suite 400  
Washington, D.C. 20036  
202/887-4000

By:   
Michael J. Madigan, P.C.

By:   
Edward S. Knight

By:   
Timothy S. Davis

Attorneys for Radford Freel

Dated: May 14, 1982

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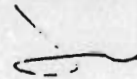
January 7, 1980

Ms. Jodi Krajewski  
c/o Herb Brown  
1900 M Street  
Washington, D. C. 20036

Dear Jodi,

Houston National Bank cashier's check #6-1797711  
made out to Brown for President Committee for \$250.00  
came out of my personal funds.

Sincerely yours,



Jim Engstrom

32040134550

April 24, 1981

Mr. John Warren McGarry  
Chairman  
Federal Election Commission  
Washington, D. C. 20463

Dear Mr. McGarry:

I apologize for the lateness of my response to your letter of January 28, 1981. If the Commission has any additional questions, I suggest that Mr. Dymersky or another member of your staff communicate directly with Mr. Michael J. Madigan of the law firm of Akin, Gump, Strauss, Hauer & Feld. I would be pleased to provide any and all information the commission requests about this matter.

In direct response to your inquiry of January 28, i.e.,

"Did you purchase a cashier's check(s) for anyone else to enable them to make a contribution to the Brown for President Committee's 1980 presidential campaign? If so, please explain the circumstances fully, including a description of how the check was purchased and who the other person(s) was."

The circumstances were as follows:

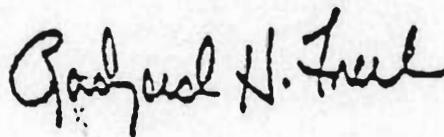
In late 1979 I received a request from the presidential campaign of Governor Jerry Brown to assist the campaign in attempting to encourage contributions to the campaign. While I do not now have a clear and specific recollection of exactly what was said my impression is that I was asked to encourage as many people as possible to contribute to the Brown campaign. I asked some of my associates to consider making a contribution to the governor's campaign. Some declined, while others agreed to contribute. While I do not have a positive recollection of all of those who agreed to contribute, to the very best of my recollection they were: Mr. Bob Tucker, his wife Karen Tucker, Mr. Louis Law, Mr. Jim Engstrom, and my wife. In order to expedite the contributions to be able to personally deliver the checks to Governor Brown on his Houston trip I provided my own personal funds for the purchase of cashier's checks to be reimbursed by the contributors at a subsequent time. I do not recall who actually purchased the cashier's checks, but I believe it was one of our runners. I believe

The checks were purchased on September 27, 1979 and were given to Governor Brown on that same day.

The contributions were made to the Brown campaign, I received reimbursement from Mr. and Mrs. [redacted] by check and from Mr. Law by cash repayment. My wife's contribution was paid out of our personal funds. As to Mr. Engstrom, I cannot recall when and if he repaid the \$250.00, but my best recollection is that he did not. Mr. Engstrom resigned from our organization sometime after these contributions were made and is now employed by another company.

I would be pleased to provide any additional information that you require in connection with this matter. While I have in the past made small contributions to a few candidates for elected office I have always been a political independent. The only instance where I ever solicited campaign contributions in any form was in connection with this matter and then only at the request of a good friend. At no time did I do anything that I knew or suspected was inappropriate. Nor was I aware that there could possibly be any question about contributions made in the manner described above until I received your letter earlier this year. In any event, I remain available to assist the Commission in any way possible.

Very truly yours,



Radford H. Freel



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 1, 1982

Walter S. Weiss, Esquire  
Rosenfeld, Meyer and Susman  
9601 Wilshire Boulevard  
Beverly Hills, California 90210

RE: MUR 1346

Dear Mr. Weiss:

32040354571  
This is to advise you that after an investigation was conducted, the Commission concluded on March 30, 1982, that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1346, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Michael A. Dymersky at (202) 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 1, 1982

Michael S. Berman, Esquire  
Kirkpatrick, Lockhart, et al.  
1900 M Street, N.W.  
Washington, D.C. 20036

RE: MUR 1346

Dear Mr. Berman:

This is to advise you that after an investigation was conducted, the Commission concluded on March 30, 1982, that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1346, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. § 437g(a) (4) (B) and § 437g(a) (12) (A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Michael A. Dymersky at 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

A handwritten signature in cursive script, appearing to read "Kenneth A. Gross".

BY: Kenneth A. Gross  
Associate General Counsel

02040554672

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
                  ) )  
Brown for President )                   MUR 1346  
Committee, et al. )

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on March 30, 1982, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 1346:

- 1. Find no probable cause to believe that the Brown for President Committee violated 2 U.S.C. §41f, and approve the notification attached to the General Counsel's March 19, 1982 report in this matter.

Commissioners Elliott, McDonald, McGarry, Harris, and Reiche voted affirmatively for the decision. Commissioner Aikens dissented.

Attest:

3/30/82

Date

*Marjorie W Emmons*  
\_\_\_\_\_  
Marjorie W. Emmons  
Secretary of the Commission

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**SENSITIVE**

BEFORE THE FEDERAL ELECTION COMMISSION

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In the Matter of	)	
	)	
Brown for President	)	MUR 1346
Committee et al.	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On February 4, 1982, the General Counsel's Office sent a brief to the Brown For President Committee stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. At that time, copies of the brief were circulated to the Commission. Copies of the Brown For President Committee's reply to the brief of the General Counsel with the attachments were received on February 24, 1982. The Commissioners should have copies in their possession.

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II. LEGAL ANALYSIS

The General Counsel continues to subscribe to the analysis in the General Counsel's Brief dated January 28, 1982, with respect to the Brown For President Committee, as to all particulars.

III. RECOMMENDATION

1) Find no probable cause to believe that the Brown For President Committee violated 2 U.S.C. § 441f, and approve the attached notification.

020403551675

March 19, 1982  
Date

Charles N. Steele  
General Counsel

BY:   
Kenneth A. Gross  
Associate General Counsel

Attachments

- 4. Proposed letters to counsel for Brown For President Committee



7



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Walter S. Weiss, Esquire  
Rosenfeld, Meyer and Susman  
9601 Wilshire Boulevard  
Beverly Hills, California 90210

RE: MUR 1346

Dear Mr. Weiss:

This is to advise you that after an investigation was conducted, the Commission concluded on March , 1982, that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1346, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Michael A. Dymersky at (202) 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

32040334675

Attachment IV-(1)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

8

Michael S. Berman, Esquire  
Kirkpatrick, Lockhart, et al.  
1900 M Street, N.W.  
Washington, D.C. 20036

RE: MUR 1346

Dear Mr. Berman:

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This is to advise you that after an investigation was conducted, the Commission concluded on March , 1982, that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1346, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. § 437g(a) (4) (B) and § 437g(a) (12) (A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Michael A. Dymersky at 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

BY: Kenneth A. Gross  
Associate General Counsel

A Hackman IV - (2)

**KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS**

Acc# 7449

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

1900 M STREET, N. W.

MAR 30 9:40

WASHINGTON, D. C. 20036

TELEPHONE (202) 452-7000  
CABLE: KIPHI  
TELEX 440809 KIPHI UI  
WRITER'S DIRECT DIAL NUMBER  
(202) 452-8387

IN PITTSBURGH  
KIRKPATRICK, LOCKHART, JOHNSON & HUTCHISON  
1800 OLIVER BUILDING  
PITTSBURGH, PENNSYLVANIA 15222  
(412) 686-8800

March 30, 1982

Mr. Ken Gross  
Associate General Counsel  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Re: MUR 1346

Dear Mr. Gross:

In the event that the Commission finds that certain contributions forwarded to the Brown for President Committee, 1980, by Mr. Radford Freel, did not in fact qualify for matching funds, the Committee will repay the non-qualifying amount to the U.S. Treasury. However, this offer of repayment shall not be construed as an admission on the part of the Brown for President Committee or its officers or employee (nor is it alleged by the Commission) that the Committee or its officers or employees, were or could have been aware of any possible irregularity in the manner in which these contributions were solicited or that the source of any of the funds was any person other than the persons whose names were specifically associated with each of these contributions when received by the Committee.

Sincerely,

Michael S. Berman

MSB/lb

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100

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Acc# 7323

82 MAR 10 P 2: 52

**AKIN, GUMP, STRAUSS, HAUER & FELD**

ATTORNEYS AT LAW  
1333 NEW HAMPSHIRE AVENUE, N.W.  
SUITE 400  
WASHINGTON, D.C. 20036

DALLAS OFFICE  
2800 REPUBLIC NATIONAL BANK BUILDING  
DALLAS, TEXAS 75201  
(214) 655-2800

(202) 887-4000  
TELEX 89-665  
WRITER'S DIRECT DIAL NUMBER 887-4017

AUSTIN OFFICE  
900 AMERICAN BANK TOWER  
AUSTIN, TEXAS 78701  
(512) 476-7167

March 10, 1982

BY MESSENGER

Kenneth E. Gross, Esquire  
Associate General Counsel  
FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D. C. 20463

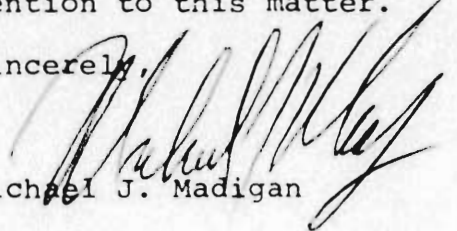
RE: Radford Freel  
MUR 1346

Dear Mr. Gross:

This letter will confirm our request, pursuant to 11 C.F.R. § 111.18(d), to enter into pre-probable cause conciliation with the Office of General Counsel concerning the above-referenced matter. It is our understanding that the right, under 2 U.S.C. § 437(g)(a)(1), to file a reply brief to the General Counsel's report recommending a finding of probable cause is not prejudiced by such request. Accordingly, we understand that should the effort to conciliate this matter prior to an FEC finding of probable cause be unsuccessful, we will be able, at that time, to file our reply brief.

Thank you for your attention to this matter.

Sincerely,



Michael J. Madigan

/gl

32040354577

2 MAR 10 P 4: 14



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 25, 1982

Michael J. Madigan, Esq.  
Akin, Gump, Strauss, Hauer & Feld  
1333 New Hampshire Ave., N.W.  
Suite 400  
Washington, D.C. 20036

Re: MUR 1346 (Radford Freel)

Dear Mr. Madigan:

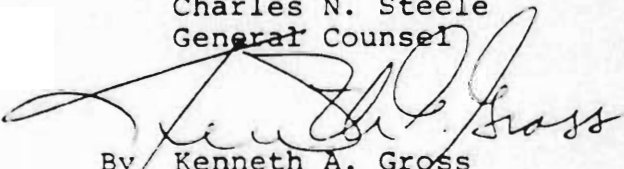
This will confirm receipt of your letter dated February 23, 1982, in which you requested an extension of time to file a reply brief in connection with the above-referenced matter. As your letter sets out extenuating reasons for an extension of time to file, your new filing date is March 12, 1982.

Again, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such a brief should be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you might submit on or before March 12, 1982, will be considered by the Commission before proceeding to a vote as to whether there is probable cause to believe a violation of 2 U.S.C. §441f has occurred.

Should you have any further questions, please contact Michael Dymersky at (202) 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

  
By Kenneth A. Gross  
Associate General Counsel

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**AKIN, GUMP, STRAUSS, HAUER & FELD**

ATTORNEYS AT LAW  
1333 NEW HAMPSHIRE AVENUE, N. W.  
SUITE 400  
WASHINGTON, D. C. 20036

DALLAS OFFICE  
2800 REPUBLIC NATIONAL BANK BUILDING  
DALLAS, TEXAS 75201  
(214) 655-2800

(202) 887-4000  
TELEX 89-665  
4017  
WRITERS DIRECT DIAL NUMBER 887-

AUSTIN OFFICE  
900 AMERICAN BANK TOWER  
AUSTIN, TEXAS 78701  
(512) 476-7167

February 23, 1982

Charles N. Steele, General Counsel  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

2 11 21 PM 2:49

Re: Radford Freel

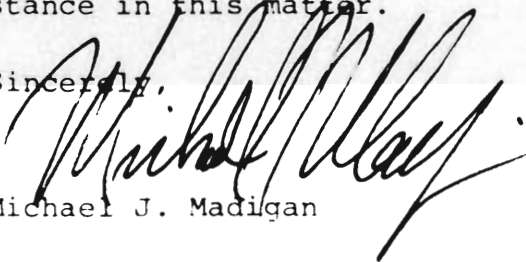
Dear Mr. Steele:

This letter will confirm telephone conversations which have occurred between my office and Mr. Michael A. Dymersky of your staff with respect to our requested extension of time within which to respond to the General Counsel's brief. As was described in those telephone conversations, my previously existing court commitments and the fact that I will be out of the office from February 28th through and including March 8, 1982 require me to request an extension of time to respond to the General Counsel's brief until Friday, March 12, 1982. While I understand that that may be just a few days longer than normally given, I believe extenuating circumstances exist here. More specifically, we did not receive your letter dated February 4, 1982 until February 8, 1982.

In any event, our reply brief cannot be filed prior to March 12, 1982. We will greatly appreciate your granting us an extension of time until that date.

Thank you for your assistance in this matter.

Sincerely,



Michael J. Madigan

MJM:jp

cc: Ed Knight  
Michael O'Rourke  
Radford Freel

82040354531

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BC# 7235

23 Feb 1978 P1:12

Charles Stule  
General Counsel  
Federal Election Commission  
1325 K Street  
Washington DC

12 FEB 24 P1:55

Dear Mr Stule,

This is to authorize

Michael S. Zerman to represent  
The Brown for President Committee  
on all NLR's presently pending  
before the commission

Sincerely,

Judie Kravitz  
TREASURER  
Brown for President

1 2 3 4 5 6 7 8 9 10 11 12

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

1900 M STREET, N. W.

WASHINGTON, D. C. 20036

Mr. Charles Steele  
General Counsel  
Federal Election Commission  
1325 K Street  
Washington, D.C.

BY MESSENGER

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LAW OFFICES  
ROSENFELD, MEYER & SUSMAN  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

9601 WILSHIRE BOULEVARD  
BEVERLY HILLS, CALIFORNIA 90210

VICTOR S. NETTERVILLE (1925-1968)

TELEPHONE (213) 850-7700  
CABLE ADDRESS: ROMERSU  
TELECOPIER: (213) 271-6430  
TELEX: 194-195

February 18, 1982

- |                         |                         |
|-------------------------|-------------------------|
| MARVIN B. MEYER*        | WILLIAM J. BIRD         |
| DONALD T. ROSENFELD*    | J. HALLECK MOELAND      |
| ALLEN E. SUSMAN*        | MARYANNE LA GUARDIA     |
| GEORGE C. ZACHARY*      | WALTER S. WEISS*        |
| JEFFREY L. NAGIN*       | MAREN CHRISTENSEN       |
| GARY A. SCHLESSINGER*   | JOHN J. STUMREITER      |
| LAWRENCE S. KARTIGANER* | THOMAS LARRY WATTS      |
| DAVID D. WEXLER*        | MATTHEW H. SAVER        |
| ROBERT H. THAU*         | MELANIE COOK            |
| MELVIN ZIGTZ*           | ROBERT H. ROTSTEIN      |
| ROBERT M. DUDNIK*       | FREDERIC E. SCHREYER    |
| STEPHEN A. KROFF*       | LEE M. CORT             |
| JOHN G. DAVIES*         | CLIFFORD W. GILBERT     |
| ROBERT C. BOFFA*        | SONDRA ELLEN BERCHIN    |
| KENNETH MEYER*          | DONALD E. KARL          |
| BILLY H. HUNT*          | RICHARD D. THOMPSON     |
| ALAN S. WERTHEIMER      | MATTHEW G. KRANE        |
| WILLIAM BILLICA         | MICHAEL OSTROFF         |
| STEVEN FAYNE            | VICTORIA R. KIFFERSTEIN |
| GAIL MIDDAL TITEL       | ALAN B. HEPPEL          |
| LAURENCE N. STRENGER*   | WILLIAM M. ROSS         |
| JAMES M. A. MURPHY      |                         |

2  
OF COUNSEL  
HOWARD S. SLUSHER\*

2  
11 21 P12:47

\*A PROFESSIONAL CORPORATION

FEDERAL EXPRESS MAIL

Secretary  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 1346

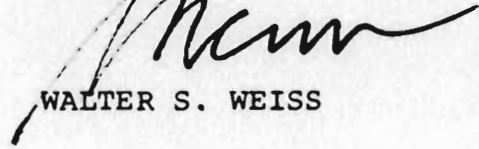
Dear Sir:

Enclosed please find ten copies of a Reply to Brief of the General Counsel which is being submitted by the Brown for President Committee.

Three copies of this reply have been served upon the office of the General Counsel.

Kindly advise me of the action taken by the Commission.

Sincerely,

  
WALTER S. WEISS

WSW/jl

encl.

cc: Charles N. Steele, Esq.  
General Counsel  
Federal Election Commission  
Washington, D.C. 20463

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BEFORE THE FEDERAL ELECTION COMMISSION

February 18, 1982

In the Matter of )  
 ) MUR 1346  
Brown for President Committee )

REPLY TO BRIEF OF THE GENERAL COUNSEL

The Brown for President Committee ("Committee") concurs with the recommendation of the General Counsel that the Commission find no probable cause to believe that the Committee violated 2 U.S.C. 441f.

Notwithstanding the foregoing the Committee believes that this reply is appropriate.

With respect to the first portion of the General Counsel's brief which deals with contributions involving Mr. Radford Freel, the Committee submits that its conduct was proper when it "aggressively" attempted to confirm that certain individuals associated with Mr. Freel had actually contributed to the Committee. With respect to the contribution from Mr. Jim Engstrom, the Committee continues to be unaware of any facts which negate Mr. Engstrom's letter to it in which he confirmed his contribution. If Mr. Engstrom was not telling the truth when he signed and sent his confirming letter to the Committee in January, 1980, the Committee would have had no way of determining this fact at the time his letter

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was received. To the present time the Committee is unaware of any evidence to the contrary.

With respect to the second portion of the Brief of the General Counsel, and the suggestion of the Audit Division that members of the Committee in some way may have participated in preparing responses to Commission generated verification letters, there are enclosed affidavits of Mrs. Jodie Krajewski and Mr. David Jolly, members of the Committee who, according to the Audit Division, "hypothetically" could have signed respondee's signatures. These affidavits demonstrate conclusively that the suggestions of the Audit Division simply did not occur. It is respectfully submitted that it is patently absurd to hypothesize that these Committee members would have had such a relationship with the "respondees" that they would have been notified by the respondees of their receipt of Commission generated verification letters and then would have engaged in a criminal conspiracy to have had the verification letters sent to them so they could have forged the respondee's signature returning the letters to the respondees, who would have then mailed the forged letters to the Commission.

The Committee respectfully disagrees with the General Counsel's view that the "evidence" of possible wrongdoing coming from the Audit Division is legitimate in its "facial implications." It is the Committee's position that the Audit Division has engaged in wild speculation and conjecture which is totally unsupported by any credible


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evidence of wrongdoing.

As indicated above the Committee respectfully requests that the recommendation of the General Counsel be adopted by the Commission.

Dated: February 18, 1982



WALTER S. WEISS  
Attorney for Brown for  
President Committee

Of Counsel:  
Rosenfeld, Meyer & Susman  
9601 Wilshire Boulevard  
4th Floor  
Beverly Hills, California 90210  
(213) 858-7700

02040551687

AFFIDAVIT

STATE OF CALIFORNIA )  
 )  
COUNTY OF LOS ANGELES ) ss.

Jodie Krajewski, being first duly sworn according to law, deposes and says:

I have read in the General Counsel's brief that the Audit Division was of the opinion that the General Counsel confirmation letters sent to respondees could have been sent to me for my applying respondee's "signatures" to said letters.

I unequivocally and categorically deny ever having seen said General Counsel's confirmation letters and I unequivocally and categorically deny having signed respondee's "signatures" to any such letters.

Sworn and subscribed to this 18<sup>th</sup> day of February, 1982.

*Jodie Krajewski*  
\_\_\_\_\_  
JODIE KRAJEWSKI

Sworn to and subscribed before me this 15 day of February, 1982.

*Helen Edwards MacAfee*  
\_\_\_\_\_  
Notary Public



32040354633

AFFIDAVIT

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

David B. Jolly, being first duly sworn according to law, deposes and says:

I have been advised that in the General Counsel's brief it is stated that the Audit Division was of the opinion that the General Counsel confirmation letters sent to respondees could have been sent to me for my applying respondee's "signatures" to said letters.

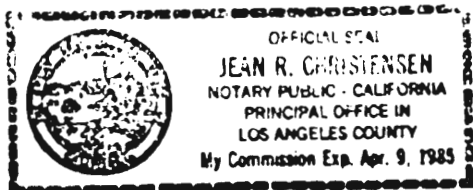
I unequivocally and categorically deny ever having seen said General Counsel's confirmation letters and I unequivocally and categorically deny having signed respondee's "signatures" to any such letters.

Sworn and subscribed to this 18 day of February, 1982.

*David B. Jolly*  
\_\_\_\_\_  
DAVID B. JOLLY

Sworn to and subscribed before me this 18 day of February, 1982.

*Jean R. Christensen*  
\_\_\_\_\_  
Notary Public



32710559587



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 10, 1982

Bob D. Tucker  
3605 Wakeforest  
Houston, Texas 77098

Re: MUR 1346

Dear Mr. Tucker:

On January 6, 1981, the Commission found reason to believe that you had violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1871, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close the file as it pertains to you. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a) (4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed.

The Commission reminds you that allowing another person to make a contribution to a federal candidate in your name, even while intending to reimburse that person at a later date nevertheless appears to be a violation of 2 U.S.C. § 441f and you should take immediate steps to insure that this activity does not occur in the future.

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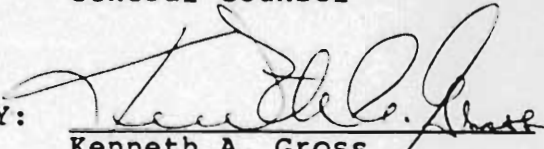
Letter to Bob Tucker  
Page 2

If you have any questions, please direct them to  
Michael Dymersky at (202) 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

BY:



Kenneth A. Gross  
Associate General Counsel

32740654691





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 10, 1982

Mrs. Karen Tucker  
3605 Wakeforest  
Houston, Texas 77098

Re: MUR 1346

Dear Mrs. Tucker:

On January 6, 1981, the Commission found reason to believe that you had violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close the file as it pertains to you. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed.

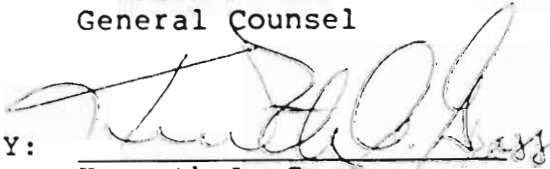
The Commission reminds you that allowing another person to make a contribution to a federal candidate in your name, even while intending to reimburse that person at a later date nevertheless appears to be a violation of 2 U.S.C. § 441f and you should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Michael Dymersky at (202) 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

BY:

  
Kenneth A. Gross  
Associate General Counsel

12740351592



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 10, 1982

Mr. Jim Engstrom  
12114 Sugar Springs  
Houston, Texas 77077

Re: MUR 1346

Dear Mr. Engstrom:

On January 6, 1981, the Commission found reason to believe that you had violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close the file as it pertains to you. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a) (4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed.

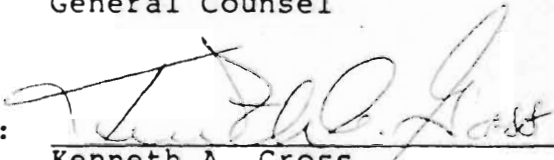
The Commission reminds you that allowing another person to make a contribution to a federal candidate in your name, nevertheless appears to be a violation of 2 U.S.C. § 441f and you should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Michael Dymersky at (202) 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

BY:

  
Kenneth A. Gross  
Associate General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Jim Engstrom et al. ) MUR 1346

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 9, 1982, the Commission decided by a vote of 5-0 to take the following actions in MUR 1346:

1. Take no further action against Bob Tucker for the apparent violation of 2 U.S.C. § 441f.
2. Take no further action against Karen Tucker for the apparent violation of 2 U.S.C. § 441f.
3. Take no further action against Jim Engstrom for the apparent violation of 2 U.S.C. § 441f.
4. Approve the letters as submitted with the General Counsel's January 28, 1982 Report.

Commissioners Aikens, Elliott, McDonald, McGarry and Reiche voted affirmatively; Commissioner Harris did not cast a vote in this matter.

Attest:

2/9/82  
Date

Marjorie W. Emmons  
Marjorie W. Emmons  
Secretary of the Commission

Received in Office of Commission Secretary: 2-4-82, 2:52  
Circulated on 48 hour tally basis: 2-5-82, 2:00

82740354694

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY

January 28, 1982

82 FEB 4 P2:52

In the Matter of )  
Jim Engstrom et al. )

MUR 1346

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. Background

On January 6, 1981, the Commission found reason to believe that Jim Engstrom, Bob Tucker and Karen Tucker each violated 2 U.S.C. § 441f by knowingly permitting their names to be used to effect a contribution to the Brown for President Committee ("the Committee").

On April 27, 1981, the Commission found reason to believe that Radford Freel violated 2 U.S.C. § 441f by making contributions to the Committee in the names of other people. The Commission also found reason to believe that the Committee violated 2 U.S.C. § 441f by knowingly accepting contributions made by Radford Freel in the names of other people. Additionally, the Commission authorized the Audit Division to reinvestigate the Committee's matching fund submissions.

On October 13, 1981, contribution verification letters were sent to fourteen individuals 1/ in four states on the basis of

---

1/ Robert Wheeler (Pennsylvania); Judd Roth (Pennsylvania); Kathleen Schafer (Pennsylvania); Tony Ladakis (Utah); Barbara Ladakis (Utah); Leo Pavich (Utah); Cheri Weston (Utah); Louis Zimmerman (Nevada); Jerome Mack (Nevada); Joyce Mack (Nevada); Kathleen Byrnes (Hawaii); Ellen Abrams (Hawaii); Rick Reed (Hawaii); Rick Perry (Hawaii).

the August 7, 1981, Audit Division referral resulting from the authorized reexamination of the Committee's submissions. As of this report, the Office of General Counsel has received five written responses,<sup>2/</sup> which confirmed the contributions (see Attachment I), and have verified three contributions by telephone.<sup>3/</sup> Six individuals have yet to respond.<sup>4/</sup>

A probable cause to believe brief has been sent to Radford Freel. Additionally, a no probable cause to believe brief has been sent to the Committee. As to the initial three respondents in this matter, OGC has received evidence that Freel was reimbursed by both Bob and Karen Tucker on January 7, 1980, (as verified by a photocopy of personal check #759). Jim Engstrom, on the other hand, has repeatedly declared that he has never reimbursed Freel, despite the fact he signed a contribution verification letter dated January 7, 1980, addressed to Jodie Krajewski, then Treasurer of the Committee, which said that the \$250 cashier's check "came out of my personal funds."

---

<sup>2/</sup> Robert Wheeler (Pennsylvania); Judd Roth (Pennsylvania); Tony Ladakis (Utah); Barbara Ladakis (Utah); and, Kathleen Byrnes (Hawaii).

<sup>3/</sup> Kathleen Schafer (Pennsylvania); Jerome Mack (Nevada); and Joyce Mack (Nevada). As of this report, however, Office of General Counsel staff have not received written responses from these three.

<sup>4/</sup> Leo Pavich (Utah); Cheri Weston (Utah); Ellen Abrams (Hawaii); Rick Reed (Hawaii); Rich Perry (Hawaii); and Louis Zimmerman (Nevada).

II. Legal Analysis

The General Counsel recommends that the Commission take no further action against Bob and Karen Tucker and Jim Engstrom.

It should be noted that the Tucker's reimbursed Freel by a single personal check signed by Bob Tucker. It appears that community property funds were utilized by Mr. Tucker, and Mrs. Tucker subsequently demonstrated in writing that she intended \$250 of the \$500 total to represent her personal funds. The advance was made on September 24, 1979, by Freel, and it is evident that the Tucker's reimbursed him just over two months later. While the Tucker's technically violated 2 U.S.C. § 441f by "knowingly" permitting their names to be used to effect a contribution to the Committee, on September 24, 1979 they had originally intended to make the contribution, and in fact did reimburse Freel for his advance on January 7, 1980, well before the Committee submitted the instruments for primary matching funds.

As for Jim Engstrom, while there is evidence to suggest that he "knowingly" permitted his name to be used to effect a contribution, the circumstances allow the conclusion that only a technical violation of 2 U.S.C. § 441f occurred. Indeed, he did plan to make a contribution on September 24, 1979, but when he brought a check by which to make the contribution on September 25, 1979, he was told "it was no longer necessary" to do so. There is no indication that, at the time, he had any

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intent to allow his name to be used to effect the Freel contribution to the Committee on September 24, 1979, or that he knew Freel made a contribution in his name. However, he did sign a letter dated January 7, 1980, which declared that he did make a \$250 contribution by an identified money order. Thus, Engstrom was put on notice by the Committee that a contribution was received in his name, and, acting on that notice, it can be said that there was consent to the Freel contribution in his name upon the application of his signature to the verification letter.

Although Engstrom did sign the letter, his motivation for doing so, he asserts, was to stop what he viewed as Committee harassment. Apparently Committee agents were unrelenting in their attempts to get his confirmation. In the General Counsel's view, this motivational factor is significant, as is the fact that Engstrom has been especially cooperative, and has provided the Commission with crucial information concerning the apparent Freel violation.

Accordingly, the General Counsel recommends that the Commission take no further action against these three individuals.

### III. Recommendation

1. Take no further action against Bob Tucker for the apparent violation of 2 U.S.C. § 441f.
2. Take no further action against Karen Tucker for the apparent violation of 2 U.S.C. § 441f.

3. Take no further action against Jim Engstrom for the apparent violation of 2 U.S.C. § 441f.

4. Approve the attached letters.

Feb. 3, 1982  
Date

Charles N. Steele  
General Counsel

BY: 

Kenneth A. Gross  
Associate General Counsel

ATTACHMENTS

1. Photostats of Answered Commission-generated verification letters (10 pages)
2. Proposed letter to Bob Tucker (2 pages)
3. Proposed letter to Karen Tucker (1 page)
4. Proposed letter to Jim Engstrom (1 page)

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FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

1

October 13, 1981

Mr. Robert K. Whedel  
33 North Warren Street  
Easton, Pennsylvania 18103

Dear Mr. ~~Whedel~~ WHEELER

NOV 27 P 2:22

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

(1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.? YES

(1a) If so, what is the aggregate amount? \$ 50.00

(2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you? myself

(2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?

(2b) How did you pay (e.g., cash or check)? money order

(2c) Did you fill out the money order you ~~or did someone else?~~

(2d) If someone else did, who was it?

92040354700

Attachment I - (1)

2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

*Kenneth A. Gross*  
BY: Kenneth A. Gross  
Associate General Counsel

11-23-81  
Date

*Robert K. Whedel*  
Robert K. Whedel  
WHEELER

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*New address  
439 Walnut Street  
Allentown, Pa. 18102*

*Attachment I (2)*

3

100-1346



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1981

NOV 9 4:45 PM '81

Ms. Kathleen Byrnes  
32 Uilani Street  
Kihei, Maui, Hawaii 96793

Dear Ms. Byrnes:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

82040334702

- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr. *yes*
- (1a) If so, what is the aggregate amount? *\$250.00*
- (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee appearing to bear your signature. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you? *purchased myself*
- (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee? *I paid them with the money order.*
- (2b) How did you pay (e.g., cash or check)? *←*
- (2c) Did you fill out the money order and sign it, or did someone else? *I did.*
- (2d) If someone else did, who was it?

Attachment I - (3)

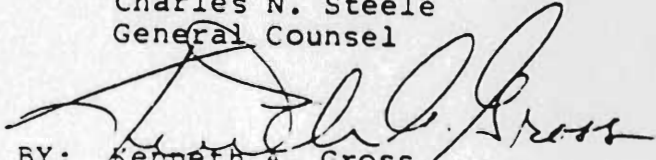
(4)

Letter to Kathleen Byrnes  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel



BY: Kenneth A. Gross  
Associate General Counsel

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11-3-81  
Date

Kathleen Byrnes  
Kathleen Byrnes

Attachment I - (4)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

100126 P3:03

October 13, 1981

Mr. Tony Ladakis  
1292 Fourth Avenue  
Salt Lake City, Utah 84103

Dear Mr. Ladakis:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

- 82040331701
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.? *Brown for President Committee.*
  - (1a) If so, what is the aggregate amount? *256<sup>00</sup>*
  - (2) A cashier's check was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the cashier's check yourself or did a member of the Brown Committee purchase it for you? *I purchased it.*
  - (2a) If the latter, did you pay the Brown Committee before or after the cashier's check was purchased by the Committee?
  - (2b) How did you pay (e.g., cash or check)? *CASH*
  - (2c) Did you fill out the cashier's check or did someone else? *THE PERSON WORKING IN THE BANK FILLED IT IN.*
  - (2d) If someone else did, who was it?

Attachment I - (5)

6

Letter to Tony Ladakis  
Page 2

(3) We also received a letter from the Brown Committee. (See attached photocopy). As you can see, it is addressed to Jodie Krajewski, dated December 27, 1979, signed, and states that you made a \$250 contribution from your personal funds by cashier's check #260026, to the Brown Committee.

(3a) Did you prepare this letter, or did a member of the Brown Committee prepare the letter for your signature?

(3b) If a member of the Brown Committee prepared it, please give that person's name. *I SENT THE LETTER.*

(3c) Did you sign it?

(4) Did you receive funds from or reimbursement by any person for purposes of making this contribution?

(4a) If so, please give that person's name. *NO.*

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number, (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

*Kenneth A. Gross*  
BY: Kenneth A. Gross  
Associate General Counsel

*Tony Ladakis*

*10-19-81*  
Date

Tony Ladakis

Attachment I-(6)

12040354703



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1981

11123 P 22331

7

Mrs. Barbara Ladakis  
1292 Fourth Avenue  
Salt Lake City, Utah 84103

MAIL 1346

Dear Mrs. Ladakis:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

- 32040354706
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.? YES, BROWN FOR PRESIDENT COMMITTEE.
  - (1a) If so, what is the aggregate amount? \$250.00
  - (2) A cashier's check was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the cashier's check yourself or did a member of the Brown Committee purchase it for you? I PURCHASED THE MONEY ORDER.
  - (2a) If the latter, did you pay the Brown Committee before or after the cashier's check was purchased by the Committee?
  - (2b) How did you pay (e.g., cash or check)? I PAID WITH CASH.
  - (2c) Did you fill out the cashier's check or did someone else? THE BANK EMPLOYEE FILLED IT OUT.
  - (2d) If someone else did, who was it?

Attachment I-(7)

(3) We also received a letter from the Brown Committee. (See attached photocopy). As you can see, it is addressed to Jodie Krajewski, dated December 27, 1979, signed, and states that you made a \$250 contribution from your personal funds by cashier's check #395039, to the Brown Committee.

(3a) Did you prepare this letter, or did a member of the Brown Committee prepare the letter for your signature?

I WROTE THE LETTER.

(3b) If a member of the Brown Committee prepared it, please give that person's name.

(3c) Did you sign it?

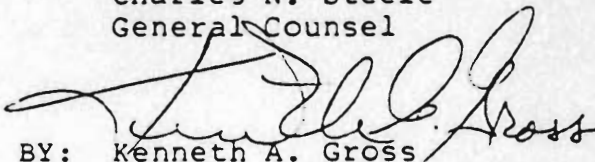
(4) Did you receive funds from or reimbursement by any person for purposes of making this contribution? NO.

(4a) If so, please give that person's name.

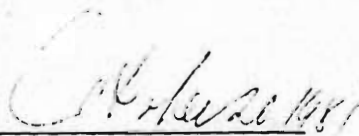
Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number, (800) 424-9530.

Sincerely,

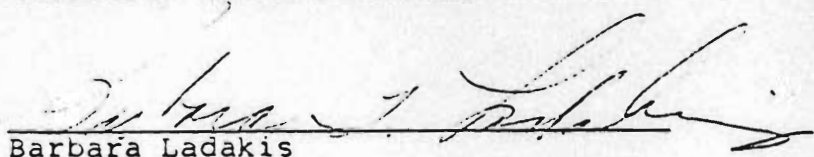
Charles N. Steele  
General Counsel



BY: Kenneth A. Gross  
Associate General Counsel



Date

  
Barbara Ladakis

32040351707





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20461

23:13

9

October 13, 1981

Mr. Judd Roth  
1048 North 27th Street  
Allentown, Pennsylvania 18103

MAIL 1246

Dear Mr. Roth:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.? *yes*
- (1a) If so, what is the aggregate amount? *\$100.00*
- (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you? *myself*
- (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee? *N/A*
- (2b) How did you pay (e.g., cash or check)?
- (2c) Did you fill out the money order or did someone else? *myself*
- (2d) If someone else did, who was it? *N/A*

Attachment I - (9)

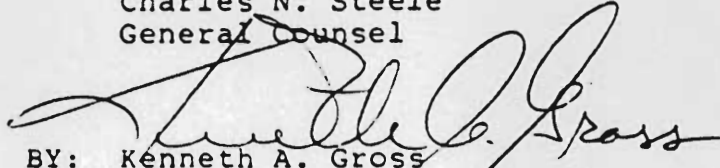
1002131707

10

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel



BY: Kenneth A. Gross  
Associate General Counsel

10.20.81  
Date

Judd K Roth  
Judd Roth

02040331707

Attachment I - (10)

11



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Bob D. Tucker  
3605 Wakeforest  
Houston, Texas 77098

Re: MUR 1346

Dear Mr. Tucker:

On January 6, 1981, the Commission found reason to believe that you had violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1871, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close the file as it pertains to you. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a) (4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed.

The Commission reminds you that allowing another person to make a contribution to a federal candidate in your name, even while intending to reimburse that person at a later date nevertheless appears to be a violation of 2 U.S.C. § 441f and you should take immediate steps to insure that this activity does not occur in the future.

82040654710

Attachment II - (1)

Letter to Bob Tucker  
Page 2

12

If you have any questions, please direct them to  
Michael Dymersky at (202) 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

BY: \_\_\_\_\_  
Kenneth A. Gross  
Associate General Counsel

12040354711

Attachment II - (2)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Mrs. Karen Tucker  
3605 Wakeforest  
Houston, Texas 77098

Re: MUR 1346

Dear Mrs. Tucker:

On January 6, 1981, the Commission found reason to believe that you had violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close the file as it pertains to you. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a) (4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed.

The Commission reminds you that allowing another person to make a contribution to a federal candidate in your name, even while intending to reimburse that person at a later date nevertheless appears to be a violation of 2 U.S.C. § 441f and you should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Michael Dymersky at (202) 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

BY: \_\_\_\_\_  
Kenneth A. Gross  
Associate General Counsel

32040354712

Attachment III - (1)

14



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

Mr. Jim Engstrom  
12114 Sugar Springs  
Houston, Texas 77077

Re: MUR 1346

Dear Mr. Engstrom:

On January 6, 1981, the Commission found reason to believe that you had violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and close the file as it pertains to you. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days.

The confidentiality provisions of 2 U.S.C. § 437g(a) (4)(B) and § 437g(a)(12)(A) remain in effect until the entire matter is closed.

The Commission reminds you that allowing another person to make a contribution to a federal candidate in your name, nevertheless appears to be a violation of 2 U.S.C. § 441f and you should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please direct them to Michael Dymersky at (202) 523-4039.

Sincerely,

Charles N. Steele  
General Counsel

BY: \_\_\_\_\_  
Kenneth A. Gross  
Associate General Counsel

10040354713

Attachment IV - (U)

**SENSITIVE**

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

82 FEB 4 P 2: 52

February 4, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele *CNS*  
General Counsel

SUBJECT: MUR 1346

Attached for the Commission's review are two briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter regarding two of the respondents. Copies of these briefs and letters notifying the respondents of the General Counsel's intent to make recommendations to the Commission as to whether there is probable cause to believe were mailed on February 4, 1982. Following receipt of the respondents' replies to this notice, if any, this office will make a further report to the Commission.

Attachments

1. Letter and Brief to Radford Freel (7 pages)
2. Letter and Brief to Brown for President Committee (9 pages)

12040354714



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 4, 1982

Michael J. Madigan, Esq.  
Akin, Gump et al.  
1333 New Hampshire Ave., N.W.  
Suite 400  
Washington, D.C. 20036

RE: MUR 1346

Dear Mr. Madigan:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on April 27, 1981, found reason to believe that your client had violated Section 441f of Title 2, United States Code, and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies, if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

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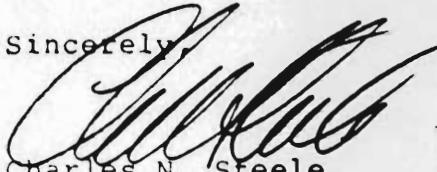


Letter to Michael J. Madigan, Esq.  
Page Two  
MUR 1346

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Michael A. Dymersky, the staff member assigned to this matter at 523-4039.

Sincerely,



Charles N. Steele  
General Counsel

Enclosure  
Brief

2040354716

BEFORE THE FEDERAL ELECTION COMMISSION  
January 28, 1982

In the Matter of )  
 ) MUR 1346  
Radford Freel )

GENERAL COUNSEL'S BRIEF

I. Statement of Case

On April 27, 1981, the Commission found reason to believe that Radford Freel violated 2 U.S.C. § 441f by making contributions in the names of other people.

From Mr. Freel's response of April 24, 1981, and his statements during an interview on June 18, 1981, it is evident that he solicited a number of his corporation's employees on behalf of the Brown for President Committee ("the Committee"). <sup>1/</sup> Mr. Freel apparently suggested that they contribute an amount of \$250 each. The solicited employees agreed to make a contribution, but each claimed he or she lacked cash or a personal check to tender at the time.

Feeling a sense of urgency, since he would be hosting a dinner for candidate Brown that same evening (September 24, 1979), <sup>2/</sup> Freel gave a company messenger \$1,250 in cash from his personal funds, with directions to purchase five (5) bank checks

1/ Bob Tucker, Karen Tucker, Louis Law and Jim Engstrom were the employees of Sioux Natural Gas Corp. (now Rapada Corp.) solicited by Radford Freel, President of the corporation.

2/ In his April 24, 1981, letter, Radford Freel indicated that he thought the checks were purchased on September 27, 1979. The bank checks bear the accurate, September 24, 1979, date.

1713517

in the amount of \$250 apiece. In reliance upon the employees' represented agreement to make contributions of \$250 apiece, Freel caused four (4) of the five (5) bank checks to each contain the name of one of the solicited employees. He asserts that he viewed the transaction as representing independent loans to his employees. The fifth bank check was made in the name of Freel's wife, Patricia Freel, apparently from community property funds. That evening, Freel presented Richard H. Maullin, as representative of the Committee, with the five (5) bank checks.<sup>3/</sup>

Subsequently, Freel was reimbursed by each employee, with the exception of Jim Engstrom. Bob and Karen Tucker reimbursed Mr. Freel on January 7, 1980, (as verified by a photocopy of personal check #759). Louis Law has indicated that he reimbursed Mr. Freel by cash from his personal funds "between mid-October and mid-November, 1979." Jim Engstrom, on the other hand, has repeatedly declared that he has never reimbursed Mr. Freel, despite the fact that he signed a contribution verification letter, dated January 7, 1980, addressed to Ms. Jodi Krajewski, then Treasurer of the Brown Committee, which said that the \$250 cashier's check "came out of my personal funds."

II. Legal Analysis

As set forth in 2 U.S.C. § 441f, "[N]o person shall make a contribution in the name of another person. . . "

---

<sup>3/</sup> Cashier's check #6-1797,709: Karen Tucker (remitter); Cashier's check #6-1797,710: Bob Tucker (remitter); Cashier's check #6-1797,711: Jim Engstrom (remitter); Cashier's Check # 6-1797,712: Louis Law (remitter); Cashier's Check # 6-1797,713: Patricia Freel (remitter).

By causing five (5) cashier's checks (for \$250 apiece) to be purchased from his personal funds, by causing the names of four (4) employees to be placed upon four (4) of the five (5) bank checks as remitters, and by tendering those four (4) bank checks to Richard Maullin (as agent of the Committee), representing each to be a contribution from the named, individual employee, Radford Freel has made contributions in the names of other people.

Mr. Freel asserts that he "loaned" \$250 to each of these four persons to enable them to make a contribution for the purpose of influencing a Federal election. Nonetheless, the Act contemplates that a loan of money made for the purpose of influencing a federal election is a contribution. 2 U.S.C. § 431(8)(A)(i) (see former 2 U.S.C. § 431(e)(1)). The mere fact that three (3) out of four (4) of these individuals later reimbursed Mr. Freel does not take his activity out of the reach of Section 441f. See MUR 397 General Counsel's Report dated October 28, 1977, pp. 3,4.

With regard to Mr. Freel's purchase of a cashier's check in his wife's name, we do not believe a violation of § 441f resulted. It appears that community property funds were utilized by Mr. Freel for this transaction. Under community property principles, if one spouse applies community funds for the benefit of the other spouse, a transmutation may be implied whereby the funds become the separate property of the spouse receiving the benefit. Shaw v. Bernal, 163 Cal. 262, 124 P. 1012 (1912); Queen Insurance

32040351717

Co. v. May, 35 S.W. 2d 829, (Tex. Civ. App. 1896); Johnson v. Burford, 39 Tex. 242(1873). Accordingly, the funds used to purchase Mrs. Freel's cashier's check should be view as her own, not as those of Mr. Freel in whole or in part.

The Commission's regulations support this position.

Pursuant to 11 C.F.R. § 104.8(c) (formerly § 104.5(c)):

Absent evidence to the contrary, any contribution made by check, money order, or other written instrument shall be reported as a contribution by the last person signing the instrument prior to delivery to the candidate or committee.

Additionally, 11 C.F.R. § 104.8(d), (formerly § 104.5(e))

elaborates further requiring that:

A contribution which represents contributions by more than one person shall indicate on the written instrument, or on an accompanying written statement signed by all contributors, the amount to be attributed to each contributor.

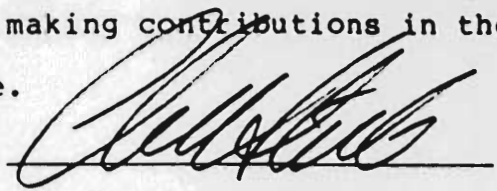
Therefore, since Mrs. Freel is named as remitter on the relevant cashier's check and has expressly consented to the arrangement by providing both a signed verification letter to the Brown for President Committee, and a signed statement to the Commission (indicating that she considers the \$250 amount involved to be her personal funds), the pertinent cashier's check should be deemed a contribution made solely by Mrs. Freel.

32040354720

III. General Counsel's Recommendations

Find probable cause to believe that Radford Freel violation 2 U.S.C. § 441f, by making contributions in the names of four (4) other people.

3 February 1982



Date

Charles N. Steele  
General Counsel

22040354721



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 4, 1982

Walter S. Weiss, Esquire  
Rosenfeld, Meyer & Susman  
9601 Wilshire Boulevard  
Beverly Hills, California 90210

Re: MUR 1346

Dear Mr. Weiss:

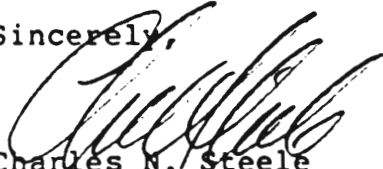
Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on April 27, 1981, found reason to believe that your client had violated 2 U.S.C. § 441f, a provision of the Act and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Michael Dymersky at (202) 523-4039.

Sincerely,

  
Charles N. Steele  
General Counsel

Enclosure  
Brief

12040351722

BEFORE THE FEDERAL ELECTION COMMISSION

January 28, 1982

In the Matter of )  
Brown for President Committee ) MUR 1346

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

On April 27, 1981, the Commission found reason to believe that the Brown for President Committee ("the Committee") violated 2 U.S.C. § 441f by knowingly accepting contributions in the names of other people. This finding was based upon Jim Engstrom's statement that Jodie Krajewski, the Committee's Treasurer, repeatedly contacted him to get a contribution confirmation letter (which he eventually provided) for a contribution that he did not make. 1/ Additionally, the Committee received four other contributions by seriatim cashier's checks from Mr. Freel which appeared to have been made by Mr. Freel in the names of other people. 2/ The Audit Division provided information which indicated that similar activity or other questionable activity may have occurred in other states. This possibility was based upon documents which showed the same principal place of business for some contributors, consecutive numbers on instruments and

82040154723

1/ Radford Freel made a \$250 contribution to the Committee on September 24, 1979, in Engstrom's name.

2/ The Committee received contribution verification letters from these individuals on January 7, 1980.



certain handwriting similarities. Office of General Counsel staff attempted to contact fourteen individuals in four states who were mentioned in the Audit Division Referral. Staff members successfully contacted eight individuals who confirmed making the contributions. In response to staff initiated verification letters, five of the eight confirmed the making of specific contributions. Staff members were able to orally verify contributions by three additional contributors to the Committee.

II. Legal Analysis

2 U.S.C. § 441f provides, inter alia, that:

. . . no person shall knowingly accept a contribution made by one person in the name of another person.  
[emphasis added].

To prove a violation by the Committee of the pertinent component of 2 U.S.C. § 441f, evidence must establish the "knowing" acceptance of contributions made by one person in the name of another.

Clearly, the Committee, through its agents, did accept contributions made by Radford Freel in the names of other people. However, the evidence does not establish that the Committee, through its agents, "knowingly" accepted such contributions.

The Committee apparently had a practice of seeking verification letters from contributors who used money orders or cashier's checks. See Krajewski Affidavit at 1. It sought and received contributor verification letters dated January 7, 1980,

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from each individual in this matter for whom Freel purchased a cashier's check. While Committee agents were perhaps overly aggressive in their verification attempts, there is no concrete evidence indicating that the Committee "knew" that the contributions were actually made by Freel. In spite of what he viewed as bothersome verification attempts by the Committee, Jim Engstrom failed to inform the Committee that he actually had not contributed. In fact, he wrote a letter stating that he had contributed. Moreover, the fact that consecutive cashier's checks were involved and that the checks bore reference to the same principal place of business does not establish knowledge of improper receipts because subsequent verification letters were obtained from each of the contributors involved.

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Turning to the contributions in four other states where verification was sought by the Commission, it appears, in the General Counsel's view, that the ostensible sources of the contributions are genuine. All of the individuals that were contacted and who responded out of the fourteen most suspect contributions derived from the Audit Division's referral, expressly verified their contributions with specificity. In the General Counsel's view, the similarities in handwriting, the consecutive numbering of instruments, and the identical principal places of business, where applicable do not establish evidence of a probable violation.

In its August 7, 1981, memorandum which discussed problems in the four other states, the Audit Division noted that some of

the matching funds submission materials suggest the possibility that committee agents may have filled out and/or signed some of the instruments and committee-initiated verification letters. Audit maintained that handwriting samples of the Committee Treasurer (Jodie Krajewski) and Assistant Treasurer (David Jolly) can be linked to handwriting appearing on instruments purporting to have been completed by the named contributors.

The Audit Division's discussion of the Ellen Abrams' money order is illustrative. Audit concluded that "several distinct characteristics of handwriting styles contained on the Abrams' money order and all or portions of [certain Committee] contributor cards are so strikingly similar that it would appear that they were completed by the same hand." For example, Audit compared the following (the first reference pertains to contributor cards; the second to the Abrams money order):

- The "R" in "FRIED" vs. the "R's" in "Brown for President."
- The "O" in "Owner" vs. th "O" in "20."
- The number "6."
- The "H" in "Hopkins" vs. the "H" in "Honolulu."
- The second "2" in "22" vs. the "2" in "20."
- The "W" in "writer" vs. the "W" in "Brown."
- The "O" in "To" vs. the "O" in "Pahoa" and the first "o" in "Honolulu."
- The "T"s in "State" vs. the "T" in "Sept." note the slight curuature of the bar. Y...

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Audit also made the following observation:

Note, when comparing the "S" in "SHELTER", "ISLAND" and "SAN" [on a check written by Jodie Krajewski] to the "S" in "SEPT" and the "S" in "President" as they appear on the Abrams' money order, that the formation of the top part of the "S" curve, including the point where the downturn right to left slope begins, in virtually the same...

The Audit Division staff concluded:

Admittedly, a comparison between the Abrams money order, the four contributor cards and [Jodie Krajewski's] check shows a somewhat differing slant in the handwriting, however, we do not believe that this feature detracts from our stated position. Rather ... documents in our possession which were completed by [Krajewski] exhibit different slants as well as variations in the formation of the letters and legibility similar to those found on the contributor cards and instruments in question ..." (See pages 25-27 of August 7, 1981, referral).

In the General Counsel's view, some of the handwriting similarities highlighted in the Audit Division's referral are remarkably similar. On the other hand, cursive and print writing by different individuals has been know to appear strikingly similar. Presumably there are finite methods of drawing an alphabetic character or arabic numeral, and the resulting written impressions necessarily overlap, even allowing for individual idiosyncrasies and peculiarities. And, a single individual's handwriting can and does appear radically different from time-to-time depending on the circumstances. As a result, handwriting analysis has evolved into a high forensic art, and even with expert analysis, professional opinions may diverge.

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Assuming, arguendo, that Jodie Krajewski did in fact fill out some of the money orders involved in this matter, such activity is not proscribed by the Act, the Presidential Primary Matching Payment Account Act, or the conforming Commission regulations. So long as a contributor actually contributed by a written instrument which was either itself signed, or accompanied by a written document signed by the actual contributor, the amount represented by that instrument would be matchable so long as it conformed to the applicable limitations. There is nothing improper or unusual about having a committee agent fill out the payee line, remitter line, and contributor address on a money order or cashier's check. In the situation where follow-up verification letters were often sent for such instruments, it is even more likely that a committee agent would feel it appropriate to complete these instruments because a back-up system would be available to verify the contribution. Nor would it be improper for a committee agent to prepare the verification letters given to contributors by the Committee, so long as the contributors actually signed them. Thus, while much of the handwriting on the instruments and committee-generated verification letters may be that of committee agents, there is no basis for presuming illegal actions. As to the remaining suggestion that some of the signatures on these documents may have been forged by committee agents, the possibility is simply too conjectural to warrant a finding of probable cause.

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The most recent Audit Division memorandum analyzes the letters received in response to the General Counsel's verification attempts. The Audit Division indicated that while an answered Commission-generated verification letter appears to bear handwriting similar to that contained on the instrument in question, they are of the opinion that said response was completed by a committee agent (possibly David Jolly) and signed by Jodie Krajewski. Audit hypothesized that certain of the respondees, upon receiving the General Counsel's confirmation letters, sent the letters to the Committee's headquarters where a committee agent (possibly David Jolly) filled in the answers, and Jodie Krajewski applied the respondees' "signature." Thereafter, the completed verification letters were returned to the respective respondees, who, in turn, forwarded them on to the Commission. While Audit's scenerio is possible in theory to explain the similarities in handwriting and other inconsistencies, it is improbable in fact.

It is unlikely that the individuals involved, from several different geographic locations, would have resorted to such a scheme. In the General Counsel's view, the similarity between the signatures on the Commission-generated verification letters and the instruments or Committee-generated verification letters, indicates that the individuals involved did in fact make the contributions in question.

In the General Counsel's view, then, the evidence of possible wrongdoing coming from the Audit Division, though

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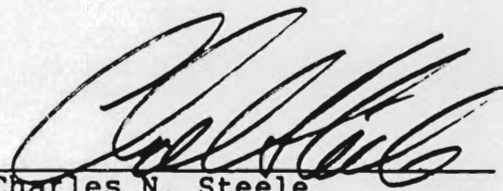
legitimate in its facial implications, is simply not persuasive enough to overcome the evidence to the contrary, represented by the verification effort of General Counsel staff.

Accordingly, the General Counsel recommends that the Commission find no probable cause to believe that the Committee violated 2 U.S.C. § 441f by knowingly accepting contributions made by one person in the name of another person.

III. General Counsel's Recommendation

Find no probable cause to believe that the Brown for President Committee violated 2 U.S.C § 441f.

3 February 1982  
Date

  
Charles N. Steele  
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

January 13 , 1982

In the Matter of                    )  
  )  
Brown For President                )  
Committee                            )

MUR 1346

COMPREHENSIVE INVESTIGATIVE REPORT #2

On April 27, 1981, the Commission found reason to believe that the Brown for President Committee ("the Committee") violated 2 U.S.C. § 441f by knowingly accepting contributions in the names of other people. This finding was based upon Jim Engstrom's statement that Jodie Krajewski, the Committee's treasurer, repeatedly contacted him to get a contribution confirmation letter (which he eventually provided) for a contribution that he did not make.<sup>1/</sup> Additionally, the Committee received four other contributions by seriatim cashier's checks from Mr. Freel which appeared to have been made by Mr. Freel in the names of other people.<sup>2/</sup> The Audit Division provided information which indicated that similar activity or other questionable activity might have occurred in other states. This possibility was based upon documents which showed the same principal place of business for some contributors, consecutive numbers on instruments, and

<sup>1/</sup> Radford Freel made a \$250 contirbution to the Committee on September 24, 1979, in Engstrom's name.

<sup>2/</sup> The Committee received contribution verification letters from these individuals on January 7, 1980.

1  
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7  
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4  
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2

02/11/82  
MUR 1346  
111-5

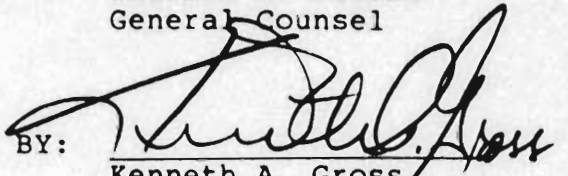


✓ certain handwriting similarities. Office of General Counsel staff attempted to contact fourteen individuals in four states who were mentioned in the Audit Division referral. Staff members successfully contacted eight individuals. In response to staff initiated verification letters, five of the eight confirmed the making of specific contributions. Staff members were able to orally verify contributions by three other contributors to the Committee.

8 2 0 4 0 3 5 4 7 3 2  
The Audit Division has provided the Office of General Counsel with three memoranda analyzing the matching fund submission materials of the Brown campaign. We have attached these three memoranda to this report. It is our intention to circulate General Counsel's briefs within two weeks concerning the Brown Committee and Radford Freel.

Date Jan 15, 1982

Charles N. Steele  
General Counsel

BY:   
Kenneth A. Gross  
Associate General Counsel

Attachments:

- 1 - Audit Memorandum dated August 7, 1981 (134 pages)
- 2 - Audit Memorandum dated December 22, 1981 (44 pages)
- 3 - Audit Memorandum dated December 21, 1981 (8 pages)

# SENSITIVE



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 7, 1981

MEMORANDUM

TO: CHARLES N. STEELE  
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER *BA*  
STAFF DIRECTOR

FROM: BOB COSTA *RC*

SUBJECT: COMPREHENSIVE ANALYSIS OF MATCHING FUND SUBMISSIONS -  
BROWN FOR PRESIDENT COMMITTEE

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On April 27, 1981, by a vote of 6-0, the Commission approved a recommendation contained in the General Counsel's report on MUR 1346 -

"Authorize the Audit Division staff to reinvestigate the matching fund submissions of Governor Brown".

According to the General Counsel's report the basis for the above recommendation rests in the view of the General Counsel that there is sufficient reason to cast the validity and veracity of other contributions in other states into question.

A. Background

Prior to the discussion of our findings, certain background information concerning the Brown For President ("the Committee") matching fund activities in the 1980 cycle is included for your information.

Governor Brown's 9033 letter was received on January 2, 1980 along with a threshold submission consisting, according to the Committee, of 21 states with matchable contributions exceeding \$5,000 in those 21 states. Our review of the 21 state threshold submission indicated that the actual number of states with matchable contributions > \$5,000 was only four (4). The Committee's Treasurer was informed of the reasons for the non-matchability of the contributions in the 17 states and advised that additional documentation and/or contributions could be appended to the

/

Attachment I - (1)

**SENSITIVE**

2

original threshold submission in an attempt to satisfy the 20 state requirement. During the period January 4, 1980 through January 11, 1980, the Committee's Assistant Treasurer provided additional documentation and/or contributions to bring the Committee's qualifying state total to 21 (See Chart on Page 3).

Prior to this circulation, discussions were held with members of your staff concerning the irregularities noted during our review of the Threshold submission. We were advised that the irregularities noted did not rise to the level of "patent irregularities."

Therefore, the Audit staff circulated Governor Brown's eligibility report on January 18, 1980 which was then approved by the Commission on January 21, 1980.

On January 23, 1980 the Audit Division forwarded a memorandum to your office (#A-683) setting forth these irregularities noted during our review of the threshold submission. As a direct result of this referral, the Commission approved the sending of 36 interrogatories to contributors for the states of New York, Connecticut, Texas and Hawaii. In June of 1980, the Commission considered the results of the initial mailing and approved the sending of a follow-up letter to certain contributors in Texas who had not responded. As you are aware, a response to one of the second letters resulted in the initiation of MUR 1346 and a subsequent recommendation authorizing the Audit Division to reinvestigate the matching fund submissions of Governor Brown.

B. Introduction to Findings

The Audit staff has reviewed the threshold submission plus the 15 subsequent matching fund submissions and the three (3) subsequent resubmissions.

In performing our analysis, we reviewed the following:  
(1) copies of all instruments submitted for matching, (2) selected copies of instruments noted during the audit, (3) copies of Committee generated memoranda noted during the matching fund and audit process, (4) submission listings, and (5) documents related to the contributor interrogatories and matters contained in MUR 1346.

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<u>Name of State</u>	<u>Amount Submitted Per Committee In Original Threshold Submission</u>	<u>Amount Deemed Matchable Per Initial Audit Review</u>	<u>Additional Amount Submitted And/Or Amount Cleared By Documentation Submitted</u>	<u>Final Matchable Amount For Threshold Per Audit</u>
1. California	\$6,000.00	\$5,500.00	\$ -0-	\$5,500.00
2. Connecticut	5,120.00	5,115.00	-0-	5,115.00
3. District of Columbia	5,080.00	4,330.00	1,050.00	5,380.00
4. Florida	5,292.50	3,392.50	1,750.00	5,142.50
5. Georgia	5,160.00	5,160.00	-0-	5,160.00
6. Hawaii	5,025.00	2,250.00	1,000.00	3,775.00
7. Illinois	5,275.00	4,625.00	400.00	5,025.00
8. Massachusetts	5,233.00	4,118.00	960.00	5,078.00
9. Minnesota	5,285.00	4,525.00	760.00	5,285.00
10. Nevada	5,605.00	3,705.00	1,300.00	5,005.00
11. New Hampshire	5,370.00	5,115.00	-0-	5,115.00
12. New Jersey	5,149.00	3,699.00	1,450.00	5,149.00
13. New York	5,475.00	4,525.00	950.00	5,475.00
14. Oklahoma	5,110.00	3,610.00	1,400.00	5,010.00
15. Oregon	5,007.50	4,650.00	400.00	5,150.00
16. Pennsylvania	5,100.00	4,755.00	700.00	5,455.00
17. Texas	5,230.00	1,680.00	3,550.00	5,230.00
18. Utah	5,390.00	4,140.00	1,000.00	5,140.00
19. Virginia	5,115.00	4,060.00	1,050.00	5,110.00
20. Washington	5,005.00	4,640.00	475.00	5,115.00
21. Wisconsin	5,137.00	3,577.00	1,550.00	5,127.00
22. Arizona <u>1/</u>	-0-	-0-	5,116.00	5,116.00

Attachment I-(3)

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1/ On January 7, 1980, the Committee Assistant Treasurer submitted the necessary documentation to include the State of Arizona in the revised threshold submission.

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4

The findings are divided into two sections. Section 1 contains findings wherein we have, in our opinion, established a foundation which strongly and persuasively indicates that certain Committee personnel completed all or portions of instruments submitted for matching. This linkage, in our opinion, is even more convincing than the linkages developed during our analyses of the LaRouche matching fund submissions. In the instant case, we have clearly tied handwriting samples of the Committee Treasurer and Assistant Treasurer to handwriting appearing on instruments purported to have been completed by the named contributor. Obviously, the ramifications of such activity calls into very serious question the entire matching fund process of the Brown for President Committee which received over \$892,000 in Federal funds, not to mention the possible applicability of 26 U.S.C. 9042(c).

The second section of findings contain instances where we have identified patterns involving (1) common principal places of business, (2) sequentially numbered money orders, etc., (3) non-negotiable instruments submitted for matching, and (4) other patterns noted which, as in the case of the Texas contributor pattern, may be indicative of serious problems.

9 2 0 4 0 3 5 4 7 3 6

4

Attachment I-(4)

C. Findings and Analyses

Section One

- 1. H. C. Hopper  
2-27-80 (Date of Instrument)  
\$10.00

Attachment # 1, page 1 is a photocopy of a postal money order included in the Committee's ninth submission for H. C. Hopper, residing at 776 Parks Run Road in Villanova, Pennsylvania. This money order was purchased in Carney's Point, New Jersey.

Attachment # 1, page 2 is a photocopy of documentation submitted with the written instrument. This documentation clearly states that the named individual did not make a contribution to Brown for President.

Attachment #1, page 1 also includes photocopies of portions of FEC Schedules A-P (Itemized Receipts) which were taken from the Year End 1979 disclosure report filed by the Committee. (OWENS, W. D. and INGRAM, J. H.)

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Several distinct characteristics of the handwriting styles contained on both the Hopper money order and these portions of the Committee disclosure report are so strikingly similar that it would appear that both were completed by the same hand.

For example:

- The upper case "R" possesses a marked curvature and slant: R
- The upper case "K" in "Lake" (Owens, W. D.) vs. "PARKS".

One last feature of the handwriting styles is the similar overall slant of the letters, and even more importantly, the relative spacing between letters. The spacing between letters, as well as the similarity between letters, is especially noteworthy with respect to the words "PRESIDENT" on the Hopper money order and the occupation listed ("VICE PRESIDENT") for William D. Owens.

Attachment # 1, page 3 is a photocopy of a Committee prepared contributor card (MORRIS, M. P.).

Several distinct characteristics of the handwriting styles contained on both the Hopper money order and the Morris contributor card are so strikingly similar that it would also appear that both were completed by the same hand.

5-

For example:

- The capital letter "M" in "MORRIS" and "MARY" vs. "COMMITTEE".
- Several other letters: the capital "P" in "PATRICIA" vs. the "P" in "PRESIDENT", along with the capital "A" in "PARKS" and "VILLANOVA" when compared to the "A" in "APT", "AD" and "ASST". Notice the slant of the bar across the "A": A

One last feature of the handwriting styles is the similar overall slant of the letters and, even more importantly, the relative spacing between letters.

In summary, the denial letter from the named individual, coupled with the similarities noted between the handwriting on the disclosure reports, the Morris contributor card (prepared by the Committee) and the Hopper money order, clearly cast significant doubt as to the authenticity of the contribution.

3 2 0 4 0 3 5 4 7 3 8



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F. Full Name, Mailing Address and ZIP Code William D. Owens 760 17th Ave. Salt Lake City, Utah 84103		Date (month, day, year)	Amount of each receipt this period
Principal Place of Business NORTHWEST PIPELINE, INC SALT LAKE CITY, UT	Occupation VICE PRESIDENT	12/22/79	250.-
		Aggregate Year-To-Date ... > \$250.	

C. Full Name, Mailing Address and ZIP Code John H. Ingram 6730 Kenyon Dr., Alexandria, VA 22307		Date (month, day, year)	Amount of each receipt this period
Principal Place of Business STATE OF CALIF WDC	Occupation FEDERAL REPRESENTATIVE	12/30/79	250.00
		Aggregate Year-To-Date ... > \$250.-	



8

776 PARKES RUN LANE  
(ITHAN) VILLANOVA, PA. 19085

March 27, 1980

Ms. Jodie Krajewski, Treasurer  
Brown for President  
849 South Broadway  
P. O. Box 54505  
Los Angeles, Ca. 90054

#5905

Dear Ms. Krajewski,

I did not send money order #25391121063 contribution to Brown for President.

I support Governor Reagan and look forward to November when hopefully he will be elected President of the United States of America.

Cordially,

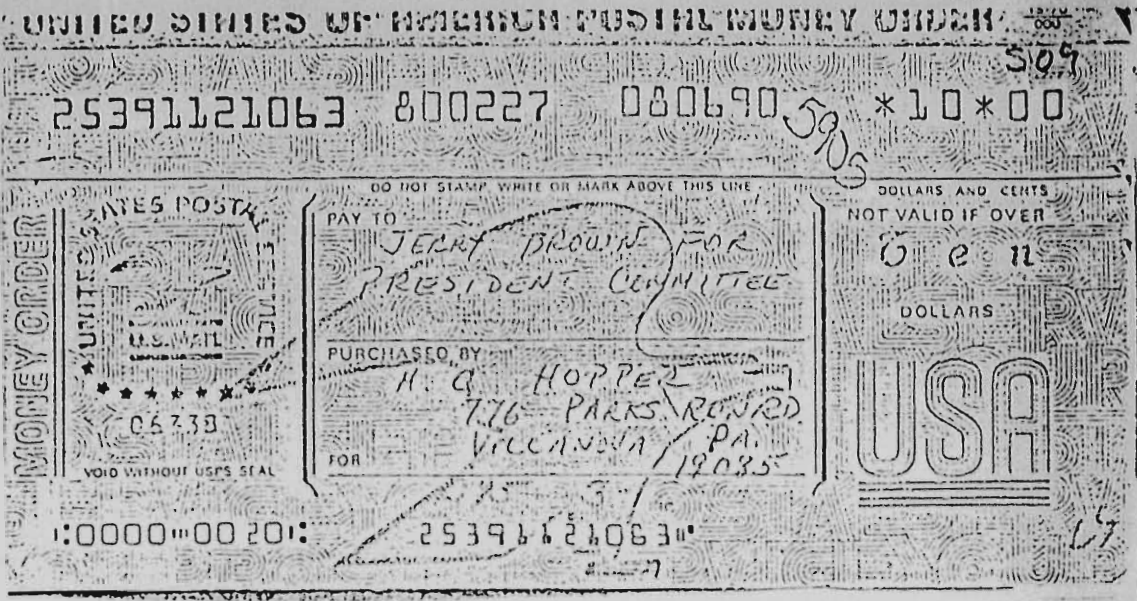
H. C. Hopper

H. C. Hopper

3 2 0 4 0 3 5 4 7 4 0

8

Attachment I-(8)



32040354741

LAST NAME: Morris FIRST: Mary Patricia SPOUSE:

HOME ADDRESS: 401 3rd St., Apt. 13 Sacramento, Ca.

HOME PHONE: 446-7389 OCCUPATION: Ad. Asst.

EMPLOYER: Governor's Office  SELF

BUSINESS ADDRESS: State Capital, Sacramento

BUSINESS NUMBER: 446-7389 CONTACT: \_\_\_\_\_

4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
113	101	3-26-80	\$100.00	2		Terri Thomas

2. Cheri Weston  
12-19-79 (Date of Instrument)  
\$250.00

Attachment # 2, page 1 is a photocopy of a cashier's check submitted for Cheri Weston, residing at 318 South 300 West in Salt Lake City, Utah. Although this instrument is dated prior to the cut-off date for contributions included in the Committee threshold submission, it was included in the committee's sixth submission. It should be noted that this cashier's check is sequential with another cashier's check which is discussed on Page 8b of this document.

Attachment # 2, page 2 is a photocopy of documentation bearing the signature Cheri Weston, which was submitted with this cashier's check.


Attachment # 2, pages 3 and 4 contain photocopies of committee prepared contributor cards. \* (BANCROFT, S. M., BLAIR, L.)

Noted below are several distinct characteristics of handwriting styles contained on the Weston documentation and these contributor cards which are so strikingly similar that it would appear they were completed by the same hand.

With respect to the Weston documentation and the Bancroft contributor card:

- The "N" in "MENLO" vs. the "N" in "WESTON".
- The "R" in "PARK" vs. the "R" in "CHERI", "REAR" and "LABOR".
- The "C" in "CA" vs. the "C" in "CO".
- The "A" in "BARNEY" vs. the "A" in "LABOR".
- The "4" in "94025" vs. the "4" in "400".

Further, with respect to the Weston documentation and the Blair contributor card:

- The first "E" in "CENTER" vs. the "E" in "WESTON". Notice the length of the middle bar and the curve at the bottom: 
- The curve of the bar crossing the "T" in "TEACHER" vs. the "T" in "TILE". Notice the connection with the next letter.

\* For ease of comparison, only the relevant portion of the Weston documentation included in its entirety in Attachment # 2, page 2 has been included with the photocopies of the contributor cards.

- (11)
- The first "E" in "TEACHER" vs. the "E" in "REAR" and "CEDAR".

Attachment # 2, page 5 is a photocopy of a money order included in the threshold submission for Eusebia Lopez, residing at 150 Oak Street in Midvale, Utah. Also included on this page is a photocopy of a portion of the documentation bearing the signature Cheri Weston which is included in its entirety in Attachment # 2, page 2.

From a comparison of the handwriting styles on the Weston documentation and the date and amount lines of the Eusebia Lopez money order, it appears they were completed by the same hand. Specifically:

- The "C" in "DEC" vs. the "C" in "CEDAR" and "COMMON".
- The "O"s in "10" and "\$200.00" vs. the "O"s in "300" and "84720".
- The "2" in "\$200.00" vs. the "2" in "84720" and also the formation of the "A" in "LABOR".

Attachment # 2, page 6 is a photocopy of a money order included in the Committee's fourth submission for Salvador Lopez, residing at 130 Oak Street in Midvale, Utah. Also included on this page is a photocopy of a portion of the documentation bearing the signature Cheri Weston which is included in its entirety in Attachment # 2, page 2.

From a comparison of the handwriting styles on the Weston documentation and the date and amount lines of the Salvador Lopez money order, as well as, the date and amount lines of the Eusebia Lopez money order in Attachment # 2, page 5, it would appear they were completed by the same hand. It should be noted that the handwriting style of the payee line of the Salvador Lopez, money order is similar to the handwriting style on another document submitted by the Committee. See page 63 for a discussion of this matter.

The foregoing analysis of the Weston and Lopez money orders as they relate to Committee prepared contributor cards convincingly illustrates that parts of these money orders were completed by a person who had access to the Committee's contributor card files. Although we are not able to identify who this person is at this time, the mere indication that the money orders or portions thereof were filled in by other than the named contributor raises extremely serious questions regarding the validity of the Brown for President contributions submitted for matching. It is our opinion that, upon further investigation, additional facts will be revealed to aid in the identification of the person completing the aforementioned documents and the circumstances and reasons for such activity as it relates to the legitimacy of the Committee's establishment of Primary Matching Fund eligibility and subsequent receipt of approximately \$892,000 in Federal funds.

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Walker Bank & Trust Company

MAIN OFFICE

3214

31-2  
1240

PURCHASED BY

SALT LAKE CITY, UTAH

No. 39503

\*\*\*Cheri Weston\*\*\*

DATE DECEMBER 19, 1979

358 South 300 West  
Cedar City, UTAH 84720

PAY TO THE ORDER OF D58 12-22-79  
\*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*

\$ \*\*\*250.00\*\*\*

CASHIER'S CHECK MAIN OFFICE WALKER BANK 250 00 00/100

*Cheri Weston*  
AUTHORIZED SIGNATURE

⑈395038⑈ ⑆24000002⑆ 3210106 0200000⑈

320403547

Jodie Krajewski  
Brown for President  
630 Shatto Place  
Los Angeles, California 90005

Dear Jodie,

My <sup>cashiers</sup> check number 395038 for \$ 250. is a

contribution to Brown for President from my personal funds.

Sincerely,

Chert Weston  
(SIGNATURE)

NAME: CHERT WESTON  
ADDRESS: 318 S. 3700 WEST rear  
CITY, STATE, ZIP: Cedar City, UTAH 84700  
OCCUPATION: COMMON LABOR  
PLACE OF EMPLOYMENT: J+S Stone Tile Co  
WORK ADDRESS: 288 NORTH 400 WEST

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14

NAME: CHERT WESTON  
 ADDRESS: 318 S. 3700 West rear  
 CITY, STATE, ZIP: Cedar City, Utah 84700  
 OCCUPATION: COMMON LABOR  
 PLACE OF EMPLOYMENT: J+S Stone Tile Co  
 WORK ADDRESS: 288 North 400 West

82040354746

Bancroft Sylvia M.  
LAST NAME FIRST  
 3027 Barney Ave, Menlo Park, CA 94025  
HOME ADDRESS

HOME PHONE \_\_\_\_\_ OCCUPATION \_\_\_\_\_  
 EMPLOYER \_\_\_\_\_  
 BUSINESS ADDRESS \_\_\_\_\_  
 BUSINESS NUMBER \_\_\_\_\_ CONTACT \_\_\_\_\_

REP#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
5023	6	3-2-80	20.00	2		

14

(15)

NAME: CHERT WESTON  
 ADDRESS: 318 S. 3700 WEST ROAD  
 CITY, STATE, ZIP: CECILIA CITY, WYOMING 82400  
 OCCUPATION: COMMON LABOR  
 PLACE OF EMPLOYMENT: J & S Stone Tile Co  
 WORK ADDRESS: 288 NORTH 400 WEST

82040354747

Blair \_\_\_\_\_ Linda \_\_\_\_\_ Davis \_\_\_\_\_  
LAST NAME FIRST SPO

Box 149, Dublin, NH 03444  
HOME ADDRESS

\_\_\_\_\_ housewife / teacher  
HOME PHONE OCCUPATION

Horns Center, Turgo Hwy, Hancock, NH  
EMPLOYER 03449

\_\_\_\_\_ BUSINESS ADDRESS

\_\_\_\_\_ BUSINESS NUMBER

\_\_\_\_\_ CONTACT

B4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
5278	85	2/25/80	250.	1	26	(h)
5277	85	2/25/80	250.	1	26	(w)

15-



16

2785

MIDVALE OFFICE

Walker Bank & Trust Company

MIDVALE, UTAH

No. 110585

97.148  
1240

DATE DEC 10, 1979

PAY TO THE ORDER OF

Brown for President

\$ 200.00

BANK MONEY ORDER

MIDVALE OFFICE  
WALKER BANK

200 AND 00/100 CTS

NOT GOOD FOR MORE THAN THREE HUNDRED DOLLARS

X Emilia Jolly  
SIGNATURE OF REMITTER  
150 Oak St MIDVALE UTAH

⑈ 110585⑈ ⑆ 124004480⑆ 3210200 2200000⑈

NAME: CHERT WESTON  
ADDRESS: 318 S. 370 WEST rear  
CITY, STATE, ZIP: Cedar City, Utah 84700  
OCCUPATION: COMMON LABOR  
PLACE OF EMPLOYMENT: J+S Stone Tile Co  
WORK ADDRESS: 288 North 400 West

320403347

17

Walker Bank & Trust Company

MIDVALE OFFICE

MIDVALE, UTAH

97-148  
1240

No. 110731

3692

DATE DEC 26, 1979

PAY TO THE ORDER OF

BROWN FOR PRESIDENT \$ 20.00

BANK MONEY ORDER

MIDVALE OFFICE

WALKER BANK

NOT GOOD FOR MORE THAN THREE HUNDRED DOLLARS

X Salvador H. Lopez  
SIGNATURE OF REMITTER

⑆ 110731 ⑆ ⑆ 2400 ⑆ ⑆ 4801 ⑆ 3 210 200 ⑆ 22000000 ⑆

3000 1/2 ST. MIDVALE, UT 84047

32740354747

NAME: CHEBI WESTON

ADDRESS: 318 S. 300 WEST

CITY, STATE, ZIP: Cedar City, Utah 84720

OCCUPATION: common labor

PLACE OF EMPLOYMENT: J & S Stone Tile Co.

WORK ADDRESS: 288 North 400 West

3. Rollan Swanson  
12-24-79 (Date of Instrument)  
\$250.00

Eleanora Swanson  
12-24-79 (Date of Instrument)  
\$250.00

Attachment # 3, page 1 contains photocopies of sequentially numbered money orders included in the Committee's threshold submission for the State of Nevada for Rollan and Eleanora Swanson, residing in Eureka, Nevada. Attachment # 3, page 2 is a photocopy of a letter bearing the signatures Rollan Swanson and Eleanora Swanson, which was submitted with the money orders.

Attachment # 3, page 3 contains a photocopy of a Committee prepared contributor card. (SCHULTZ, M. J.) This card appears to have been prepared by the Committee's Treasurer, Jodie Krajewski.

Certain distinct characteristics of handwriting styles contained on the Swanson money orders and this contributor card are so similar that it would appear they were completed by the same hand, namely Jodie Krajewski.

For example:

- The "V" in "ADVERTISING" vs. the "V" in "NEV" on the Rollan Swanson money order.
- The "R" in "RUBIN" vs. the "R"s in "JERRY BROWN FOR" on the Eleanora Swanson money order and "JERRY" on the Rollan Swanson money order.
- The "L" in "BLVD" vs. the "L"s in "ROLLAN".
- The "D" in "BLVD" vs. the "D" in "PRESIDENT" on the Rollan Swanson money order.

Attachment # 3, page 4 contains a photocopy of the bottom portion of the Notice of Rejected Contributions for Submission #6, which was completed and signed by the Committee's Treasurer, Jodie Krajewski. (Attachment #3, page 5 is a photocopy of this document in its entirety.)

Certain distinct characteristics of handwriting styles are present:

- The "R"s in "BROWN FOR PRESIDENT" on the Notice of Rejected Contributions vs. the "R"s in "JERRY BROWN" and "PRESIDENT" on the Rollan Swanson money order.

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≡

- The "ENT" in "PRESIDENT" on the Notice of Rejected Contributions vs. the "ENT" in "PRESIDENT" on the Rollan Swanson money order. Note the connection of the "E" with the "N" and the spacing between the "N" and "T".

Based on the above analysis, it appears that Jodie Krajewski, Treasurer of the Brown For President Committee completed the money orders attributed to Rollan and Eleanora Swanson. We are unable at this time to establish any connection between the signatures appearing on the documentation letter (Attachment # 3, page 2) and the Committee. However, the circumstances surrounding these money order transactions are certainly very questionable given the likelihood that they were prepared by a Committee official.

8204033

20

3366

24

94.15  
1212

DESERT INN ROAD OFFICE

Nevada National Bank

LAS VEGAS, NEVADA

DATE December 24, 1979

NO 12359

JERRY BROWN FOR PRESIDENT

54250.00\*

EXACTLY \$250 AND 00 CTS

PERSONAL MONEY ORDER

Rollan Swanson

ROLLAN SWANSON

EUREKA, NEV.

⑈0012359⑈ ⑆121200158⑆ 24 21343 8⑈90 966

2040354752

3367

24

T-CIC

94.15  
1212

DESERT INN ROAD OFFICE

Nevada National Bank

LAS VEGAS, NEVADA

DATE December 24, 1979

NO 12358

JERRY BROWN FOR PRESIDENT

54250.00\*

EXACTLY \$250 AND 00 CTS

Eleanora Swanson

ELEANORA SWANSON

EUREKA, NEV.

21

December 27, 1979

Rollan and Eleanora Swanson  
Eureka, Nevada 89316

Brown for President  
630 Shatto Place  
Los Angeles, Ca. 90005.

Dear Jodie Krajewski:

Enclosed are duplicate money order receipts, MO's  
# 12358, 12359 for \$500.00 which represent my personal funds  
which I have donated to Jerry Brown's presidential efforts.

Sincerely,

By: *Eleanora Swanson*

By: *Rollan Swanson*

33040354753

3-07

24

22  
94-15  
1212



DESERT INN ROAD OFFICE  
Nevada National Bank  
LAS VEGAS, NEVADA

DATE December 24, 1979

NO 12358

PAY TO THE ORDER OF

JERRY BROWN FOR PRESIDENT

\$250.00\*

EXACTLY \$250 AND 00 CTS

Eleanora Swanson

ELEANORA SWANSON  
EUREKA, NEV.



DESERT INN ROAD OFFICE  
Nevada National Bank  
LAS VEGAS, NEVADA

3366

24

94-15  
1212

DATE December 24, 1979

NO 12359

PAY TO THE ORDER OF

JERRY BROWN FOR PRESIDENT

\$250.00\*

EXACTLY \$250 AND 00 CTS

PERSONAL MONEY ORDER

Rollan Swanson

ROLLAN SWANSON  
EUREKA, NEV.

⑈0012359⑈ ⑆121200158⑆ 24 24343 BR90 966

32040354751

Shultz MARY-JANE SPOUSE  
 5344 Sepulveda Blvd., No. 2, Van Nuys, CA 91411  
 HOME ADDRESS  
 HOME PHONE  
 RUBIN & ASSOCIATES ADVERTISING EMPLOYER  
 12345 VENTURA BLVD. Studio City, CA 91604  
 BUSINESS ADDRESS  
 985-3894 BUSINESS NUMBER CONTACT

B4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
5986	97	3/20/80	100.	1	27	7B
5987	97	3/20/80	50.		27	
5988	97	3/20/80	20.		27	

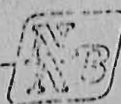
Attachment I - (22)

23

3367

24

04-15  
1212



DESERT INN ROAD OFFICE

Nevada National Bank  
LAS VEGAS, NEVADA

DATE December 24, 1979

NO 12358

PAY TO THE ORDER OF

JERRY BROWN FOR PRESIDENT

\$250.00

ENCLOSURE 250 AND 00 CTS

Eleanora Swanson

ELEANORA SWANSON  
EUREKA NEV.

312040354755

DESERT INN ROAD OFFICE

Nevada National Bank  
LAS VEGAS, NEVADA

3366

24

04-15  
1212

DATE December 24, 1979

NO 12359

JERRY BROWN FOR PRESIDENT

\$250.00

ENCLOSURE 250 AND 00 CTS

PERSONAL MONEY ORDER

Rollan Swanson

ROLLAN SWANSON  
EUREKA, NEV.

⑆0042359⑆ ⑆124200458⑆ 24 21343 8⑆90 986

I am requesting the identification of the rejected contributions supporting the amounts noted above. I agree that this precludes the resubmission of the submission in its entirety and limits resubmission by the Committee to only the identified items.

Submission No. 06

Jedie Krauski  
(Signature of Candidate or Designee)

Amount Requested: 37,364.20

Date: 5-11-80

Name of Committee: Brown for President



24



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

NOTICE OF REJECTED CONTRIBUTIONS

Brown For President \_\_\_\_\_ Submission No. 06  
Date Submitted: February 25, 1980 Resubmission No. \_\_\_\_\_

Your primary matching fund submission noted above has been reviewed in accordance with the Commission's review procedures. The results of the review are summarized below. For a thorough explanation of the Commission's Policy on the exceptions noted, see the Commission's Guideline for Presentation in Good Order, Section IV - "Standard Exception Codes for Review of Matching Fund Requests." Furthermore, requirements for resubmission of rejected contributions are also contained in Section IV.

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Exception Code	Amount Rejected	Error Percentage
A	459.42	1.23
B		
C	612.56	1.64
D	153.14	.41
E	765.70	2.05
F	612.56	1.64
G		
H		
I	153.14	.41
J	765.70	2.05
K		
Other		
Other		
Subtotal	3,522.22	9.43
NSF Adjustment	2,080.13	
TOTAL	5,602.35	9.43

As a result of this review, your next matching fund payment will include an adjustment of \$ -1,976.32 which is the difference between the certified amount (based on a hold back percentage) and the actual amount verified.

I am requesting the identification of the rejected contributions supporting the amounts noted above. I agree that this precludes the resubmission of the submission in its entirety and limits resubmission by the Committee to only the identified items.

Submission No. 06 \_\_\_\_\_ Georgie Krawinski  
(Signature of Candidate or Designee)

Amount Requested: 37,364.20 \_\_\_\_\_ Date: 5-11-80 \_\_\_\_\_

Name of Committee: Brown for President \_\_\_\_\_

21 Attachment I - (24)

4. Ellen Abrams  
9-20-79 (Date of Instrument)  
\$250.00

Attachment # 4, page 1 is a photocopy of a money order included in the threshold submission for the State of Hawaii for Ellen Abrams, residing at 3633 Pahoia Avenue in Honolulu, Hawaii.

Also included on Attachment # 4, page 1 and on pages 2 through 4 are photocopies of Committee prepared contributor cards. (HOPKINS, R. E., CONSER, D., MORRIS, M. P., ISENBERG, D.)

Several distinct characteristics of handwriting styles contained on the Abrams money order and all or portions of these contributor cards are so strikingly similar that it would appear they were completed by the same hand.

For example, with respect to the Abrams money order and the Hopkins contributor card:

- The "R" in "FRIED" vs. the "R"s in "BROWN FOR PRESIDENT".
- The "O" in "OWNER" vs. the "O" in "20".
- The number "6"
- The "H" in "HOPKINS" vs. the "H" in "HONOLULU".
- The second "2" in "22" vs. the "2" in "20".

With respect to the Abrams money order and the phrase "RTN TO WRITER" on the Conser contributor card:

- The "W" in "WRITER" vs. the "W" in "BROWN".
- The second "R" in "WRITER" vs. the "R" in the cursive "ABRAMS".
- The "O" in "TO" vs. the "O" in "PAHOA" and the first "O" in "HONOLULU".

With respect to the Abrams money order and the Morris contributor card:

- The "T"s in "STATE" vs. the "T" in "SEPT". Note the slight curvature of the bar. +
- The "PA" in "PATRICIA" vs. the "PA" in "PAHOA".
- The second "A" in "PATRICIA" vs. the second "A" in "PAHOA".
- The "A" in "ASST" vs. the "A" in "AVE".

32040354757

- The "L" in "CAPITOL" vs. the second "L" in the cursive "ELLEN".
- The "S" in "THOMAS" vs. the "S" in the cursive "ABRAMS".

With respect to the Abrams money order and the third and fifth lines of the Isenberg contributor card:

- The numerals "3" and "6".
- The "2" in "LAD 2" vs. the "2" in "20".
- The first "E" in "HOUSEWIFE" vs. the "E"s in "SEPT" and "PRESIDENT".

The foregoing analysis, in our opinion, clearly indicates that the person who completed the Abrams money order also completed all or a portion of the aforementioned Committee prepared contributor cards.

For the reasons enumerated below we feel that person was Jodie Krajewski, the Treasurer of the Brown For President Committee.

Attachment # 4, page 5 is a photocopy of BFP check #890 completed by the Treasurer. For comparison purposes a photocopy of the previously discussed Hopkins contributor card is also included.

- Note the numeral "4" in "5640" on the second line of the Hopkins' card vs. the "4"s in the amount "\$2449.44" on the check.
- Note, when comparing the "S" in "SHELTER", "ISLAND" and "SAN" on check #890 to the "S" in "SEPT" and the "S" in "PRESIDENT" as they appear on the Abrams money order, that the formation of the top part of the "S" curve, including the point where the downward right to left slope begins, is virtually the same.

Admittedly, a comparison between the Abrams money order, the four (4) contributor cards and check #890 shows a somewhat differing slant in the handwriting, however, we do not believe that this feature detracts from our stated position. Rather, it supports our position, in view of the fact that documents in our possession which were completed by the Treasurer exhibit different slants as well as variations in the formation of the letters and legibility similar to

82040354758

those found on the contributor cards and instruments in question. For comparison, see Attachment # 4, pages 6 through 10 (Statement of Availability of Records, miscellaneous documents and portions of documents bearing the Treasurer's signature \*.) Throughout this entire document, there are cases where we have found marked consistencies between what appear to be different styles of handwriting.

32040354759

\* Copies of the documents from which these signatures were taken are available upon request.

28

# Bank of Hawaii

Head Office 59-102/1213

366

NO. 7- 3491039

## PERSONAL MONEY ORDER

Sept 20 19 79

PAY TO THE ORDER OF

Brown for President

NOT VALID IF DRAWN FOR OVER \$1,000

BANK OF HAWAII 65-1 \$250 AND 00 CTS

3633 Palms Ave. Honolulu  
ADDRESS

Ellen Abrams  
SIGNATURE OF REMITTER  
Ellen Abrams

⑈73491039⑈ ⑆121301028⑆ 0000⑈922201⑈

116

82040354760

LAST NAME		FIRST		SPOUSE		
HOPKINS		ROBERT E. JR.		IKMA		
HOME ADDRESS						
5640 W. 63rd St. L.A. CA. 90056						
HOME PHONE						
776-5690 RESTURANT OWNER						
EMPLOYER						
LOUISIANA FRIED CHICKEN <input type="checkbox"/> SELF						
BUSINESS ADDRESS						
925 W. GRAND, OAK. CA.						
BUSINESS NUMBER			CONTACT			
AP#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
54	74	2/2/80	\$200 <sup>00</sup>	1	22	OAK

20

29

# Bank of Hawaii

Head Office 59-102/1213

366

NO. 7- 3491039

## PERSONAL MONEY ORDER

Sept 20 19 79

PAY TO THE ORDER OF

Brown for President

NOT VALID IF DRAWN FOR OVER \$1,000

BANK OF HAWAII 250 DOLLARS

3633 Palua Ave. Honolulu  
ADDRESS

Ellen Abrams  
SIGNATURE OF REMITTER  
Ellen Abrams

⑈73491039⑈ ⑆121301026⑆ 0000⑈92220⑈

112

82040354761

1. CUNSEIL  
LAST NAME FIRST SPOUSE

23719 Silver Spray Dr, Diamond Cove, MA 01765  
HOME ADDRESS

714-598-6404 USED CAR DEALER  
HOME PHONE OCCUPATION

CANYON CITY MOTORS  
EMPLOYER  SELF

305 WEST BOTTILL BLVD Azusa CA  
BUSINESS ADDRESS

BUSINESS NUMBER CONTACT

B4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
1863	37	11/19/79	225.00	1		39 NSF NSF

42

# Bank of Hawaii

Head Office 59-102/1213

368

NO. 7- 3529101

## PERSONAL MONEY ORDER

9-18 1979

PAY TO THE ORDER OF

Brown For President

NOT VALID IF DRAWN FOR OVER \$1,000

ENCLOSURE 252

EX-76 (REV 8/78)

32 Wilton - Kihai - Hi. 96753 / Kathleen Byrnes

ADDRESS

SIGNATURE OF REMITTER  
Kathleen Byrnes

⑈73529101⑈ ⑆121301028⑆ 0000⑈922201⑈

240354762

BROWN FOR PRESIDENT  
P. O. BOX 51505  
849 SO. BROADWAY ST. 629-4700  
LOS ANGELES, CALIF. 90054

AMERICAN CITY BANK  
ONE WILSHIRE BOULEVARD  
LOS ANGELES, CALIFORNIA 90017

890

16-554  
1220

11-29 1979

Two thousand four hundred forty and 44/100 DOLLARS \$ 2449.44

TO THE ORDER OF

Kona Kai Club  
1551 Shaker Island Dr  
San Diego, CA 92107

Judie Krajewski

⑈000890⑈ ⑆12200551⑆ 50703978⑆ ⑈0000211911⑈

30

# Bank of Hawaii

Head Office 59-102/1213

366

NO. 7- 3491039

## PERSONAL MONEY ORDER

Sept 20 19 79

PAY TO THE ORDER OF

Brown for President

NOT VALID IF DRAWN FOR OVER \$1,000

BANK OF HAWAII  
65-1

250 DOLLARS

3633 Palua Ave. Honolulu  
ADDRESS

Ellen Abrams  
SIGNATURE OF ISSUER  
Ellen Abrams

⑈73491039⑈ ⑆121301028⑆ 0000⑈922201⑈

116

32040354763

Norris Mary Patricia  
LAST NAME FIRST SPOUSE

401 3rd St., Apt. 13 Seiwanetsu, HI  
HOME ADDRESS

446-7389 Ad. Asst.  
HOME PHONE OCCUPATION

Governor's Office  SELF  
EMPLOYER

State Capital, Seiwanetsu  
BUSINESS ADDRESS

446-7389  
BUSINESS NUMBER CONTACT

4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
113	101	3-26-80	\$100.00	2		Terril Thomas

2 n



31

# Bank of Hawaii

Head Office 59-102/1213

366

NO. 7- 3491039

## PERSONAL MONEY ORDER

Sept 20 19 79

PAY TO THE ORDER OF

Brown for President

NOT VALID IF DRAWN FOR OVER \$1,000

BANK OF HAWAII 65-1 \$250 AND 00 CTS

3633 Palua Ave. Honolulu  
ADDRESS

Ellen Abrams  
SIGNATURE OF REMITTER

Ellen Abrams

⑈ 73491039⑈ ⑆ 121301028⑆ 0000⑈ 922201⑈

32040354761

Isenberg		Debra		SPO		
LAST NAME		FIRST				
4000 E. Theil Ave, Studio City, Ca. 91604						
HOME ADDRESS						
784-9397		Housewife				
HOME PHONE		OCCUPATION				
EMPLOYER <input type="checkbox"/>						
BUSINESS ADDRESS						
BUSINESS NUMBER			CONTACT			
B4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
2576	53	12/16	100-	7		44
5345	86	2/24/80	200-	1	12	LAD2

BROWN FOR PRESIDENT

P. O. BOX 51305  
840 SO. BROADWAY ST. 620-1700  
LOS ANGELES, CALIF. 90054

AMERICAN CITY BANK  
ONE WILSHIRE BOULEVARD  
LOS ANGELES, CALIFORNIA 90017

890

16-554  
1225

11-29 10 79

Two thousand four hundred forty nine and 44/100 DOLLARS \$ 2449.44

TO THE ORDER OF

Kona Kai Club  
1551 Shallowford Island Dr  
San Diego, CA 92107

Jodie Krajewski

⑈0000890⑈ ⑆122005543⑆ 507034789⑈

⑈0000244944⑈

92040354765

HOPKINS ROBERT E. JR. TKMA  
LAST NAME FIRST SPOUSE

5640 W. 63rd St. L.A. CA. 90056  
HOME ADDRESS

776-5690 RESTURANT OWNER  
HOME PHONE OCCUPATION

LOUISIANA FRIED CHICKEN  SELF  
EMPLOYER

925 W. GRAND, OAK. CA.  
BUSINESS ADDRESS

BUSINESS NUMBER

CONTACT

4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
541	74	2/2/80	\$200.00	1	22	OAK

The undersigned, JODIE KRATJEWSKI,  
Residing at 201 OCEAN AVE 190413 Santa Monica CA,  
makes the following statement.

1. I am the treasurer of BROWN FOR PRESIDENT  
\_\_\_\_\_ Committee(s).

2. All the records of the above named committee(s) have  
been, or will be, made available to Compliance Review Staff of  
the Federal Election Commission.

(Signed) Jodie Kratjewski

(Date) 5-7-80

82040354766

34

DEVELOPER

EMPLOYEE

EMPLOYER

BUSINESS ADDRESS

BUSINESS ESTABLISH

CONTACT

DEPT	DLP #	DATE REC.	AMOUNT	PAID	C	SOURCE
		12/17/77	25.00			Mon

not cash see attached

These checks were never deposited

Police

82040354767

This is to certify that I, Jodie Krajewski, held a fundraiser reception at my home, 201 Ocean Avenue, apartment 1804-B, Santa Monica, California on the evening of July 11th, 1980. The purpose of this fund raiser was to raise funds to pay off the campaign debt incurred by the Brown for President Committee. I hereby declare that all the expenses incurred by the Brown for President Committee were qualified campaign expenses as defined in Federal Election Commission regulation 9032.9.

These expenses included Brown for President checks:

#2487 issued to Michael Luros dated 7-7-80 for \$50.00; # 2484 issued to Renta Yenta Catering dated 7-7-80 for \$ 150.00; #2500, issued to Renta Yenta Catering dated 7-11-80 for \$ 150.00; #2488, issued to Peter Davaz dated 7-8-80 for \$ 125.00 and # 2485 issued to Sam Cruz dated 7-11-80 for \$ 200.00.

Check # 2487 was issued as payment for wine; #2484 and #2500 were issued as payment for catering services ; # 2488 and # 2485 were issued as services payments.

02010351769

Jodie Krajewski  
(signed)

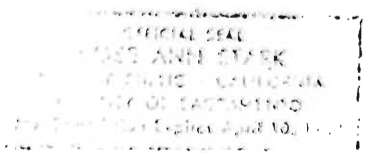
January 8, 1981  
(date signed)

630 Shatto Place  
(address)

Los Angeles, Cal 90005  
(city) (state) (zip)

Witnessed by:

Rose Ann Stark  
Notary Public  
1/6/81



# Memorandum

36

BROWN FOR PRESIDENT  
630 SHATTO PLACE  
Los Angeles, California 90005

Date : 7/23/80

Subject: Knights Catering &  
Restaurant Invoice.

From : Maryalice Lemmon  
Accounting Officer  
Governor's Office

I am forwarding a copy of the Knights Catering & Restaurant invoice. The breakfast meeting at which coffee and danish was served on June 24, 1980 was a Democrat Party Official meeting. We have not paid the \$62.50, so will you directly mail your check to the vender instead of this office.

Thanks.

*This event resulted in myself and Nancy Pelosi raising \$10,000.00. Therefore, it is a qualified campaign expense as defined in Federal Election Commission Regulation 9032.9 and is a winding down expense.*

*date January 6, 1981 - 630 Shatto Place  
Los Angeles, Cal 90005*

RECEIVED BY	<i>Jodie Krjewski - signed</i>			
		TAX		
	TOTAL			

No 1943

All claims and returned goods MUST be accompanied by this bill.

Thank You

*Witnessed 1-6-81  
Rose Ann Atack  
Notary Public*

MIN STARK  
CALIFORNIA

We look forward to concluding this matter and would be most happy to provide any further information on matching funds that you might require.

37

Sincerely,

Jodie Krajewski  
Jodie Krajewski  
Treasurer

Discount \$ \_\_\_\_\_

TOTAL \$ 25,000.00

BROWN FOR PRESIDENT

By:

Jodie Krajewski

(Signed) Jodie Krajewski

(Date) 5-7-80

RECEIVED BY	Jodie Krajewski - signed	TAX	
		TOTAL	

Jodie Krajewski  
(signed)

630 Shatto Place  
(address)

Los Angeles, Cal 90005  
(city) (state) (zip)

02040334770

5. Kathleen Byrnes  
9-18-79 (Date of Instrument)  
\$250.00

Attachment # 5, page 1 is a photocopy of a money order included in the threshold submission for Kathleen Byrnes, residing at 32 Uilani Street in Kihei, Hawaii.

Also included in Attachment # 5, page 1 is a photocopy of the lower portion of the Notice of Rejected Contributions for Submission #9 which has been completed and signed by the Committee's Treasurer, Jodie Krajewski. (Attachment # 5, page 2 is a photocopy of this document in its entirety.)

Certain distinct characteristics of the styles of handwriting on the Byrnes money order and the Notice of Rejected Contributions are present.

For example:

- The "WN" in "BROWN" on both documents.
- The "R" in "FOR" on the Notice of Rejected Contributions vs. the "R" in "BROWN".
- The "P" in "PRESIDENT" on both documents.

Attachment # 5, page 3 is a photocopy of Brown for President check #890 prepared and signed by the Committee's Treasurer, Jodie Krajewski.

The handwriting similarities between these instruments, both with respect to the printed and cursive writing, leads one to conclude that both instruments were completed by the same person, namely Jodie Krajewski, the Treasurer of the Brown For President Committee. Inspection of the characteristics noted below bears this out.

- The "K" in the cursive "KATHLEEN" vs. the "K" in the cursive "KRAJEWSKI".
- The "R" in the cursive "BYRNES" vs. the "R" in the cursive "KRAJEWSKI".
- The cursive "A" in "KATHLEEN" vs. the cursive "A" in "KRAJEWSKI". Notice that the "A"s are slightly larger than the other lower case letters (HALF-LINE SIZE):  
 "A" in "KATHLEEN" vs. the double "E".  
 "A" in "KRAJEWSKI" vs. "R", "J", "E", "W". "S", "I".

82040354771



Attachment # 5, page 4 is a photocopy of a Committee prepared contributor card which appears to have been prepared by the Committee's Treasurer, Jodie Krajewski.

Again, certain distinct characteristics of handwriting styles are present.

For example:

- The "B" in "BALDWIN" vs. the "B" in "BROWN".
- The number "2" in "962-1161" vs. the number "2" in "32".
- The number "9" in "962-1161" vs. the number "9" in "9-18".

The connection is even more apparent if one compares the BFP check (Attachment # 5, page 3) and the contributor card (Attachment # 5, page 4).

- The numerals on both documents.
- The "K" in "KILGORE" vs. the "K" in "KONA" and "KAI".
- The "CA" on the check vs. the "CA" on the contributor card.
- The "A"s in "FARLINGTON" and "BALDWIN" vs. the "A"s in "KONA" and "KAI".

Thus, it is our opinion, that as evidenced above, it seems likely that the Treasurer completed the Byrnes money order.

92040351772

Bank of Hawaii  
Head Office 59-102/1213

-368

NO. 7- 3529101

PERSONAL MONEY ORDER

9-18 1979

PAY TO THE ORDER OF

Brown for President

NOT VALID IF DRAWN FOR OVER \$1,000

ENCLOSURE \$250

EX-76 (REV 8/78)

3.2 Wilani - Kihai - Hi. 96753  
ADDRESS

Kathleen Byrnes  
SIGNATURE OF REMITTER

⑈73529101⑈ ⑆121304028⑆ 0000⑈922201⑈

ML

82040354773

I am requesting the identification of the rejected contributions supporting the amounts noted above. I agree that this precludes the resubmission of the submission in its entirety and limits resubmission by the Committee to only the identified items.

Submission No. 09

Jodie Kravitski  
(Signature of Candidate or Designee)

Amount Requested: 30,172.40

Date: 5-23-80

Name of Committee: Brown for President

11x

Attachment I - (40)

41



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

NOTICE OF REJECTED CONTRIBUTIONS

Brown For President

Submission No. 09

Date Submitted: April 7, 1980

Resubmission No.

Your primary matching fund submission noted above has been reviewed in accordance with the Commission's review procedures. The results of the review are summarized below. For a thorough explanation of the Commission's Policy on the exceptions noted, see the Commission's Guideline for Presentation in Good Order, Section IV - "Standard Exception Codes for Review of Matching Fund Requests." Furthermore, requirements for resubmission of rejected contributions are also contained in Section IV.

Exception Code	Amount Rejected	Error Percentage
A	277.37	.91
B		
C		
D		
E	69.34	.23
F	485.39	1.60
G		
H	346.71	1.14
I		
J	346.71	1.14
K		
Other	277.37	.91
Other		
Subtotal	1,802.89	5.93
NSF Adjustment	225.00	
TOTAL	2,027.89	5.93

As a result of this review, your next matching fund payment will include an adjustment of \$ 1,626.17 which is the difference between the certified amount (based on a hold back percentage) and the actual amount verified.

I am requesting the identification of the rejected contributions supporting the amounts noted above. I agree that this precludes the resubmission of the submission in its entirety and limits resubmission by the Committee to only the identified items.

Submission No. 09

*Godol Krajewski*  
(Signature of Candidate or Designee)

Amount Requested: 30,172.40

Date: 5-23-80

Name of Committee: Brown for President

21

Attachment I - (41)

82040354771

43

Bank of Hawaii  
Head Office 59-102/1213

368

NO. 7- 3529101

PERSONAL MONEY ORDER

9-18 1979

PAY TO THE ORDER OF

Trust for President

NOT VALID IF DRAWN FOR OVER \$1,000

3529101 250

EX 74 (REV 9/78)

3.2 Wilani - Kihai - Hi. 96753 / Kathleen Byrnes

ADDRESS

SIGNATURE OF REMITTER  
Kathleen Byrnes

⑈73529101⑈ ⑈121301028⑈ 0000⑈922201⑈

32040354775

KILGORE

Jim

LAST NAME

FIRST

SPOUSE

14420 Farlington, Baldwin Park, CA 91706

HOME ADDRESS

962-1161

HOME PHONE

OCCUPATION

EMPLOYER

SELF

BUSINESS ADDRESS

BUSINESS NUMBER

CONTACT

14PN	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
778	79	2/13	25.00	2		FLIPPERS

112

Attachment I - (43)

6. Jerome Mack  
12-21-79 (Date of Instrument)  
\$200.00

Joyce Mack  
12-21-79 (Date of Instrument)  
\$200.00

Attachment # 6, page 1 contains photocopies of postal money orders included in the Committee's threshold submission for the State of Nevada for Jerome and Joyce Mack, residing at 3111 Bel Air Drive in Las Vegas, Nevada. \*

Attachment # 6, page 2 is a photocopy of documentation bearing the signature Jerome Mack, which was submitted with the money order attributed to him. The money order attributed to Joyce Mack was rejected for matching because documentation bearing her signature was not provided.

Also included on Attachment # 6, page 1 is a photocopy of a Committee prepared contributor card. (BEECHER, M.) This card appears to have been prepared by the Committee's Treasurer, Jodie Krajewski.

Several distinct characteristics of handwriting styles contained on the Mack money orders and the Beecher contributor card are so similar that it would appear they were completed by the same hand, namely, Jodie Krajewski.

For example:

- The "B" in "B-100" vs. the "B" in "BROWN" on the Joyce Mack money order.
- The first two "E"s in "BEECHER" and the first "E" in "DEFENDER" vs. the "E"s on the money orders.
- The "P" in "PUBLIC" vs. the "P" in "PRESIDENT" on both money orders.
- The "R"s in "DEFENDER" and "DR" vs. the "R"s in "FOR" on both money orders and "BROWN" on the Joyce Mack money order.
- The "A"s in "MICHAEL", "SEASIDE", and "BEACH" vs. the "A" in "MACK" on both money orders.

\* It should be noted that the address portion of each money order was written on the photocopies submitted for matching by a Committee person.

82040354775

44

- The connection between upper case letters, such as the "OW" in "BROWN", the "FO" in "FOR", the "EN" in "PRESIDENT" and the "TE" in "COMMITTEE" on both money orders. The Beecher contributor card possesses this same tendency on the part of the writer.

One additional point concerning the Jerome Mack contribution is particularly noteworthy. The additional documentation letter at Attachment # 6, page 2, states:

"A commitment for the contribution to the Brown for President campaign was made by my wife and myself and a postal M.O. #56534 was issued in my name. Reimbursement was made from my personal funds" (emphasis added).

Based on our analysis of the handwriting styles and our interpretation of the statement in the letter, it appears that the postal money orders were purchased and issued in the name of Jerome and Joyce Mack prior to actual receipt of a matchable contribution from the Mack's. It appears that the Mack's may have made a promise or pledge to make a contribution at some future date and the Committee arranged for the purchase and completion of said money orders. According to the letter it would appear that the Mack's reimbursed the Committee for the \$400 at some time between 12/21/79 (the purchase date of the postal money order) and 1/7/80 (the date of the aforementioned letter from Jerome Mack).

In our opinion, this practice clearly negates the matchability of the Jerome Mack money order used to establish Nevada as one of the 20 threshold states. Since no signature was provided for Joyce Mack, her contribution was not deemed matchable.

Over and above the instant case at hand, we are presently unable to identify the magnitude of this type of activity as it relates to Brown For President threshold and subsequent matching fund submissions. Nor are we able to ascertain the source of the funds used to carry out this transaction. Suffice to say, if our conclusions are correct concerning this money order and Committee practice, the integrity of the entire matching funds process of the Committee is gravely in doubt.

46

25010468975 711071 891061 328 200000

VOID WITHOUT USFS SEAL

PAY TO  
JEROME MARK  
PURCHASED BY  
3111 BEL AIR DR  
LAS VEGAS, NV

NOT VALID IF OVER  
DOLLARS

USA

0000000201 25010468975

25010468975 711071 891061 328 200000

VOID WITHOUT USFS SEAL

PAY TO  
BROWN FOR  
PRESIDENT CENTER  
PURCHASED BY  
JOYCE MARK  
3111 BEL AIR DR  
LAS VEGAS, NV

NOT VALID IF OVER  
DOLLARS

USA

0000000201 25010468975

BEECHER MICHAEL SPOUSE  
LAST NAME FIRST  
10 SEASIDE CIRCLE, NEWPORT BEACH, CA 92662  
HOME ADDRESS  
714-896-7289 DEN PUBLIC DEFENDER  
HOME PHONE OCCUPATION  
ORANGE COUNTY  
EMPLOYER  
700 CIVIC CENTER DR B-100, SANTA ANA, CA 92701  
BUSINESS ADDRESS  
834-2144  
BUSINESS NUMBER CONTACT

B4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
1226	29	11/1	1000.	1	26	27

Attachment I - (46)

47

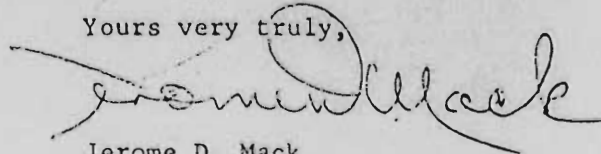
January 7, 1980

Brown for President  
630 Chatto Place  
Los Angeles, Calif. 90005

Gentlemen:

A commitment for the contribution to the Brown for President  
campaign was made by my wife and myself and a postal M.O.# 56534  
was issued in my name. Reimbursement was made from my personal  
funds.

Yours very truly,



Jerome D. Mack  
2961 Augusta Drive  
Las Vegas, Nevada 89109

TS 324

3204034770



7. Daniel Greenspun  
12-21-79 (Date of Instrument)  
\$250.00

Barbara Greenspun  
12-22-79 (Date of Instrument)  
\$250.00.

Attachment # 7, page 1 contains a photocopy of a check included in the threshold submission for the State of Nevada for Daniel Greenspun, residing at 3112 La Entrada in Henderson, Nevada. Note that the check has not been imprinted with the contributor's name and/or address and is not numbered. The residential address and city were written in pen on the photocopy of the check submitted for matching.

Attachment # 7, page 1 also contains photocopies of postal money orders included in the threshold submission for the State of Nevada for Jerome and Joyce Mack, residing at 3111 Bel Air Drive in Las Vegas, Nevada. As discussed on pages of this document, several distinct similarities were noted between the handwriting styles, contained on these money orders and documents prepared by the Committee's Treasurer, Jodie Krajewski.

Further, Attachment # 7, page 2 is a photocopy of a check included in the threshold submission for the State of Nevada for Barbara Greenspun of Las Vegas, Nevada. This check, unlike the Daniel Greenspun check, is imprinted with the name, address and check number.

From a comparison of the handwriting styles contained on the Daniel Greenspun check and the Mack money orders contained in Attachment # 7, page 1, the Audit staff is of the opinion that the date, payee and amount lines of the Greenspun check were completed by the same hand that completed the Mack money orders, namely, Jodie Krajewski, the Committee Treasurer. With respect to the Barbara Greenspun check (Attachment # 7, page 2), it appears that only the amounts (BOTH NUMERIC AND WRITTEN) bear such an exact resemblance to the Daniel Greenspun check and Mack money orders.

At this time, the Audit staff is unable to identify any other handwriting characteristics on the Greenspun checks which are notably similar to other instruments, contributor cards or related documents. However, the mere appearance of Committee involvement, coupled with the previous discussion concerning the Mack money orders, further compounds the gravity of the situation as expressed in the Mack analysis (page 44).

82040354780

DANIEL SPENSPUN 3274  
3112 La Entrada  
Henderson, Nevada

No. T-516  
7

49

DECEMBER 21 1977

PAY TO THE ORDER OF BROWN FOR PRESIDENT COMMITTEE \$ 250.00  
TWO HUNDRED FIFTY DOLLARS + 00/100 DOLLARS

VALLEY BANK OF NEVADA  
P.O. BOX 15327 - LAS VEGAS, NEVADA 89115  
P.O. BOX 15327 - HENDON, NEVADA 89015

*D. Sp.*

⑆ 122000724⑆ 014025817⑆

25010468976 792076 892061 328 200\*00

82040354781

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

DOLLARS AND CENTS  
NOT VALID IF OVER  
Two Hundred  
DOLLARS

PAY TO  
BROWN FOR  
PRESIDENT COMMITTEE

PURCHASED BY  
JOYCE MARK  
3111 BEL AIR DR  
LAS VEGAS, NV

USA

⑆0000⑆0020⑆ 25010468176⑆

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

DOLLARS AND CENTS  
NOT VALID IF OVER  
Two Hundred  
DOLLARS

PAY TO  
BROWN FOR PRESIDENT COMMITTEE

PURCHASED BY  
JEROME MACK  
3111 BEL AIR DR  
LAS VEGAS, NV

USA

⑆0000⑆0020⑆ 25010468976⑆

UG

Attachment I - (49)

50

JPM

H. M. GREENSPUN  
BARBARA GREENSPUN  
P. O. BOX 4275  
LAS VEGAS, NEV. 89106

TRUCK 494

3279

December 22, 1979 94-71  
1224

PAY TO THE ORDER OF Brown Co. Resident Committee \$250.00

Two Hundred Fifty Dollars & 00/100 DOLLARS

HENDERSON OFFICE  
BANK OF NEVADA  
HENDERSON, NEVADA

MEMO  
⑆ 1224 ⑆ 0071 ⑆ 04 128 3557 ⑆

82040354782

8. Judd K. Roth  
12-12-79 (Date of Instrument)  
\$100.00

Attachment # 8, page 1 is a photocopy of a money order included in the Threshold Submission for the State of Pennsylvania for Judd K. Roth, residing at 1048 North 27th Street in Allentown, Pennsylvania per the threshold contributor list. \*

This money order is sequential with two (2) other money orders included in the Threshold Submission for the State of Pennsylvania. (See Attachment # 8, page 3 for photocopies of these instruments.) It should be noted that the money order attributed to Kathleen Schafer has the notation "Roth" written in the upper left hand corner. Further, two (2) additional written instruments included in the Threshold Submission for the State of Pennsylvania have the same notation. In each case, the notation "Roth" was written in pencil on the photocopy of the written instrument submitted for matching.

Also included on Attachment # 8, page 1 and on page 2 are photocopies of Committee prepared contributor cards. (ASKEW, E.D. and CONSER, D.) Through a comparison to documents prepared and/or signed by the Committee's Treasurer, Jodie Krajewski, it appears that she completed the contributor card in Attachment # 8, page 1 and also wrote "RTN TO WRITER" on the contributor card in Attachment # 8, page 2.

Although the Roth money order contains but two handwritten lines, we feel that certain letters on both the money order and these contributor cards possess the same basic features:

For example, with respect to the Askew contributor card:

- The "N" in "ELEANOR" vs. the "N" in "ALLENTOWN". Note that the diagonal line in the letter "N" intersects the vertical line     N     rather than at the end point     N    .
- The "K" in "OAK" (line 2) vs. the "K" in "JUDD K. ROTH".

Further, with respect to the words "RTN TO WRITER" written across the Conser contributor card:

\* This address has also been given for another male Threshold contributor from the State of Pennsylvania with the surname Roth.

32740354783

- The curvature of the bar crossing the "T" in "TO" vs. the "T" in "ROTH": f. Notice the connection with the next letter in both cases.

Notwithstanding the difference in the slant of the writing on the money order vs. the contributor card, we nonetheless feel the similarities noted above are significant.

82040354784

53

PERSONAL MONEY ORDER PERSONAL MONEY ORDER



123226

2835

DATE 12-12

60-128  
313  
19 79

PAY

ALLENTOWN, PA. TWO THOUSAND CTS

TO THE ORDER OF Jerry Brown for President Committee

NOT VALID OVER \$1000.00

THE FIRST NATIONAL BANK

ALLENTOWN - PENNSYLVANIA 18101

Judd K Roth  
Allentown PA.

⑈01232262⑈ ⑈031301286⑈ 60 01 ⑈ TS 593 D52 12/17

82040354785

ASKELW ELEANOR D.  
 LAST NAME FIRST SPOU  
 2028 94th AVE. OAK, CA. 94603  
 HOME ADDRESS  
 415-569-5897 JOB DEVELOPER  
 HOME PHONE OCCUPATION  
 OAKLAND NATIONAL GUARD  
 EMPLOYER  
 343 -13th ST. OAK, CA. 94612  
 BUSINESS ADDRESS  
 BUSINESS NUMBER CONTACT

BA#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
453974		2/2/80	\$2500	2		OAK

54

PERSONAL MONEY ORDER

2835

60-128  
313  
19 79



123226

DATE 12-12

PAY

FNB 100 AND 00 CTS  
ALLENTOWN

TO THE ORDER OF Jerry Brown for President Committee

NOT VALID OVER \$1000.00

THE FIRST NATIONAL BANK  
of Allentown  
ALLENTOWN - PENNSYLVANIA 18101

Judd K Roth  
SIGNATURE  
Allentown PA.  
ADDRESS

⑈01232262⑈ ⑈031301286⑈ 60 01 ⑈ TS 593 D52 12/17

82040354785

123226  
LAST NAME FIRST SPOUSE  
23719 Silver Spring Dr, Hummelton Pa, PA 17035  
HOME ADDRESS  
714-598-6404  
HOME PHONE  
Canyon City Motors  
EMPLOYER  
305 WEST BETHILL BLVD  
BUSINESS ADDRESS  
BUSINESS NUMBER CONTACT

B4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
1863	37	11/17	825.00	1		39 NSF NSF

14

Attachment I - (54)

55

PERSONAL MONEY ORDER  ~~PERSONAL MONEY ORDER~~ PERSONAL MONEY ORDER

2870

60-128  
313  
DATE 12-12 1979

**1<sup>st</sup> NATIONAL BANK** 123227

PAY **FIVE AND 00/100 CTS**

TO THE ORDER OF Jerry Brown for President Committee

NOT VALID OVER \$1000.00

**THE FIRST NATIONAL BANK**  
*of Allentown*  
ALLENTOWN - PENNSYLVANIA 18101

*Kathleen A. Leifer*  
35 N. Wackerly, Easton, Pa.  
SIGNATURE  
ADDRESS

⑈0123227⑈ ⑆031301286⑆ 60 01 ⑈

787

PERSONAL MONEY ORDER  ~~PERSONAL MONEY ORDER~~ PERSONAL MONEY ORDER

2841

60-128  
313  
DATE 12-12 1979

**1<sup>st</sup> NATIONAL BANK** 123228

PAY **TWO AND 50/100 CTS**

TO THE ORDER OF Jerry Brown for President Committee

NOT VALID OVER \$1000.00

**THE FIRST NATIONAL BANK**  
*of Allentown*  
ALLENTOWN - PENNSYLVANIA 18101

*Kathleen A. Leifer*  
Leifer, Pa.  
SIGNATURE  
ADDRESS

⑈01232289⑈ ⑆031301286⑆ 60 01 ⑈



9. Larry Hill  
12-3-79 (Date of Instrument)  
\$75.00

Attachment # 9, page 1 is a photocopy of a money order included in the Committee's fourth submission for Larry Hill, residing on Route 3 in Potts Camp, Mississippi.

Attachment # 9, page 2 consists of photocopies of line items from FEC Schedules A-P (ITEMIZED RECEIPTS) from the Committee's June, 1980 disclosure report. These schedules were, for the most part, prepared by David Jolly, the Committee's Assistant Treasurer. \*

Overall, the handwriting styles contained on the Hill money order and the line items from the FEC Schedules A-P, as well as the slant of the letters, appear to be similar. In addition, several very distinctive characteristics in the handwriting styles are so similar that we feel they were completed by the same hand, namely, David Jolly, Assistant Treasurer.

For example:

- The second "B" in "BARBARA" under the principal place of business listed for David Boggs vs. the "B" in "BROWN" on the payee line of the Hill money order.
- The first "R" in "BARBARA" under the principal place of business listed for David Boggs vs. the "R"s in "BROWN", "PRESIDENT" and "RT". Notice the "bowing out" of the downward curve: R
- The "N" in "ESCONDIDO" under the mailing address listed for John Dubois vs. the "N" in "BROWN."
- The "S" in "DUBOIS" vs. the "S"s in "PRESIDENT" and "MISS."
- The "D" in "DR" under the mailing address listed for Roger Medearis vs. the "D" in "PRESIDENT".
- The "B" in "ALBANY" under the mailing address listed for Jerome Blank vs. the "B" in "BOX".
- The M" in "JEROME" vs. the "M" in "MISS".

\* Mr. Jolly was employed by the Committee for the period 8/79 through 8/80. Prior to this employment, Mr. Jolly was a RAD research analyst for the FEC. He assisted in filing the Committee's disclosure reports beginning with the report filed on 10/10/79 through 8/80 (see 6/19/81 affidavit, re: MUR 1346 for additional information).

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Attachment # 9, page 3 consists of photocopies of the Hill money order and a threshold money order attributed to Rick Perry, residing at 32 Uilani Street in Maui, Hawaii.

In addition to the overall styles of handwriting and the relative spacing of words and letters, certain distinct characteristics of the handwriting styles contained on these two money orders are so strikingly similar that it would appear they were completed by the same hand.

For example:

- The "2" in "12/3" on the Hill money order vs. the "2" in "25" on the Perry money order.
- The "5" in "754" on the Hill money order vs. the "5" in "25" on the Perry money order.
- The slant of the vertical bars (in opposite directions) in "79" on both money orders.
- The "OW" in "BROWN" on both money orders.
- The "SI" in "PRESIDENT" on both money orders.

Notwithstanding the differences in the slant and style of some of the letters and numbers on these money orders, we nonetheless feel the similarities noted above are significant enough to cast doubt as to the authenticity of the contributions.

Attachment # 9, page 4 consists of photocopies of the Hill money order and a threshold money order attributed to Catherine Tallman, residing at 86 Central Avenue in Wailuku, Maui, Hawaii.

In addition to the overall relative spacing of words and letters, certain distinct characteristics of handwriting styles contained on these money orders are so strikingly similar that it would appear they were also completed by the same hand.

For example:

- The "OW" in "BROWN" on both money orders.
- The "N"s in "BROWN" and "PRESIDENT" on both money orders.
- The "T"s in "PRESIDENT" and "RT" on the Hill money order vs. the "T" in "PRESIDENT" on the Tallman money order. Notice the slight upward slant of the horizontal bar.

82040354787

Notwithstanding the differences in the slant and style of some of the letters, there appears to be sufficient similarities to warrant further analysis concerning this money order.

In summary, the similarities noted with respect to the Hill (MISSISSIPPI), Perry (HAWAII) and Tallman (HAWAII) money orders, coupled with the apparent involvement of the Committee's Assistant Treasurer in the preparation of all three instruments, raises doubts of such a serious nature as to bring into question the credibility of the Brown For President's threshold submission as well as subsequent matching fund submissions which resulted in federal payments of some \$892,000.00.

82040354790

59

PERSONAL MONEY ORDER NOT VALID OVER \$500.00



Hancock Bank 026-73034  
DATE 12/3 1979 12/21/79

PAY TO THE ORDER OF BROWN FOR PRESIDENT

HANCOCK BANK 75 AND 00 CTS

PAYABLE AT  
Widow NATIONAL BANK OF NEW ORLEANS

RT. 3 BOX 759A P.C. MISS. *Larry Niel*

⑈02673034⑈ ⑆065000676192000⑆100⑈

82040354791

60

F. Full Name, Mailing Address and ZIP Code DAVID BOGGS 830 PICACHO LN. SANTA BARBARA, CA 93155		Date (month, day, year) 6/11/80	Amount of each receipt this period 1000.-
Principal Place of Business SELF-EMPLOYED SANTA BARBARA, CA		Occupation INVESTOR	
		Aggregate Year-To-Date... > \$ 1000	

E. Full Name, Mailing Address and ZIP Code PAT FURR 2260 DARADO CERRO CHICO, CA 95926		Date (month, day, year) 6/2/80	Amount of each receipt this period 250.-
Principal Place of Business FURR + FURR Chico, CA		Occupation ATTORNEY	
		Aggregate Year-To-Date... > \$ 250	

D. Full Name, Mailing Address and ZIP Code C. E. WALLACE 13 BEL AIR DRIVE ORINDA, CA 94563		Date (month, day, year) 6/2/80	Amount of each receipt this period 250.-
Principal Place of Business C. WALLACE + ASSOC. SF, CA		Occupation REALTOR	
		Aggregate Year-To-Date... > \$ 250	

E. Full Name, Mailing Address and ZIP Code JOHN DUBOIS 301 WASH. EAST ESCONDIDO, CA 92025		Date (month, day, year) 6/11/80	Amount of each receipt this period 250.-
Principal Place of Business J. DUBOIS, D.C. ESCONDIDO, CA		Occupation CHIRO.	
		Aggregate Year-To-Date... > \$ 475	

C. Full Name, Mailing Address and ZIP Code ROGER MEDEARIS 2270 MELVILLE DR. SAN MARINO, CA 91105		Date (month, day, year) 6/11/80	Amount of each receipt this period 1000.-
Principal Place of Business SELF-EMPLOYED SAN MARINO, CA		Occupation ARTIST	
		Aggregate Year-To-Date... > \$ 1000	

C. Full Name, Mailing Address and ZIP Code JEROME BLANK 1015 RAMONA AVE. ALBANY, CA 94706		Date (month, day, year) 6/2/80	Amount of each receipt this period 250.-
Principal Place of Business BLANK REALTY ALBANY, CA		Occupation REALTOR	
		Aggregate Year-To-Date... > \$ 250	

61

PERSONAL MONEY ORDER  
NOT VALID OVER \$500.00

PERSONAL MONEY ORDER



HANCOCK BANK

601 FORT HENRI ST  
BALTIMORE, MARYLAND 21201

DATE 12/3

337 026-73034  
D 59  
12/21/79

PAY TO THE ORDER OF BROWN FOR PRESIDENT

HANCOCK BANK FIVE HUNDRED DOLLARS

PAYABLE AT

WILSON NATIONAL BANK OF NEW ORLEANS  
P. O. BOX 81246 NEW ORLEANS, LA 70181

RT. 3 BOX 754A P.O. MISS. Larry Niel

⑈02673034⑈ ⑆065000671192⑈00⑈1⑈00⑈

38657

354793

Bank of Hawaii

NO. 7- 3403140

Head Office 59-102/1213

PERSONAL MONEY ORDER

SEPT. 25 1979

PAY TO THE ORDER OF

BROWN FOR PRESIDENT

NOT VALID IF DRAWN FOR OVER \$1,000

BANK OF HAWAII TWO HUNDRED FIFTY DOLLARS

32-Vilani St. K. Hei, Wahi, HI-96753  
ADDRESS

Rick Perry

Rick Perry SIGNATURE OF REMITTER

⑈73403140⑈ ⑆121301028⑈0000⑈92220⑈

EX 74 (REV. 876)

384

in

62

PERSONAL MONEY ORDER NOT VALID OVER \$500.00



Handcock Bank 026-73034

DATE 12/3 1979

PAY TO THE ORDER OF BROWN FOR PRESIDENT

HANDCOCK BANK TWO HUNDRED DOLLARS

WELLS FARGO NATIONAL BANK OF NEW ORLEANS

RT. 3 BOX 754A P.C. MISS. Denny Hill

⑆02673034⑆ ⑆065000474⑆92⑆00⑆1⑆100⑆

82040354794

PERSONAL MONEY ORDER

First Hawaiian Bank  
Main Branch • Honolulu, Hawaii

2432939 55-101 1213

27 DATE Sept. 18, 19 79

PAY TO THE ORDER OF BROWN FOR PRESIDENT

ONE HUNDRED AND 00/100 DOLLARS

Catherine J. Falkman  
Signature

PERSONAL MONEY ORDER  
NOT VALID OVER \$500

Address

⑆2432939⑆ ⑆121304045⑆ 06⑆000993⑆

10. Salvador Lopez  
12-26-79 (Date of Instrument)  
\$20.00

63

Attachment # 10, page 1 is a photocopy of a money order included in the Committee's fourth submission for Salvador Lopez, residing at 130 Oak Street in Midvale, Utah. Attachment # 10, page 2 is a photocopy of documentation bearing the signature Salvador Lopez.

Attachment # 10, page 3 is a photocopy of documentation included in the Committee's fourth submission for C. E. Shannon.

For purposes of comparison, Attachment # 10, page 4 consists of photocopies of the Shannon documentation and the Lopez money order. Several distinct characteristics of the handwriting styles contained on the payee line of the Lopez money order \* and the Shannon documentation are so strikingly similar that it would appear that they were completed by the same hand:

For example:

- The second "R" in "TORRANCE" under C. E. Shannon vs. the "R" in "BROWN".
- The "N" in "TORRANCE" under C. E. Shannon vs. the "N" in "BROWN".
- The "S" in "INSURANCE" under R. G. Shannon vs. the "S" in "PRESIDENT".

One last feature of the handwriting styles is the similar overall slant of the letters.

Attachment # 10, page 5 is a photocopy of a Committee prepared contributor card (MUNOZ, L. S.).

Several characteristics of the handwriting styles contained on the payee line of the Lopez money order and the Munoz contributor card are so similar that it would appear they were completed by the same hand.

\* See page 11 for a discussion of the handwriting style of the date and amount lines of the Lopez money order.

82040354795



For example:

- The "T" in "REALTY" vs. the "T" in "PRESIDENT".
- The "E" in "AVE." vs. the second "E" in "PRESIDENT".
- The "O" in "MUNOZ" vs. the "O" in "FOR".

The Audit staff, in making a connection between the Munoz contributor card and the Shannon documentation to the Lopez money order, establishes, in our opinion, that only a person with access to Committee documents (Munoz contributor card & Shannon form letter) could have filled in the information. Further, the linkage to the Lopez money order, both with respect to the date and amount (See Weston discussion at page 10) and the payee line as noted above, places the validity of Salvador Lopez's documentation (Attachment # 10, page 2) into serious question.

82040354795

65

130 Oak St  
Midvale, UT

Walker Bank & Trust Company

MIDVALE OFFICE

MIDVALE, UTAH

504  
97-148  
1240

No. 110731

84047 3692

DATE DEC 26, 1979

PAY TO THE ORDER OF

BROWN FOR PRESIDENT \$ 20<sup>00</sup>

MIDVALE OFFICE

WALKER BANK

NOT GOOD FOR MORE THAN THREE HUNDRED DOLLARS

BANK  
MONEY ORDER

X Salvador H. Lopez  
SIGNATURE OF REMITTER

⑆ 110731 ⑆ ⑆ 124004480⑆ 3240200 2200000 ⑆

32040354

CS Attachment I - (65)

66

Jodie Krajewski  
Treasurer  
Brown for President  
630 Shatto Place  
Los Angeles, CA 90005

Dear Jodie:

*Money order 110731*  
My ~~check~~ number 7 for \$ 20<sup>00</sup> *dated 26 Dec 1979* is a contribution to Brown for President from my personal funds and, is not drawn on an account maintained by an incorporated entity.

Furthermore my spouse has an equal interest in the funds, therefore the above contribution is from both of us.

Sincerely,

*Subir K. Lapid*  
(Signature)

\_\_\_\_\_  
(Signature)

3 2 0 4 0 3 5 4 7 9 3

NAME \_\_\_\_\_ PHONE \_\_\_\_\_

HOME ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ ZIP \_\_\_\_\_

OCCUPATION \_\_\_\_\_

EMPLOYER/FIRM \_\_\_\_\_

BUSINESS ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ ZIP \_\_\_\_\_

SELF EMPLOYED BUS. PHONE \_\_\_\_\_

NAME \_\_\_\_\_ PHONE \_\_\_\_\_

HOME ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ ZIP \_\_\_\_\_

OCCUPATION \_\_\_\_\_

EMPLOYER/FIRM \_\_\_\_\_

BUSINESS ADDRESS \_\_\_\_\_

CITY \_\_\_\_\_ ZIP \_\_\_\_\_

SELF EMPLOYED BUS. PHONE \_\_\_\_\_

A COPY OF OUR REPORTS FILED WITH THE FEDERAL ELECTION COMMISSION AND IS AVAILABLE FOR PURCHASE FROM THE FEDERAL ELECTION COMMISSION, WASHINGTON, D.C. ID # C0611740

A COPY OF OUR REPORTS FILED WITH THE FEDERAL ELECTION COMMISSION AND IS AVAILABLE FOR PURCHASE FROM THE FEDERAL ELECTION COMMISSION, WASHINGTON, D.C. ID # C0611740

Brown for President Committee Jodie Krajewski, Treasurer

Brown for President Committee Jodie Krajewski, Treasurer

Attachment I - (66)

67

Jodie Krajewski  
Treasurer  
Brown for President  
630 Shatto Place  
Los Angeles, California 90005

Dear Jodie,

Check number 2630 for \$ 1000 is a  
contribution from our joint checking account and is therefore,  
a contribution from both of us.

Sincerely,

*[Handwritten Signature]*  
(SIGNATURE)

*[Handwritten Signature]*  
(SIGNATURE)

82040354799

NAME R.G. SHANNON PHONE 213/321-5518  
HOME ADDRESS 2416 W. 228<sup>th</sup> ST.  
CITY TORRANCE CALIF ZIP 90501  
OCCUPATION INSURANCE EXECUTIVE  
EMPLOYER/FIRM R.G. BOB SHANNON INC  
BUSINESS ADDRESS 1636 W 5<sup>th</sup> ST.  
CITY LOS ANGELES ZIP 90017  
 SELF EMPLOYED BUS PHONE 213-3813871

NAME R.G. SHANNON PHONE (213) 326-5518  
HOME ADDRESS 2416 W. 228<sup>th</sup> ST.  
CITY TORRANCE, CAL. ZIP 90501  
OCCUPATION HOUSEWIFE  
EMPLOYER/FIRM NONE  
BUSINESS ADDRESS NONE  
CITY \_\_\_\_\_ ZIP \_\_\_\_\_  
 SELF EMPLOYED BUS PHONE \_\_\_\_\_

A COPY OF OUR REPORT IS FILED WITH THE FEDERAL ELECTION COMMISSION AND IS AVAILABLE FOR PURCHASE FROM THE FEDERAL ELECTION COMMISSION, WASHINGTON, D.C. ID # C66111740

Brown for President Committee Jodie Krajewski, Treasurer

A COPY OF OUR REPORT IS FILED WITH THE FEDERAL ELECTION COMMISSION AND IS AVAILABLE FOR PURCHASE FROM THE FEDERAL ELECTION COMMISSION, WASHINGTON, D.C. ID # C66111740

Brown for President Committee Jodie Krajewski, Treasurer

608

730 Oak St  
Midvale, UT 84047 3192

MIDVALE OFFICE  
Walker Bank & Trust Company  
MIDVALE, UTAH No. 110731

DATE DEC 26, 1979

PAY TO THE ORDER OF BROWN FOR PRESIDENT \$ 20<sup>00</sup>

MIDVALE OFFICE  
WALKER BANK & TRUST COMPANY  
NOT GOOD FOR MORE THAN THREE HUNDRED DOLLARS

*Salvador H. Lopez*  
SIGNATURE OF REMITTER

⑆ 110731 ⑆ ⑆ 124004480 ⑆ 3210200 2200000 ⑆

82040351800

NAME R. G. Shannon PHONE 213/515518

HOME ADDRESS 2416 W. 238<sup>th</sup> St.

CITY TERRANCE CALIF ZIP 90501

OCCUPATION INSURANCE Executive

EMPLOYER/FIRM R. G. Bob Shannon Inc

BUSINESS ADDRESS 1636 W. 5<sup>th</sup> St.

CITY LOS ANGELES ZIP 90017

SELF EMPLOYED BUS. PHONE 213-3813371

A COPY OF OUR REPORT IS FILED WITH THE FEDERAL ELECTION COMMISSION AND IS AVAILABLE FOR PURCHASE FROM THE FEDERAL ELECTION COMMISSION WASHINGTON D.C. 20543

Brown for President Committee Julie Krizanick, Treasurer

NAME R. G. Shannon PHONE 213

HOME ADDRESS 2416 W. 238<sup>th</sup> St.

CITY TERRANCE CALIF ZIP 90501

OCCUPATION HOUSEWIFE

EMPLOYER/FIRM NONE

BUSINESS ADDRESS NONE

CITY \_\_\_\_\_ ZIP \_\_\_\_\_

SELF EMPLOYED BUS. PHONE \_\_\_\_\_

A COPY OF OUR REPORT IS FILED WITH THE FEDERAL ELECTION COMMISSION AND IS AVAILABLE FOR PURCHASE FROM THE FEDERAL ELECTION COMMISSION WASHINGTON D.C. 20543

Brown for President Committee Julie Krizanick, Treasurer

69

130 Oak St. Midvale, UT 84047 3692  
 MIDVALE OFFICE Walker Bank & Trust Company No. 110731  
 97-148 1240  
 DATE DEC 26, 1979  
 PAY TO THE ORDER OF BROWN FOR PRESIDENT \$ 20.00  
 BANK MONEY ORDER  
 MIDVALE OFFICE WALKER BANK & TRUST COMPANY  
 NOT GOOD FOR MORE THAN THREE HUNDRED DOLLARS  
 Signature of Remitter: Salvador H. Lopez  
 MICR: @ 110731 @ 1240 14801 3210200 22000000 12

3274035480

MUNOZ, LUPE S.  
 LAST NAME FIRST SPOUSE  
 1192 - 35<sup>th</sup> AVE. SACTO, 95822  
 HOME ADDRESS  
 421-9999 REAL ESTATE  
 HOME PHONE OCCUPATION  
 CAMELOT REALTY  
 EMPLOYER  SELF  
 SACRAMENTO, CA.  
 BUSINESS ADDRESS  
 BUSINESS NUMBER CONTACT

B4P#	DEP #	DATE REC	AMOUNT	T4	C	SOURCE
5098	82	2-22-80	50-	2		SACTO

69

11. Mary K. Byrne  
12-30-79 (Date of Instrument)  
\$10.00

70

Timothy J. Byrne  
12-30-79 (Date of Instrument)  
\$10.00

Attachment # 11, page 1 is a photocopy of three (3) sequentially numbered money orders included in the threshold submission for the State of Wisconsin.


From a comparison of the money orders attributed to Mary K. Byrne and Timothy J. Byrne, it would appear that, with the exception of the address portion of the Mary K. Byrne money order, they were completed by the same hand.

It should be noted that the money order attributed to Mary K. Byrne was rejected for matching because it lacked the contributor's signature. Further, this instrument was associated with a personal check from Mary Bockman Byrne. Attachment # 11, page 2 contains a photocopy of this instrument. Notice that the check is numbered "101".

Attachment # 11, pages 3 and 4 contains photocopies of Committee prepared contributor cards. (ASTORGA, D. P. and MUNOZ, L. S.)

Several distinct characteristics of handwriting styles contained on the Byrne money orders and the Astorga and Munoz contributor cards are so similar that it would appear they were completed by the same hand.

For example, with respect to the Astorga contributor card:

- The "D" in "DOROTHY" vs. the "D" in "DEC" and "PRESIDENT" on both money orders.
- The "R"s in "ASTORGA" and "MINER" vs. the "R"s on both money orders.
- The "T" in "ASTORGA" vs. the "T" in "PRESIDENT" on both money orders. Notice the position of the horizontal line where it intersects the vertical line in forming the letter. 
- The "N" in "FRANK" vs. the "N" in "BROWN" on both money orders.

32040354302

- The "E"s in "E. MINER" vs. the "E"s in "PRESIDENT" on both money orders. Please note the position of the bottom bar on the letter "E" where it intersects with the vertical, leaving a short "tail". E

Further, with respect to the Munoz contributor card:

- The second "E" in "ESTATE" vs. the second "E" in "PRESIDENT" on the Timothy J. Byrne money order. Notice the curvature of the horizontal lines and the continuation of the vertical line past the points of intersection with the horizontal bars: E
- The "R"s in "REALTY" and "SACRAMENTO" vs. the "R"s on both money orders.

One last feature of the handwriting styles is the similar overall slant of the letters, and, even more importantly, the relative spacing between letters.

With respect to the Fleenor money order (#69-417,638,108), we are presently unable to draw any significant similarities to the Byrne money orders. However, in light of the questionable circumstances surrounding the Byrne money orders, and the fact that the Fleenor money order is consecutive with them, we feel the Fleenor money order should be considered in any further analysis performed.

3 2 0 4 0 3 5 4 3 0 3



(72)

SEARS, ROEBUCK AND CO. AGENT  
**AMERICAN EXPRESS MONEY ORDER** 231 1020  
 69-417,638,106  
 PAY THE SUM OF \$\* 10.00  
 NOT GOOD OVER \$200.  
 DATE Dec 30, 1979  
 TO THE ORDER OF BROWN FOR PRESIDENT *James D. Johnson* CHAIRMAN  
 SENDER'S NAME AND ADDRESS Mary K. Byrne 4209 Woodstock Trail, Madison, Wisconsin  
 BEFORE CASHING READ NOTICE ON BACK  
 ⑆ 1020 ⑆ 000 ⑆ 1:69 ⑆ ⑆ 176381060 ⑆

SEARS, ROEBUCK AND CO. AGENT  
**AMERICAN EXPRESS MONEY ORDER** 231 1020  
 69-417,638,107  
 PAY THE SUM OF \$\* 10.00  
 NOT GOOD OVER \$200.  
 DATE Dec 30, 1979  
 TO THE ORDER OF BROWN FOR PRESIDENT *James D. Johnson* CHAIRMAN  
 SENDER'S NAME AND ADDRESS Timothy J. Byrne 208 N. Few Madison, Wisconsin  
 BEFORE CASHING READ NOTICE ON BACK  
 ⑆ 1020 ⑆ 000 ⑆ 1:69 ⑆ ⑆ 176381070 ⑆

SEARS, ROEBUCK AND CO. AGENT  
**AMERICAN EXPRESS MONEY ORDER** 231 1020  
 69-417,638,108  
 PAY THE SUM OF \$\* 10.00  
 NOT GOOD OVER \$200.  
 DATE 12-30-79  
 TO THE ORDER OF Brown for President *James D. Johnson* CHAIRMAN  
 SENDER'S NAME AND ADDRESS Michael Watson 514 E Johnson Madison, WI 53703  
 BEFORE CASHING READ NOTICE ON BACK  
 ⑆ 1020 ⑆ 000 ⑆ 1:69 ⑆ ⑆ 176381080 ⑆

82040354804


73

MARY BOCKMAN BYRNE  
1209 WANETAH TRAIL  
MADISON, WIS. 53711

3606  
7-01101  
Member Dec 30 1979 79-1213  
759

PAY TO THE ORDER OF Brown for President \$ 500.00<sup>00</sup>

Fifty DOLLARS

 Affiliated Bank  
of Jamestown  
MADISON, WISCONSIN 53711

MEMO: Mary B. Byrne

⑆075912136⑆ 442 865⑈ 0104

82040354805

SEARS, ROEBUCK AND CO. AGENT

AMERICAN EXPRESS MONEY ORDER 231  
1070

DATE Dec 30, 1979

TO THE ORDER OF BROWN FOR PRESIDENT

SENDERS NAME Mary K. Byrne 4209 Wanetah Trail Madison Wisconsin 53711

69-417,638,106

3622

PAY THE SUM OF \$ \* 10.00  
NOT GOOD OVER \$200.

James Williams  
CHAIRMAN

BEFORE CASHING READ NOTICE ON BACK

⑆1020⑈0001⑆69 ⑈4426381060⑈

74

SEARS, ROEBUCK AND CO. AGENT  
**AMERICAN EXPRESS MONEY ORDER** 231 1020

69-417,638,106

3622

PAY THE SUM OF \$ \* 10.00  
 NOT GOOD OVER \$200.

DATE Dec 30, 1979

TO THE ORDER OF BROWN FOR PRESIDENT *James D. Johnson*  
 CHAIRMAN

SENDER'S NAME AND ADDRESS Mary K. Byrne 4209 Woodmont Ln. Fairport, NY  
 BEFORE CASHING READ NOTICE ON BACK

⑆ 1020 ⑆ 000 ⑆ 1:69 ⑆ ⑆ 1,176381060 ⑆

82040354305

SEARS, ROEBUCK AND CO. AGENT #1020  
**AMERICAN EXPRESS MONEY ORDER** 231 1020

69-417,638,107

3623

PAY THE SUM OF \$ \* 10.00  
 NOT GOOD OVER \$200.

DATE Dec 30, 1979

TO THE ORDER OF BROWN FOR PRESIDENT *James D. Johnson*  
 CHAIRMAN

SENDER'S NAME AND ADDRESS Timothy J. Byrne 208 N. Few Madison, Wisconsin  
 BEFORE CASHING READ NOTICE ON BACK

⑆ 1020 ⑆ 000 ⑆ 1:69 ⑆ ⑆ 1,176381078 ⑆

ASTORGA DOROTHY P. FRANK P.  
 NAME FIRST SPOUSE

712 E. MINER STOCKTON, CA 95205  
 E ADDRESS

09) 477-9069  
 E PHONE OCCUPATION

OWNER  SELF

TESS ADDRESS

TESS NUMBER CONTACT

#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
7	82	2-22-80	50.00	2		SACTO

75

SEARS, ROEBUCK AND CO. AGENT  
**AMERICAN EXPRESS MONEY ORDER** 731 1020

69-417,638,106

PAY THE SUM OF \$\* 10.00  
 NOT GOOD OVER \$200.

DATE Dec 30, 1979

TO THE ORDER OF BROWN FOR PRESIDENT *James D. Robinson* CHAIRMAN

SENDER'S NAME AND ADDRESS Mary K. Byrne 4209 Woodmont Trail Madison, Wisconsin 53711

⑆ 1020 ⑆ 000 ⑆ 1:69 ⑆ 1,476381060 ⑆

SEARS, ROEBUCK AND CO. AGENT  
**AMERICAN EXPRESS MONEY ORDER** 731 1020

69-417,638,107

PAY THE SUM OF \$\* 10.00  
 NOT GOOD OVER \$200.

DATE Dec 30, 1979

TO THE ORDER OF BROWN FOR PRESIDENT *James D. Robinson* CHAIRMAN

SENDER'S NAME AND ADDRESS Timothy J. Byrne 208 N. Fern Madison, Wisconsin

⑆ 1020 ⑆ 000 ⑆ 1:69 ⑆ 1,476381070 ⑆

82040354907

MUNOZ, LUPE S.  
 LAST NAME FIRST SPOUSE

1192 - 35th AVE. SACTO, 95822  
 HOME ADDRESS

421-9779 REAL ESTATE  
 HOME PHONE OCCUPATION

CAMELOT REALTY  SELF  
 EMPLOYER

SHERBIDENTO, CA.  
 BUSINESS ADDRESS

BUSINESS NUMBER CONTACT

B4P#	DEP #	DATE REC	AMOUNT	T4	C	SOURCE
5098	82	2-22-80	50-	2		SACTO

12. Louis Zimmerm  
12-31-79 (Date of Instrument)  
\$250.00

76

Attachment # 12, page 1 contains a photocopy of a money order included in the threshold submission for the State of Nevada for Louis Zimmerman, residing at 5321 Ganado Drive in Las Vegas, Nevada. This money order was purchased in Woodland Hills, California, a suburb of Los Angeles. Notice the misspelling of the word Nevada.

Also contained in Attachment # 12, page 1 and page 2 are photocopies of Committee prepared contributor cards. (LEON, J. A., ASKEW, E. D.)

As noted below, several similarities exist between the Zimmerman money order and these contributor cards. An additional point concerning the money order is the December 31, 1979 date. The Brown for President Committee submitted its threshold submission on January 2, 1980 which included contributions dated through December 31, 1979. Therefore, for the State of Nevada, this money order was among the last ones received.

Similarities in the handwriting are detailed below.

With respect to the Zimmerman money order and the Leon contributor card:

- The second "N" in "ANN" vs. the "N" in "BROWN".
- The "R" in "DREXEL" vs. the "R"s in "BROWN" and "DRIVE".
- The curvature and slant of the "D" in "DREXEL" vs. the "D"s in "PRESIDENT", "GANADO" and "NEVEDA" (sic): D
- The third "3" in "939-3043" vs. the "3" in "89103".

Further, with respect to the Zimmerman money order and the Askew contributor card:

- The "B" in "JOB" vs. the "B" in "BROWN".
- The "G" in "GUARD" vs. the "G" in "GANADO" and "VEGAS".

One last feature of the handwriting styles is the similar overall slant of the letters.

In summary, the purchase of the money order in the Los Angeles area and the misspelling of the word "NEVEDA" (sic), coupled with the handwriting similarities between the Zimmerman money order and the Committee prepared contributor cards noted above, cast significant doubt as to the authenticity of the contribution and certainly draw into question the circumstances surrounding the receipt of this money order by the Committee.

32040354308

77

PERSONAL CHECK ORDER 38941

DATE December 31, 19 79

90-1272  
1222

\$ 250.00

DAY TO THE ORDER OF

Brown For President

NOT GOOD FOR OVER \$500.00

WOODLAND HILLS OFFICE  
INDEPENDENCE BANK  
21108 VENTURA BOULEVARD  
WOODLAND HILLS, CALIFORNIA 91364

5321 GANADO DRIVE  
LAS VEGAS NEVADA  
89103

⑈03894⑈ ⑆12221272⑆ 622⑈910627⑈

8204035130-9

LEON JUDITH ANN  
FIRST SPOUSE  
6356 DREXEL, LOS ANGELES, CA 90048  
939-3043  
OCCUPATION

EMPLOYER  SELF

BUSINESS ADDRESS

BUSINESS NUMBER CONTACT

CP#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
161	97	3/20/80	8.00			TB
50	97	3/20/80	50. -	2		TB

77

(78)

PERSONAL CHECK ORDER

38941

DATE December 31, 19 79.

90-1272  
1222

DAY TO THE ORDER OF

Brown For President

\$ 250.00

NOT GOOD FOR OVER \$250.00

II 13

WOODLAND HILLS OFFICE  
INDEPENDENCE BANK  
21108 VENTURA BOULEVARD  
WOODLAND HILLS, CALIFORNIA 91364

*Lee*  
5321 G-AVARO DRIVE  
LAS VEGAS NEVADA  
8-9/03

⑈038941⑈ ⑆1222222222⑆ 622⑈940627⑈

32040354810

ASKELW ELEANOR D. SPOUSE  
 2028 94th AVE. OAK, CA. 94603  
 415-569-5897 JOB DEVELOPER  
 OAKLAND NATIONAL GUARD  
 343 -13th ST. OAK, CA. 94612

B4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
453974		2/2/80	\$2500	2		OAK

13. Robert Glick  
12-29-79 (Date of Instrument)  
\$25.00

Attachment # 13, page 1 is a photocopy of a money order included in the Committee's fourth submission for Robert Glick, residing at 2954 Edgewater Drive in Edgewater, Maryland.

Also included in Attachment # 13, page 1 is a photocopy of a Committee prepared contributor card. (BARNETT, R. L.)

Several distinct characteristics of the handwriting styles contained on the Glick money order and the Barnett contributor card are so strikingly similar that it would appear that they were completed by the same hand.

For example:

- The "B" in "BARNETT" vs. the "B" in "BROWN".
- The "P" in "PINKERTON" vs. the "P" in "PRESIDENT".
- The "D" in "DIEGO" vs. the "D" in "DR" and "MD".
- The "N" in "BARNETT" vs. the "N" in "BROWN".

82040354911



(80)

AMERICAN EXPRESS MONEY ORDER

3832 967 1/6/80 55-467,504;258

DATE 12/29 1979

TO THE ORDER OF Brown for President

Sender's Name and Address: Robert White 2954 Edgewood Dr., Edgewater, MD.

AMOUNT: 25 DOLLARS 00 CTS

1: 102000001:55 1675042581

02040354812

BAENETT Robert L.

LAST NAME FIRST

5033 Voltaire #1, SAN DIEGO, CA 92107

HOME ADDRESS

Security Guard

HOME PHONE OCCUPATION

Rinkerton

EMPLOYER

BUSINESS ADDRESS

BUSINESS NUMBER CONTACT

B4P#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
5010	81	2/18	10. -	2		Sandy Sears

14. Dennis L. Flynn  
12-29-79 (Date of Instrument)  
\$50.00

81

Attachment # 14, page 1 is a photocopy of a postal money order included in the Committee's fourth submission for Dennis L. Flynn, residing at 65 Maple Street in Wilton, New Hampshire. Attachment # 14, page 3 is a photocopy of documentation bearing the signature Dennis L. Flynn. The contributor information on this document and the postal money order appear to have been completed by the same hand.

Also included on Attachment # 14, page 1 and page 2 are photocopies of Committee prepared contributor cards. (BRAY, J. F. and ISHIZAKI, K.)

Several distinct characteristics of the handwriting styles contained on both the Flynn money order and the Bray and Ishizaki contributor cards are so strikingly similar that it would appear that they were completed by the same hand.

For example, with respect to the Flynn money order and the Bray contributor card:

- The upper case "B" in "Blvd" vs. "Brown".
- The upper case "W" in "W. Manchester" vs. "Brown" and "Wilton".
- The numerals 3, 5, 6, and 8.

Further, with respect to the Flynn money order and the Ishizaki contributor card:

- The lower case "A"s in "ISHIZAKI" and "OCEAN" vs. "MAPLE".
- The upper case "P" in "1109 P" vs. "PRESIDENT".
- the numerals 3, 5, and 8.

Finally, one additional point concerning the documentation (Attachment # 14, page 3) is somewhat incongruous. The money order number shown on the documentation (030860) is not the money order number but rather the zip code (03086) plus the sixth digit "0" which indicates the post office within the zip code area. The actual money order number is in the upper left hand corner and also micro encoded across the bottom "24922777015".

81

Attachment I - (81)

82040354813

82

UNITED STATES OF AMERICA FEDERAL RESERVE NOTE

24922777015 791229 030260 \*50\*00

DO NOT STAMP WHILE OR MARK ABOVE THIS LINE

PAY TO: Baron for President

PURCHASED BY: Dennis L. Flynn  
65 maple st  
Willow rd 03026

FOR: 03026

DOLLARS AND CENTS NOT VALID IF OVER

3 0 0 0

DOLLARS

USA

VOID WITHOUT USPS SEAL

100775

1:0000000201: 24922777015

82040354814

Gray Jeanne F. Thomas  
LAST NAME FIRST SPOUSE

2084 N. Roosevelt Ave. Altadena, CA 91001  
HOME ADDRESS

(213) 797-0835 Executive Vice President  
HOME PHONE OCCUPATION

Southwest Savings & Loan Assn.  SELF  
EMPLOYER

2700 W. Manchester Blvd Inglewood, CA 90325  
BUSINESS ADDRESS

(213) 753-3601 CONTACT  
BUSINESS NUMBER

BAP#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
5462	88	3-1-80	100.00	1		Dinner

83

UNITED STATES OF AMERICA FEDERAL RESERVE NOTE

24922777015 791229 030860 \*50\*00

DO NOT STAMP WHILE OR MARK ABOVE THIS LINE

PAY TO: *Bonus for President*

PURCHASED BY: *Demaris L. Flynn  
65 maple st  
W. Hillside NJ 03086*

DOLLARS AND CENTS: *300*  
NOT VALID IF OVER  
DOLLARS

USA

1:0000000201: 24922777015

32740354315

*Ishizaki* *Kenji* *Sada*  
LAST NAME FIRST SPC

*1109 A Ocean Tower Santa Monica, CA 90403*  
HOME ADDRESS

*(213) 394-2508* *RESTAURANT OWNER*  
HOME PHONE OCCUPATION

*Yamato*  
EMPLOYER

*7025 Ave. of Stars Los Angeles, CA 90067*  
BUSINESS ADDRESS

*(213) 277-1840*  
BUSINESS NUMBER CONTACT

B4P#	DEP #	DATE REC	AMOUNT	T4	C	SOURCE
5545	88	3-1-80	750.00	1		(H)
5545	88	3-1-80	750.00	1		(W)

84

Money order number 030560 for \$ 50.-

is a contribution to Brown for President from my personal funds.

Sincerely,

*Dennis L. Flynn*

(SIGNATURE)

NAME: Dennis L. Flynn

ADDRESS: 65 Maple St

CITY, STATE, ZIP: Wilton NH 03086

OCCUPATION: Postal Clerk

PLACE OF EMPLOYMENT: Wilton P.O.

MAILING ADDRESS: Main St Wilton NH 03086

84

Attachment I - (84)

1. IRREGULARITIES NOTED FOR UTAH CONTRIBUTIONS

In addition to the irregularities noted in connection with three (3) Utah official bank checks discussed in Section I, pages 10-17 (CHERI WESTON, EUSEBIA LOPEZ, and SALVADOR LOPEZ), the following matters, related to Utah contributions, are included for your consideration.\*

A. Additional Irregularities Noted in Connection With Official Bank Checks

Eight (8) of the 28 written instruments included in the threshold submission for the State of Utah, totaling \$1,430.00, were official bank checks. In addition, two (2) official bank checks, totaling \$270.00, were noted in subsequent submissions. (See Attachment 15, page 1 for schedule.) Six (6) of these 10 official bank checks were sequentially numbered pairs. (See Attachment #15, page 2 for schedule.)

1. Handwriting Similarities Noted on Contributor Documentation

Attachment #15, page 3 is a photocopy of a cashier's check included in the Committee's threshold submission for Leo Pavich, residing on Old Farms Road in Salt Lake City, Utah.

Attachment #15, page 4 is a photocopy of a letter bearing the signature "Leo Pavich", which was provided subsequent to the threshold submission. It should be noted that, in this letter, reference is made to cashier's check #26002. The correct number of the instrument is 260027.

Attachment #15, page 5 is a photocopy of the envelope provided with this letter.\*\* This envelope, addressed to one of the Committee's attorneys, shows no evidence of having been stamped and/or postmarked.\*\*\*

\* In its threshold submission for the State of Utah, the Committee submitted 25 written instruments, representing contributions from 28 individuals, totaling \$5,390.00. Of this amount, \$5,140.00 was certified for matching. Contributions totaling \$840.00 from the State of Utah were included in subsequent submissions.

\*\* The Committee did not provide the original envelope, but rather, a photocopy of it as shown.

\*\*\* Another photocopy of an envelope showing no evidence of having been stamped and/or postmarked was attached to another letter subsequently provided by the Committee. See page 108 for discussion.

92040354817

Attachment #15, page 6 is a photocopy of a cashier's check included in the threshold submission for Tony Ladakis, residing at 1292 4th Avenue in Salt Lake City, Utah. This instrument is sequential with the cashier's check associated with Leo Pavich.

Attachment #15, page 7 is a photocopy of a letter included in the threshold submission, bearing the signature "Tony Ladakis".

From a comparison of the letters associated with Tony Ladakis (Attachment #15, page 4) and Leo Pavich (Attachment #15, page 7), it is apparent they were written by the same hand.

Attachment #15, page 8 is a photocopy of a cashier's check included in the threshold submission for Barbara Ladakis, the apparent spouse of Tony Ladakis. This instrument is sequential with the cashier's check associated with Cheri Weston, who was discussed on pages 10-17

Attachment #15, page 9 is a photocopy of a letter bearing the signature "Barbara Ladakis", which was included in the threshold submission.

This letter is strikingly similar to the letters associated with Tony Ladakis (Attachment #15, page 4) and Leo Pavich (Attachment #15, page 7), so much so that it also appears to have been written by the same hand. In all three letters, the following similarities have been noted:

- Each letter is one sentence long and grammatically incorrect.
- The mixture of upper and lower case letters in the following words is identical:

"Brown PRESIDENT Committee"

"MAiN BRANCh"

"UTah"

2. Possible Non-Negotiable Instrument

Attachment #15, page 10 is a photocopy of an instrument submitted for John Walker, residing at 2029 Arbor Lane in Salt Lake City, Utah.\* The photocopy of the instrument submitted for matching

\* Two (2) additional male, threshold contributors with the surname Walker and the address 2029 Arbor Lane, Salt Lake City were submitted.

32040354818

appears to be a reproduction of the non-negotiable carbon copy of the original instrument. Attachment #15, page 11 is a photocopy of a letter bearing the signature "John R. Walker", confirming the contribution.

B. Underemployed Contributors

Attachment #15, page 12 is a schedule of individuals engaged in relatively low paying occupations making sizeable contributions.

C. Payee Line Discrepancies

Three (3) of the contributor checks included in the threshold submission for the State of Utah were missing a payee. (See Attachment #15, pages 13 through 15.) Each of the checks were in the amount of \$250.00 and were dated December 20, 1979. Documentation relating to two (2) of the contributors was subsequently provided which indicated that the contributions were intended for the Committee. Documentation from the third contributor was not provided at the time, and for this reason, the contribution was not matched.\*

Further, the payee lines of two (2) additional contributor checks appears to have been filled in by someone other than the individual who completed the rest of the instrument. (See Attachment #15, pages 17 and 18.)

D. NSF Contributor Check

One threshold contribution in the amount of \$250.00 was later returned by the bank for insufficient funds. During the post primary audit fieldwork, it was determined that the check was ultimately returned to the contributor and that a replacement check was never issued.\*\*

As a result of this, the Committee has only submitted matchable threshold contributions in the amount of \$4,890.00 for the State of Utah. It should be noted that the Committee has subsequently provided sufficient additional documentation for the \$250.00 threshold contribution which was initially rejected (See Section C above) and has also included \$840.00 in contributions from the State of Utah in subsequent submissions. However, it must be kept in mind that at the time of the certification for eligibility for matching funds, the matchable contributions submitted for the State of Utah did not exceed the \$5,000 threshold requirement contained at 26 U.S.C. 9033(b)(3). It is questionable as to whether the Committee would have been in a position to qualify Utah at the time of the original certification.

\* Attachment #15, page 16 is a photocopy of documentation bearing the signature "Wayne L. Black", which was included in the Committee's first resubmission.

\*\* The amount certified in a subsequent submission was adjusted downward to account for this.

92040354819



88

SCHEDULE OF OFFICIAL BANK CHECKS SUBMITTED FOR THE STATE OF UTAH

<u>Name</u>	<u>Submission Number</u>	<u>Type of Instrument</u>	<u>Sequence Number</u>	<u>Date of Instrument</u>	<u>Amount of Instrument</u>
Eusebia Lopez	Threshold	Money Order	110585	12-10-79	\$ 200.00
Steven Walker	Threshold	Cashier's Check	1209358	12-10-79	30.00
Tony Ladakis	Threshold	Cashier's Check	260026	12-11-79	250.00
Leo Pavich	Threshold	Cashier's Check	260027	12-11-79	250.00
John Walker	Threshold	Bank Draft	37473	12-12-79	100.00
Cheri Weston	6	Cashier's Check	395038	12-19-79	250.00
Barbara Ladakis	Threshold	Cashier's Check	395039	12-19-79	250.00
Esequiel Ortiz	Threshold	Money Order	79-7041	12-19-79	100.00
Grace Ortiz	Threshold	Money Order	79-7042	12-19-79	250.00
Salvador Lopez	4	Money Order	110731	12-26-79	<u>20.00</u>
				Total	\$1,700.00

Attachment I-(88)

PS

82040554820

89

SCHEDULE OF SEQUENTIALLY NUMBERED PAIRS OF MONEY  
ORDERS AND CASHIER'S CHECKS SUBMITTED FOR UTAH

<u>Name</u>	<u>Submission</u>	<u>Type of Instrument</u>	<u>Sequence Number</u>	<u>Date of Instrument</u>	<u>Amount of Instrument</u>
Tony Ladakis	Threshold	Cashier's Check	260026	12-11-79	\$ 250.00
Leo Pavich	Threshold	Cashier's Check	260027	12-11-79	250.00
Esequiel Ortiz	Threshold	Money Order	79-7041	12-19-79	100.00
Grace Ortiz	Threshold	Money Order	79-7042	12-19-79	250.00
Cheri Weston	6	Cashier's Check	395038	12-19-79	250.00
Barbara Ladakis	Threshold	Cashier's Check	395039	12-19-79	<u>250.00</u>
				Total	\$1,350.00

PS Attachment I - (89)

8 2 0 4 0 3 5 4 8 2 1

90



# THE CONTINENTAL BANK AND TRUST COMPANY

3212  $\frac{31.4}{1240}$

SALT LAKE CITY, UTAH

No 260027

DEC 11 79

PAID TO THE ORDER OF

\*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*

\$ 250.00

CONTINENTAL BANK & TRUST 250000 CTS

DOLLAR

PURCHASED BY LEO PAVICH

## CASHIER'S CHECK

*Leo Pavich*

AUTHORIZED SIGNATURE

⑈0260027⑈ ⑆124000041⑆

00-30 001⑈

TS 654 DS8 12/22

82040354322

90

Attachment I - (90)

(91)

1-10-80

Dear Sir,

the Cashiers check for  
250<sup>00</sup> made to "Brown for  
PRESIDENT Committee" Purchased  
By me from the MAIN  
BRANCH CONTINENTAL BANK  
& TRUST, - S. L. C. UTAH #  
26002 where my Personal  
Funds.

Thank you.  
Leo Brink  
JTAH  
FS # 654

92

Lipo Ravich  
OLD FARMS ROAD,  
SALT LAKE CITY, UTAH

Herb Brown  
1900 M Street  
Washington D. C.  
20036

82040354824

93

811-12126 #

32-11

31.4  
1240



# THE CONTINENTAL BANK AND TRUST COMPANY

SALT LAKE CITY, UTAH

DEC. 11 79

NO 260026

PAY TO THE  
ORDER OF

\*\*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*\*

\$ 250.00

CONTINENTAL  
BANK & TRUST

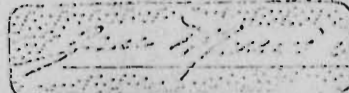
25000 00

DOLLAR

PURCHASED BY TONY LADAKIS

CASHIER'S CHECK

1992 fourth Ave, Salt Lake City, UT 84103



AUTHORIZED SIGNATURE

⑈0260026⑈ ⑆2400004⑆ 00 30 00 ⑈

82040354925

94

11-21-11

Dear Jodie -

Please be advised that a

Cashier's check from The Continental Bank and Trust, MAIN BRANCH, SALT LAKE CITY, UTAH TO THE

"Brown for PRESIDENT COMMITTEE"

FOR THE AMOUNT OF \$250<sup>00</sup> PURCHASED

By Tony Loderico (check # 260026) are my personal funds.

Tony Loderico  
1292 - 1<sup>st</sup> Ave  
S.C. UTAH 84103

82040351826

95

Walker Bank & Trust Company

MAIN OFFICE

3213

312  
1210

PURCHASED BY

SALT LAKE CITY, UTAH

No. 395039

\*\*\*Barbara T Ladakis\*\*\*

DATE DECEMBER 19, 1979

PAY TO THE ORDER OF

\*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*

\$ \*\*\*250.00\*\*\*

CASHIER'S CHECK

MAIN OFFICE WALKER BANK

250 and 00/100

*[Handwritten Signature]*

AUTHORIZED SIGNATURE

⑈395039⑈ ⑆1210⑈0002⑆ 3210101 0200000⑈

82040354827

Attachment I - (95)



12-27-77

Dear Jodie,

TS644 DSB 12/22

A CASHIERS CHECK # 395039

PURCHASED BY ME, BARBARA T. LADDIS  
IN THE AMOUNT OF \$250<sup>00</sup> MADE

TO "BROWN FOR PRESIDENT COMMITTEE"  
FROM WALKER BANK & TRUST, MAIN  
BRANCH, SALT LAKE CITY, UTAH.  
WERE FROM MY PERSONAL  
FUNDS.

Thank you  
and Good Luck  
Barbara T. Laddis  
1292 Fourth Ave  
Salt Lake City, Ut.  
8/10/3

97

**WS WESTERN SAVINGS AND LOAN COMPANY**

ZIONS FIRST NATIONAL BANK  
COTTONWOOD HOLLADAY OFFICE  
SALT LAKE CITY, UTAH

1546 02 NO 37473

31.5  
12.40

2940

1979 DEC 12

4835 HIGHLAND DRIVE • SALT LAKE CITY, UTAH 84117

PAY

WESTERN SAVINGS **100 AND 00 CTS**

WESTERN SAVINGS AND LOAN COMPANY

TO THE ORDER OF:

\* \* Brown For President \* \*

Remittor: John Walker

2029 Arborln, SLC, Utah 84117

⑈0037473⑈ ⑈124000054⑈ 04 10076

*Delivered*

2040354329

THE ADDRESS WAS ADDED BY A COMMITTEE PERSON

THE DARKENING OF THE OUTLINE OF THE LEFT HAND SIDE OF THIS INSTRUMENT WAS DONE BY A COMMITTEE PERSON

Attachment I - (97)

Dec 12, 1917

TS 662 054 12/17

Dear Sir,

My check from Western Savings and Loan Company (Number 31713) for one hundred dollars, represents the contribution I make to the Brown for President campaign.

Sincerely,

John R. Nathan

802040354830

99-

SCHEDULE OF UNDEREMPLOYED CONTRIBUTORS FROM UTAH

<u>Name</u>	<u>Occupation</u>	<u>Principal Place of Business</u>	<u>Amount of Contribution</u>	<u>Date of Contribution</u>	<u>Type of Instrument</u>
Sara Ann Amador	Waitress	Hidden Valley Country Club	\$ 225.00	12-08-79	Personal Check
Eusebia Lopez *	Assembly Worker	National Semiconductor	200.00	12-10-79	Money Order
David Walker	Postman	U.S. Post Office	150.00	12-08-79	Personal Check
Tina Walker	Typist	American Metal Enterprises	200.00	12-10-79	Personal Check
Cheri Weston **	Common Laborer	J & S Stone Tile Company	250.00	12-19-79	Cashier's Check

\* See Pages and for additional discussion of this contributor

\*\* See Pages and for additional discussion of this contributor

Attachment I - (99)

cc

8 2 0 4 0 3 5 4 9 3 1

100

DAVID SCHUBACH  
 860 EAST 3RD SOUTH NO. 32 363-8563  
 SALT LAKE CITY, UTAH 84102

3206 124  
 12/20 1979 31-4/1240

*Please the Payer order of*  
 Two hundred & fifty <sup>00</sup>/<sub>100</sub> Dollars

*memo*  
 THE CONTINENTAL BANK  
 & TRUST CO. 220 SOUTH MAIN STREET  
 P.O. BOX 30177  
 SALT LAKE CITY, UTAH 84125

*Signed* David Schubach

⑆ 2400004 61 ⑆ 28 02 6721 ⑆

Really Mountain Bank Note B

January 4, 1980

To Whom It May Concern,

I, David Schubach, on the twentieth of December, wrote a personal check for the amount of \$250.00 for Jerry Brown's Presidential Campaign Fund.

Sincerely,  
 David Schubach

TS# 250

32740354832

101

3207 425

RICHARD H. SCHUBACH  
2635 NOTTINGHAM WAY 502-1267  
SALT LAKE CITY, UTAH 84108

12/30 19 79 31-61/1240

Pay to the order of \$ 250.00

Two Hundred Fifty and 00/100 Dollars

W. TRACY COLLINS BANK AND TRUST  
MAIN OFFICE 370-3737  
107 SOUTH MAIN STREET SALT LAKE CITY, UTAH 84111

For: Richard H. Schubach

⑆ 24000614⑆ 0425 0030808 2⑈

1/4/80

To Whom it may concern,  
I Richard Schubach on the 30<sup>th</sup> day of Dec. 1979, wrote a personal check of \$250.00 for the Brown for president Campaign Fund.

Richard H. Schubach

TS # 657

82040351833

102

WAYNE L. BLACK  
10 BROADWAY BUILDING SUITE 500  
SALT LAKE CITY, UTAH 84101  
801-277-1704

3205

561

Dec. 20 1979

97-10/1243

Pay to the  
order of

\$250.00

Two hundred fifty

Dollars



Wayne L. Black

82040354331

103

Jodie Krajewski  
Treasurer  
Brown for President Committee  
630 Shatto Place  
Los Angeles, CA 90005

Dear Jodie:

My check number 561 for \$ 250.00 dated Dec. 20 1978  
is a contribution to the Brown for President Committee.

Sincerely,

Wayne L. Black  
(signature)

82040354935

NAME Wayne L. Black PHONE (801) 277-1709

HOME ADDRESS 3665 East Cove Point Drive

CITY Salt Lake City ZIP 84109

OCCUPATION Attorney

EMPLOYER/FIRM Black & Moore

BUSINESS ADDRESS 500 Ten Broadway Building

CITY Salt Lake City ZIP 84101

SELF EMPLOYED BUS. PHONE (801) 363-2727

A COPY OF THIS FORM IS FILED WITH THE FEDERAL ELECTION COMMISSION AND IS AVAILABLE FOR PURCHASE FROM THE FEDERAL ELECTION COMMISSION, WASHINGTON, D.C. 20540

Brown for President Committee, Jodie Krajewski, Treasurer



104

3370

MARLEN OR MARGARETTE JOHNSON  
418 DOUGLAS STREET 581-0715  
SALT LAKE CITY, UTAH 84102

No.

Dec 23 1979

30-11210

Pay to the  
order of

*Becky Johnson*

\$250.00

Two Hundred Fifty Dollars and <sup>00</sup>/<sub>100</sub>

Dollars

FIRST NATIONAL BANK

701 EAST FOURTH SOUTH STREET  
SALT LAKE CITY, UTAH 84102

*Marlene Johnson*

⑆24000054⑆ 03 34588 00

82040354937

105

MARLEN OR MARGARETTE JOHNSON  
416 DOUGLAS STREET - 861-0215  
SALT LAKE CITY, UTAH 84102

No.

DEC 23 1979

315/1210

Pay to the  
order of

Business for President -

\$250.00

two hundred fifty dollars and 00/100 Dollars

FIRST NATIONAL BANK  
201 EAST FOURTH SOUTH STREET  
SALT LAKE CITY, UTAH 84102

*[Handwritten Signature]*

⑆ 21000054⑆ 08 34986 0⑆

82040354337

2. IRREGULARITIES NOTED FOR OKLAHOMA CONTRIBUTIONS

In its threshold submission for the State of Oklahoma, the Committee submitted 31 written instruments, representing contributions from 31 individuals, totaling \$5,110.00. Of this amount, \$5,010.00 was certified for matching. Contributions totaling \$256.00 from the State of Oklahoma were included in subsequent submissions.

A. Cash Contributions

During the audit, a review of the Committee's contributor cards indicated the receipt of 56 cash contributions on December 20 and 21, 1979 from individuals residing in Oklahoma. These contributions, in amounts of \$100.00 (35), \$75.00 (6) and \$50.00 (15), totaled \$4,700.00. Further, the contributor cards indicated the receipt of 24 \$100.00 cash contributions on February 8, 1980 from 24 (out of the original 35) individuals who had been listed as making a \$100.00 cash contribution on December 20 or 21, 1979.

Through a review of the Committee's deposit tickets, it was determined that the cash contributions made on December 20 and 21, 1979 (per the contributor cards) were not deposited. It was determined that the cash contributions made on February 8, 1980 (per the contributor cards) were deposited on February 11, 1980.

This matter was discussed with the Committee's Treasurer who informed us that the cash contributions collected on December 20 and 21, 1979 were returned to the contributors with a request that they make contributions by written instrument for matching purposes. The Treasurer further related that 24 of the individuals refused to substitute their cash contribution with a written instrument, so the Committee eventually accepted the cash.

While the above described series of events as related by the Treasurer is plausible, certain questions arise upon closer review of the description as recounted:

- Through a review of all of the Committee's matching fund submissions, it was determined that no written instruments were submitted from any of the individuals who had made a cash contribution on either December 20 or 21, 1979.
- The date recorded on each of the contributor cards for the second cash contribution was February 8, 1980.

82040354038

- None of the 21 individuals who initially had been recorded as making a cash contribution on December 20 or 21, 1979 in the amount of \$50.00 or \$75.00 elected to either replace the returned cash with a check, money order, etc. or (as the above mentioned 24) send the cash back to the Committee.
- The Committee's contributor cards normally indicated whether a contribution had been refunded or returned, however none of the contributor cards for any of the initial 56 cash contributions (December 20 and 21, 1979) indicated that the contribution had been returned to the contributor.

B. Individuals Associated With The Same Business Entity

Attachment # 16, page 1 is a schedule of four (4) threshold contributors associated with Harter Concrete Products, including the owner. Each contribution was in the amount of \$200.00. Neither contributions from spouses, nor subsequent contributions from these individuals have been noted.

Attachment # 16, page 2 is a schedule of three (3) threshold contributors associated with Garrett's Dandy Homes.

A number of other threshold contributors of amounts in excess of \$100.00 were also owners or employees of construction related businesses.

Since the Committee was not required to provide the occupation and principal place of business for individuals contributing \$100.00, we are unable to determine whether any of the 43 individuals from the State of Oklahoma making \$100.00 contributions during the threshold period (8 submitted for matching and 35 contributors of cash as discussed in Section A) were associated with the business entities discussed above.

C. NSF Contributor Check

One threshold contribution in the amount of \$100.00 was later returned by the bank for insufficient funds. During the post primary audit fieldwork it was determined that the check was ultimately returned to the contributor and that a replacement check was never issued.\*

As a result of this, the Committee has only ~~submitted~~ matchable, threshold contributions in the amount of ~~\$4,910.00~~ for the State of Oklahoma. It should be noted that, in subsequent submissions, the Committee included contributions from the State of Oklahoma in the amount of \$256.00. However, it must be kept in mind that at the time of the certification for eligibility for matching funds, the matchable contributions submitted for the State of Oklahoma did not exceed the \$5,000.00 threshold requirement contained at 26 U.S.C. 9033(b)(3). It is questionable as to whether the Committee would have been in a position to qualify Oklahoma at the time of the original certification.

\* The amount certified in a subsequent submission was adjusted downward to account for this.

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D. Other Matter

Attachment # 16, page 3 is a photocopy of a check, drawn on an account of Queen Productions, which was submitted for Carl Queen.\*

Attachment # 16, page 4 is a photocopy of a letter bearing the signature "Carl Queen" and a photocopy of the envelope in which the letter was apparently sent.

This envelope, addressed to the Committee in care of one of its attorneys, shows no evidence of having been stamped and/or postmarked.

\* Per verification with the Oklahoma Secretary of State, Queen Productions in not an incorporated entity.

B 2 0 4 0 3 5 4 3 4 0

109-

SCHEDULE OF CONTRIBUTORS ASSOCIATED WITH  
HARTER CONCRETE PRODUCTS

<u>Name</u>	<u>Date of Instrument</u>	<u>Amount of Instrument</u>	<u>Type of Instrument</u>	<u>Association with Harter Concretes</u>
C. Harley Bradshaw	12-27-79	\$200.00	Personal Check	Owner
Noel Harter, II	12-29-79	200.00	Personal Check	Personnel Management
James Howard	12-28-79	200.00	Personal Check	Management
Clifford Norris	12-29-79	<u>200.00</u>	Personal Check	Management
	Total	\$800.00		

109 Attachment I - (109)

8 2 0 4 0 5 5 4 9 4 1

110

SCHEDULE OF CONTRIBUTORS ASSOCIATED WITH  
GARRETT'S DANDY HOMES

<u>Name</u>	<u>Date of Instrument</u>	<u>Amount of Contribution</u>	<u>Type of Instrument</u>	<u>Association with Business Entity</u>
Rick Garrett	11-79	\$ 500.00	Personal Check	Owner
Candy Garrett	11-79	500.00	Personal Check	Spouse of Owner
Aline Jackson	12-20-79	<u>200.00</u>	Personal Check	Secretary
	Total	\$1,200.00		

Attachment I - (110)

8 2 0 4 0 3 5 4 8 4 2

111

EXCHANGE *The National Bank* OF MOORE OKLAHOMA

3142  
15 - 15 - 19 79

No. 1577

QUEEN PRODUCTIONS  
CARL QUEEN  
311 N. E. 18 799-3028  
MOORE, OKLA. 73160

Pay to the order of *Brown Law President*

\$ 100<sup>00/100</sup>

Dollars

BY ENCLOSURE THIS CHECK WHEN PAID IS ACCEPTED IN FULL PAYMENT OF THE FOLLOWING ACCOUNT


*Carl Queen*

⑆03100112⑆ ⑆2400376⑆

32040354



(112)

To whom it may  
Concern the 100<sup>00</sup>  
Donated was from  
My Personal funds

Carl Queen  
311 NE 18  
Moore Okla  
73160

TS# 492

92040354344

Queen Productions

CARL QUEEN  
311 N. E. 18th Street  
Moore, Oklahoma 73160



For Brown for Pres.  
C. Kent Brown  
1900 M. St N.W.  
Washington D.C.  
20036

C. H. L. only

3. IRREGULARITIES NOTED FOR OREGON CONTRIBUTIONS

113

In its threshold submission for the State of Oregon, the Committee submitted 61 written instruments, representing contributions from 59 individuals, totaling \$5,507.50. Of this amount \$5,050.00 was certified for matching. Contributions totaling \$1,369.50 from the State of Oregon were included in subsequent submissions.

A. Postal Money Orders

Attachment #17, page 1 is a schedule of 10 individuals from the State of Oregon for whom postal money orders were submitted. Each of these instruments was purchased on December 18, 1979 at the same post office and, although the serial numbers are not sequential, they fall within a range of 215 numbers.

Attachment #17, pages 2 through 11 are photocopies of these instruments and documentation bearing the signatures of the individuals to whom the postal money orders are attributed. Each of the instruments has been typed, apparently by the same typewriter, and lacks the contributor signature. In two (2) instances, we have noted the spellings of the contributors' names, as typed on the instruments, differ slightly from the spellings on the documentation:

DAN CLARKSON AS OPPOSED TO DONALD CLARKSON  
WILLIAM MALCOM AS OPPOSED TO WILLIAM MALCOLM

Two (2) of the individuals associated with the postal money orders also made \$7.50 contributions by personal check, dated December 15, 1979, which were included in the Committee's threshold submission.\* (See Attachment #17, pages 12 and 13 for photocopies of these instruments.) Further, a number of other personal checks, dated December 15, 1979, in amounts of \$7.50 and \$15.00 were noted in the threshold submission and also in subsequent submissions. Committee records and disclosure reports do not indicate fundraising events held in December of 1979 in the State of Oregon.

B. NSF Contributor Check

One threshold contribution in the amount of \$50.00 was later returned by the bank for insufficient funds. During the post primary audit fieldwork it was determined that the check was ultimately returned to the contributor and that a replacement check was never issued.\*\*

\* One of these contributions was rejected for matching because the contributor's name was incorrect on the contributor list.

\*\* The amount certified for matching in a subsequent submission was adjusted downward to account for this.

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As a result of this, the Committee has only submitted matchable, threshold contributions in the amount of \$5,000.00 for the State of Oregon. It should be noted that, in subsequent submissions, the Committee included matchable contributions from the State of Oregon in the amount of \$1,369.50. However, it must be kept in mind that at the time of the certification for eligibility for matching funds, the matchable contributions submitted for the State of Oregon did not exceed the \$5,000.00 threshold requirement contained at 26 U.S.C. 9033(b)(3).

82040354846

115

SCHEDULE OF POSTAL MONEY ORDERS  
SUBMITTED FOR OREGON

<u>Name</u>	<u>Submission #</u>	<u>Amount of Instrument</u>	<u>Date of Instrument</u>	<u>Sequence Number</u>
William Malcolm *	4	\$ 7.50	12-18-79	25005875242
John Middlecamp	6	7.50	12-18-79	25005875275
Linda Campbell	7	7.50	12-18-79	25005875310
Browning Jr.	4	7.50	12-18-79	25005875343
Joseph Guerin	4	7.50	12-18-79	25005875354
Donald Clarkson	8	7.50	12-18-79	25005875365
Michael Stoops	6	7.50	12-18-79	25005875387
Lonnie Johnson *	4	7.50	12-18-79	25005875411
Robert Harrison	10	2.50	12-18-79	25005875433
Bill Harrison	10	2.50	12-18-79	25005875455

\* Personal checks, dated 12-15-79, in the amount of \$7.50 were included in the threshold submission for these individuals.

Attachment I (115)

82040354947

116

UNITED STATES OF AMERICA POSTAL MONEY ORDER

25005875242 791218 9720003 3114 504 \*\*7\*50

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

PAY TO  
Brown for President

PURCHASED BY  
William Malcom  
2405 NW Irving Apt 26  
Portland, OR 97210

DOLLARS AND CENTS  
NOT VALID IF OVER  
Seven  
DOLLARS  
USA

VOID WITHOUT USPS SEAL

115044

0000000201 25005875242

82040354349

Money order number 25005875242 for \$ 7.50

is a contribution to Brown for President from my personal funds.

Sincerely,

William H Malcolm  
(SIGNATURE)

NAME: William H Malcolm

ADDRESS: 2405 NW IRVING Apt 26

CITY, STATE, ZIP: Portland OREGON 97210

OCCUPATION: Cost Analyst

PLACE OF EMPLOYMENT: Pacific Power & Light Co.

WORK ADDRESS: 920 SW 6th, Rm 424  
Portland OR 97204

117

25005875275 791218 972000<sup>3</sup> // \*\*7\*50 506

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

PAY TO  
Brown for President

PURCHASED BY  
John Middlecamp  
120 NW Trinity Place  
Portland, OR 97209

FOR

UNITED STATES POSTAL SERVICE  
U.S. MAIL  
115044  
VOID WITHOUT USPS SEAL

DOLLARS AND CENTS  
NOT VALID IF OVER  
7 50  
DOLLARS

USA

1:00000000201: D57 12-20-79 25005875275

82040354349

Money order number 25005875275 for \$ 7.50  
 is a contribution to Brown for President from my personal  
 funds.

Sincerely,

John W. Middlecamp  
 (SIGNATURE)

NAME: John W. Middlecamp  
 ADDRESS: 120 NW Trinity Place Apt C.  
 CITY, STATE, ZIP: Portland, Oregon 97209  
 OCCUPATION: editor  
 PLACE OF EMPLOYMENT: Daily Shipping News  
 WORK ADDRESS: 1221 SW Alder St., Portland, OR 97209

118

UNITED STATES OF AMERICA POSTAL MONEY ORDER

25005875310 791218 972000 <sup>3</sup>/<sub>104</sub> \*\*7\*50

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

PAY TO: Brown for President

PURCHASED BY: Linda Campbell  
1253 NE 28th Court  
Gresham, OR 97030

DOLLARS AND CENTS: 0 7 50  
NOT VALID IF OVER

USA

115044  
VOID WITHOUT USPS SEAL

0000000020

32040354350

Jodie Krajewski  
Treasurer  
Brown for President  
630 Shatto Place  
Los Angeles, CA 90005

Money order number 972000 for \$ 7.50

is a contribution to Brown for President from my personal funds.

Sincerely,

Linda J Campbell  
(SIGNATURE)

NAME: Linda J Campbell

ADDRESS: 1253 NE 28th Ct

CITY, STATE, ZIP: Gresham, OR 97030

OCCUPATION: Housing Administrator

PLACE OF EMPLOYMENT: Housing Authority of Portland

WORK ADDRESS: 1205 NE 45th Portland 97213

119

UNITED STATES OF AMERICA POSTAL MONEY ORDER

25005875343 791218 972000 <sup>3/00</sup> \*\*7\*50 <sup>504</sup>

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

PAY TO: Brown for President

G. D. Browning  
638 1/2 20th NE  
Salem, OR 97301

PURCHASED BY

FOR

DOLLARS AND CENTS  
NOT VALID IF OVER  
6 e n  
DOLLARS

USA

115044

VOID WITHOUT USPS SEAL

1:00000000201: 25005875343

82040354851

Money order number 25005875343 for \$ 7.50

is a contribution to Brown for President from my personal funds.

Sincerely,

*G.D. Browning Jr.*  
(SIGNATURE)

NAME: G. D. BROWNING, JR.

ADDRESS: 638 1/2 20th N.E.

CITY, STATE, ZIP: SALEM, OREGON 97301

OCCUPATION: STAFF ASSOCIATE

PLACE OF EMPLOYMENT: OREGON COMMUNITY COLLEGE ASSN.

WORK ADDRESS: 1201 COURT ST. NE, SALEM, OR. 97301



120

UNITED STATES OF AMERICA POSTAL MONEY ORDER

25005875354 791218 972000 <sup>3099</sup> \*\*7\*50 <sup>504</sup>

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

PAY TO: Brown for President

PURCHASED BY: Joe Guerin, 2255 SE Queen, Albany, OR 98321

VOID WITHOUT USPS SEAL

115044

1:0000 00 20:

25005875354

USA

32740354352

Money order number 25005875354 for \$ 7.50

is a contribution to Brown for President from my personal funds.

Sincerely,

Joseph E. Guerin  
(SIGNATURE)

NAME: Guerin, Joseph E.

ADDRESS: 2255 S.E. Queen #4 Albany, OR 97321

CITY, STATE, ZIP: \_\_\_\_\_

OCCUPATION: Insurance Agent

PLACE OF EMPLOYMENT: Self

WORK ADDRESS: 2217 Santiam Hwy Albany, OR 97321

121

**UNITED STATES OF AMERICA POSTAL MONEY ORDER**

25005875365 791218 <sup>3</sup>972000 \*\*7\*50

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

PAY TO: Brown for President

PURCHASED BY: Dan Clarkson  
1701 SE Ladd  
Portland, Oregon 97214

DOLLARS AND CENTS: 0 e n  
DOLLARS: **USA**

115044  
VOID WITHOUT USPS SEAL  
:000000020:

32040354353

Jodie Krajewski  
Treasurer  
Brown for President  
630 Shatto Place  
Los Angeles, CA 90005

Money order number 972000 for \$ 7.50

is a contribution to Brown for President from my personal funds.

Sincerely,

Dan Clarkson  
(SIGNATURE)

*needs my signature which this is.*

NAME: DAN CLARKSON

ADDRESS: 1701 SE LADD

CITY, STATE, ZIP: PORTLAND, OR 97214

OCCUPATION: REALTOR

PLACE OF EMPLOYMENT: Same as above - home

WORK ADDRESS: \_\_\_\_\_

122

**UNITED STATES OF AMERICA POSTAL MONEY ORDER**

25005875387 791218 97200030 \*\*7\*50

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

PAY TO Brown for President

Michael A. Stoops

PURCHASED BY Michael Stoops  
321 N.W. Couch  
for Portland, OR 97213

DOLLARS AND CENTS  
NOT VALID IF OVER  
7 50  
DOLLARS

USA

VOID WITHOUT USPS SEAL

115044

1:0000 00201: 25005875387

82040354854

Money order number 25005875387 for \$ 7.50

is a contribution to Brown for President from my personal funds.

Sincerely,

Michael A. Stoops  
(SIGNATURE)

NAME: Michael A. Stoops

ADDRESS: 321 N.W. Couch St.

CITY, STATE, ZIP: Portland, OR 97209

OCCUPATION: "Street Social Worker"

PLACE OF EMPLOYMENT: Burnside Community Council

WORK ADDRESS: 321 N.W. Couch St., Portland, OR 97209

123

UNITED STATES OF AMERICA POSTAL MONEY ORDER <sup>50</sup>

25005875411 791218 972000 <sup>3091</sup> \*\*7\*50 <sup>504</sup>

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

PAY TO: Brown for President

PURCHASED BY: Lonnie Johnson  
2227 NE Hancock  
Portland, OR 97212

DOLLARS AND CENTS: 6 e n  
 NOT VALID IF OVER  
 DOLLARS

USA

1:00000000701: 25005875411

82040354855

Money order number 25005875411 for \$ 7.50

is a contribution to Brown for President from my personal funds.

Sincerely,

Lonnie C Johnson  
(SIGNATURE)

NAME: LONNIE C JOHNSON

ADDRESS: 2227 NE HANCOCK

CITY, STATE, ZIP: PORTLAND OR 97212

OCCUPATION: INTERN ARCHITECT

PLACE OF EMPLOYMENT: JOHN W. FINKLEA, AIA

WORK ADDRESS: 307 CONCORD BLDG. 208 SW STARK  
PORTLAND OR.

124

UNITED STATES OF AMERICA POSTAL MONEY ORDER

25005875433 791218 972000 <sup>309</sup> Mark 1200 \*\*2\*50

UNITED STATES POSTAL SERVICE  
115044  
VOID WITHOUT USPS SEAL

DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE

PAY TO  
Brown for President

PURCHASED BY  
Bob Harrison  
1498 NW Northumbria  
Beaverton, OR 97005

DOLLARS AND CENTS  
NOT VALID IF OVER  
Five  
DOLLARS

USA

0000000201  
D57 12-20-79  
25005875433

Jodie Krajewski  
Brown for President  
30 Shatto Place  
Los Angeles, California 90005

Dear Jodie,  
My check number 25005875433 for \$2.50 is a contribution to BROWN FOR PRESIDENT from my personal funds and is not drawn on an account maintained by an incorporated entity.

Sincerely,  
*Robert E. Harrison*  
(signature)

NAME: Bob Harrison  
ADDRESS: 14980 NW Northumbria Ln.  
CITY, STATE, ZIP: Beaverton, Ore. 97006  
OCCUPATION: box boy  
PLACE OF EMPLOYMENT: Bales Thriftway  
WORK ADDRESS: 12505 NW Cornell rd. Portland, Ore.

82040354856

125

UNITED STATES OF AMERICA POSTAL MONEY ORDER

25005875455 791218 9720003,03 \*\*2\*50

MAR 1 1980

DO NOT STAMP, WRITE OR MAKE ABOVE THIS LINE

PAY TO Brown for President  
Bill Harrison  
14980 NW Northumbria  
Beaverton, OR 97005

UNITED STATES POSTAL SERVICE  
 MONEY ORDER  
 115044  
 VOID WITHOUT USPS SEAL

PURCHASED BY D57-12-20-79

FOR

DOLLARS AND CENTS  
 NOT VALID IF OVER  
Five  
 DOLLARS

USA

① LS

⑆0000⑆0020⑆ 25005875455⑈

Jodie Krajewski  
 Brown for President  
 630 Shatto Place  
 Los Angeles, California 90005

Dear Jodie,

My check number 25005875455 for \$2.50 is a contribution to BROWN FOR PRESIDENT from my personal funds and, is not drawn on an account maintained by an incorporated entity.

Sincerely,

Bill Harrison  
 (signature)

NAME: BILL HARRISON

ADDRESS: 14980 N.W. NORTHUMBRIA LN

CITY, STATE, ZIP BEAVERTON, ORE; 97005

OCCUPATION CONTAINER CLERK

PLACE OF EMPLOYMENT BALE'S THREJEWAK

WORK ADDRESS 12505 NW CORVELL RD. PORTLAND, ORE

82040354957

126

FIRST NATIONAL BANK  
OF OREGON  
HEAD OFFICE  
PORTLAND, OREGON 97208

2919

12/15 1979

1141  
24 12/1230  
003

Pay to  
the order of

Brown for President

\$ 7.50

Seven and 50/100

Dollars

WILLIAM H. MALCOLM  
2405 N.W. IRVING, NO. 26 223 0629  
PORTLAND, OR 97210

William H. Malcolm

⑆ 230001231003 090727 800 61.6

TS537 D53 12/17

32040354858

127

IONNIE C. JOHNSON  
2227 N.E. HANCOCK 282-5070  
PORTLAND, OR 97212

2975

239

DEC 19 1979

24:22 10  
1233

PAY TO THE ORDER OF BROWN FOR PRESIDENT \$ 7.50

SEVEN AND 50/100



MAIN BRANCH  
UNITED STATES NATIONAL BANK  
OF OREGON  
P. O. BOX 4412, PORTLAND, OREGON 97208

*Ionnie C. Johnson*

FOR \_\_\_\_\_

⑆ 423000220⑆ 010 0226 4470 0239

T5534 DS3 12/17

32040354359



4. IRREGULARITIES NOTED FOR NEVADA CONTRIBUTIONS

In addition to the irregularities noted in connection with contributions submitted for matching for the State of Nevada discussed in Section One (Rollan and Eleanora Swanson, Jerome and Joyce Mack, Daniel Greenspun, Barbara Greenspun and Louis Zimmerman), the following matter is included for your consideration.\*

Possible Additional Contributors Associated With the Same Business Entity

Per the threshold contributor list, the Las Vegas Sun is provided as the principal place of business for three (3) individuals, including the owner. (See Attachment # 18, page 1 for schedule.)

From records available at the Commission, we have noted five (5) officers and employees of the Las Vegas Sun who have the same names as other threshold contributors from the State of Nevada. The principal places of business for the five (5) contributors with the same names, where required, were not listed as the Las Vegas Sun in the threshold submission. In one instance, the original residential address of a contributor identified as a self employed attorney was the address of the Las Vegas Sun.\*\* We have noted four (4) additional contributors who are possibly connected with the Las Vegas Sun. (See Attachment # 18, page 2 for schedule.)

3 2 0 4 0 3 5 4 8 6 0

\* In its threshold submission for the State of Nevada, the Committee submitted 39 written instruments, representing contributions from 37 individuals, totaling \$5,605.00. Of this amount, \$5,005.00 was certified for matching. Contributions totaling \$70,687.00 from the State of Nevada were included in subsequent submissions, however, it should be kept in mind that, of this amount, \$70,152.00 was comprised of ticket purchases to concerts held by the Committee.

\*\* It should be noted that the Committee submitted a corrected list of contributor information which included a different residential address for this individual.

129-

SCHEDULE OF CONTRIBUTORS EMPLOYED BY THE LAS VEGAS SUN  
PER THE THRESHOLD CONTRIBUTOR LIST

<u>NAME</u>	<u>OCCUPATION</u>	<u>DATE OF INSTRUMENT</u>	<u>AMOUNT OF INSTRUMENT</u>	<u>TYPE OF INSTRUMENT</u>
H. M. Greenspun	Owner	12-22-79	\$250.00	PERSONAL CHECK
Daniel Greenspun	Computer Programmer	12-21-79	\$250.00	PERSONAL CHECK
Sylvia Weidenfeld	Purchasing Director	12-27-79	<u>\$100.00</u>	PERSONAL CHECK
		Total	\$600.00	

129 Attachment I - (129)

8 2 0 4 0 3 5 4 9 6 1

130

SCHEDULE OF CONTRIBUTORS POSSIBLY  
CONNECTED WITH THE LAS VEGAS SUN

<u>NAME</u>	<u>DATE OF INSTRUMENT */</u>	<u>AMOUNT OF INSTRUMENT</u>	<u>OCCUPATION AND PRINCIPAL PLACE OF BUSINESS PER CONTRIBUTOR LIST</u>	<u>POSSIBLE CONNECTION TO LAS VEGAS SUN</u>
Beverly Buy	12-22-79	\$ 25.00	N/A	Spouse of General Manager
Burt Buy	**/	25.00	N/A	General Manager
Susan Fine	12-18-79	250.00	Housewife	Spouse of Comptroller
Barbara Greenspun	12-22-79	250.00	Housewife	Treasurer
Belle Greenspun	12-22-79	100.00	N/A	Spouse of 1st V.P.
Brian Greenspun <u>***</u> /	12-21-79	200.00	Self Employed Attorney	2nd V.P.
David Greenspun	12-22-79	100.00	Retired	1st V.P.
Myra Greenspun	12-20-79	100.00	Housewife	Spouse of 2nd V.P.
Leslie Ritchie	12-21-79	<u>100.00</u>	N/A	Advertising Director
		Total	\$1,150.00	

\*/ Each contribution was made by personal check and deposited on 12-24-79.

\*\*/ The written instrument submitted was not dated and therefore rejected for matching.

\*\*\*/ The original threshold contributor list provided this individual's residential address as 121 S. Highland, the address of the Las Vegas Sun.

NOTE: In submission #6, the Committee submitted a \$200.00 check, dated 12-21-79, from an individual with the same name as the Comptroller of the Las Vegas Sun (MARK FINE). This contributor's occupation was listed as self employed Real Estate Developer.

130 Attachment I - (130)

8 2 0 4 9 3 5 1 8 6 2

5. IRREGULARITIES NOTED FOR ARIZONA CONTRIBUTIONS

131

In its threshold submission, the Committee originally included contributions from 21 states. Contributions from Arizona were subsequently submitted in case the Committee failed to establish eligibility in two (2) of the original states.\*

In the threshold submission for the State of Arizona, \$5,116.00 was submitted for matching. Twenty four written instruments, representing contributions from 24 individuals, were submitted. Each contribution was determined to be matchable. Contributions totaling \$2,045.00 from the State of Arizona were included in subsequent submissions.

A. Contributors Associated With the Same Business Entity

Attachment # 19, page 1 is a schedule of contributions from nine (9) individuals, including the owner, associated with either R. A. Construction, Inc. or R. A. Homes, Inc.

32040354363

\* On January 21, 1980, the Commission voted to certify Governor Edmund G. Brown, Jr. as eligible to receive matching funds after having established eligibility in 20 states. The State of Arizona was not used to establish eligibility.

132

SCHEDULE OF CONTRIBUTORS ASSOCIATED WITH  
R. A. CONSTRUCTION, INC./R. A. HOMES, INC.

<u>Name</u>	<u>Date of Instrument</u> *	<u>Amount of Contribution</u>	<u>Submission #</u>	<u>Association with Business Entity</u>
Jerry McCoy	12-12-79	\$ 250.00	Threshold	Owner
Harold Cole	12-12-79	250.00	4	Attorney
Sandra Cole	12-12-79	250.00	13	Spouse of Attorney
Clare Greene	12-12-79	250.00	Threshold	Accountant
Constance Greene	12-12-79	250.00	Threshold	Spouse of Accountant
Melvin Ritter	12-12-79	500.00	Threshold	Executive
Robin Ritter	12-27-79	250.00	Threshold	Spouse of Executive
Marvin Spivack	12-14-79	250.00	Threshold	Consultant
Ethel Spivack	12-14-79	<u>250.00</u>	Threshold	Spouse of Consultant
		Total \$2,500.00		

\* Each contribution was deposited on 12-26-79, with the exception of the contribution dated 12-27-79, which was deposited on 12-31-79.

Attachment I - (132)

8 2 0 4 0 3 5 4 3 6 4

D. Conclusions and Recommendations

The results of our analysis are based, as previously stated, on only those documents submitted for matching or obtained during the course of applying the audit procedures in the post-primary audit fieldwork. Even based on this limited amount of information, we feel that the patterns and linkages developed are substantial.

At this stage of the "reinvestigation," we do not believe that the irregularities noted should be discreetly quantified in matchable vs. unmatchable dollars. It is evident from the analysis, that what has surfaced is merely a precursor of the total dollar volume of the irregularities. We, therefore, would offer the following suggestions regarding certain records and statements (depositions) which when obtained and thoroughly analyzed should offer a more complete assessment of total unmatchable dollars and the actual number of valid threshold states:

(1) Obtain via subpoena, all the original contributor cards for the campaign;

(2) Obtain from the respective financial institutions all the original money orders, cashier's checks and postal money orders related to the campaign, with the exception of those directly relating to the various concerts;

(3) Obtain via subpoena all the original additional documentation letters (i.e., personal funds statements, etc.) relating to the campaign

(4) Obtain samples of the Treasurer's and Assistant Treasurer's handwriting (cursive and printing). Samples must be suitable for formal handwriting analysis with the documents noted in (1), (2) and (3) above;

(5) Depose the Treasurer, Assistant Treasurer, Treasurer's secretary and other persons involved in the contribution processing at the Committee.

(6) Ascertain whether the contributions attributed to the named individuals discussed in this document are in fact valid matchable contributions, to include the circumstances surrounding the purchase.

Audit Division personnel involved in this analysis are available to assist your office during any type of investigation into this matter.

82040354365

134

MEMORANDUM TO CHARLES N. STEELE

Page 6

In summary, the Audit staff feels that additional linkages will become apparent upon receipt of the additional material noted above. The foregoing analysis has, in our opinion, cast extreme doubt as to the validity and veracity of the Committee's satisfying the 20 State Threshold requirement (\$100,000) and thereby its receipt of \$792,000 based on post-threshold submissions.

Recommendation

The Audit staff recommends that this matter be the subject of a compliance action (MUR) and that the Office of General Counsel analyze the applicability of 26 U.S.C. 9042(c) to the irregularities noted.

Should you have any questions or require additional information or materials, please do not hesitate to contact Susanne Haessler or Rick Halter at extension 3-4155.

82040334065

1211 1211 Attachment I (134)

A-981  
135



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 22, 1981

MEMORANDUM

TO: CHARLES N. STEELE  
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER  
STAFF DIRECTOR

FROM: BOB COSTA *RJC*

SUBJECT: FOLLOW-UP REVIEW OF BROWN FOR PRESIDENT  
MATCHING FUND SUBMISSIONS

02040654367

Attached please find a discussion of additional matters noted in connection with our review of the Brown for President matching fund submissions. These were noted subsequent to the preparation of our August 7, 1981 memorandum (A#954). Our review of the Committee's matching fund submissions was continued at the request of members of your staff on September 4, 1981, following their review of the material contained in the August 7, 1981 memorandum.

At this point, we are somewhat hampered in our analysis of materials submitted by the Committee due to the fact that only photocopies are available. In some cases, the reproduction quality of documents, in part or in their entirety, are so poor as to render analysis impossible. We reiterate our position concerning the need for obtaining original instruments and documentation letters. (See page 133 of our August 7, 1981 memorandum.)

Should you have any questions, please contact Susanne Haessler at 34155.

Attachment as stated

Attachment II - (1)



136

<u>Name of State</u>	<u>Amount Submitted Per Committee In Original Threshold Submission</u>	<u>Amount Deemed Matchable Per Initial Audit Review</u>	<u>Additional Amount Submitted And/Or Amount Cleared By Documentation Submitted</u>	<u>Final Matchable Amount For Threshold Per Audit</u>
1. California	\$6,000.00	\$5,500.00	\$ -0-	\$5,500.00
2. Connecticut	5,120.00	5,115.00	-0-	5,115.00
3. District of Columbia	5,080.00	4,330.00	1,050.00	5,380.00
4. Florida	5,292.50	3,392.50	1,750.00	5,142.50
5. Georgia	5,160.00	5,160.00	-0-	5,160.00
6. Hawaii	5,025.00	2,250.00	1,000.00	3,775.00
7. Illinois	5,275.00	4,625.00	400.00	5,025.00
8. Massachusetts	5,233.00	4,118.00	960.00	5,078.00
9. Minnesota	5,285.00	4,525.00	760.00	5,285.00
10. Nevada	5,605.00	3,705.00	1,500.00	5,005.00
11. New Hampshire	5,370.00	5,115.00	-0-	5,115.00
12. New Jersey	5,149.00	3,699.00	1,450.00	5,149.00
13. New York	5,475.00	4,525.00	950.00	5,475.00
14. Oklahoma	5,110.00	3,610.00	1,400.00	5,010.00
15. Oregon	5,007.50	4,650.00	400.00	5,150.00
16. Pennsylvania	5,100.00	4,755.00	700.00	5,455.00
17. Texas	5,230.00	1,680.00	3,550.00	5,230.00
18. Utah	5,390.00	4,140.00	1,000.00	5,140.00
19. Virginia	5,115.00	4,060.00	1,050.00	5,110.00
20. Washington	5,005.00	4,640.00	475.00	5,115.00
21. Wisconsin	5,137.00	3,577.00	1,550.00	5,127.00
22. Arizona <sup>1/</sup>	-0-	-0-	5,116.00	5,116.00

<sup>1/</sup> On January 7, 1980, the Committee Assistant Treasurer submitted the necessary documentation to include the State of Arizona in the revised threshold submission.

Attachment II - (2)

2

- 1. Leo Pavich  
Tony and Barbara Ladakis

On pages 85 and 86 of the August 7, 1981 memorandum, the Audit staff discussed the similarities of the handwriting styles exhibited on letters submitted for three (3) threshold contributors from the State of Utah and concluded that they appeared to have been completed by the same hand (LEO PAVICH, TONY LADAKIS, BARBARA LADAKIS).\* At that time however, the preparation and/or signature of these letters was not associated with the Committee.

Upon further review of these letters and comparison with Committee prepared documents as discussed below, the Audit staff is now of the opinion that the body of each letter was prepared by David Jolly, the Committee's Assistant Treasurer. Further, it appears that two (2) of the letters were also signed by David Jolly.

Attachment #1, page 1 consists of a photocopy of a document prepared and signed by David Jolly.\*\* Attachment #1, page 2 consists of a documentation letter, included in the Committee's fourth submission, the lower portion of which also appears to have been prepared by David Jolly. These documents are the basis of comparison with the Pavich and Ladakis letters discussed below.

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- \* Each of these individuals contributed \$250.00 to the Committee by cashier's check lacking the contributor's signature.
- \*\* The Audit staff obtained possession of the original document during the audit fieldwork.

A. Leo Pavich  
\$250.00  
12/11/79

Attachment #1, page 3 contains a photocopy of a cashier's check included in the threshold submission for Leo Pavich, residing on Old Farm Road in Salt Lake City, Utah.

Attachment #1, page 4 contains a photocopy of a letter, bearing the signature "Leo Pavich", which was provided to the Audit staff by David Jolly during the week of January 7, 1980.

As previously stated, certain distinct characteristics of handwriting style exhibited in the Pavich letter and in documents prepared by David Jolly are so strikingly similar that it appears they were completed by the same hand.

For example, with respect to the Pavich letter in Attachment #1, page 4 and the document prepared and signed by David Jolly in Attachment #1, page 1:

82040554370

- The "T" in "TO" on line 4 of the Pavich letter vs. the third "TO" on line 6 of the Jolly document.
- The first "T" in "TRUST" on line 8 of the Pavich letter vs. the "T" in "THEREFORE" on line 11 of the Jolly document. In both examples, the "hook" on the left side of each horizontal bar and the curvature of each horizontal bar is identical.
- The "S" in "FUNDS" on line 10 of the Pavich letter vs. the "S"s in "VOLUNTEERS" and "PURCHASE" on lines 2 and 12 of the Jolly document.
- The "H" in "CHECK" on line 3 of the Pavich letter vs. the "H"s in "HAD" and "CHECK" on lines 8 and 11 of the Jolly document.
- The "OR" in "FOR" on line 3 of the Pavich letter vs. the "OR" in "FOR" on line 9 of the Jolly document.
- The "OM" in "FROM" on line 6 of the Pavich letter vs. the "OM" in "FROM" on line 6 of the Jolly document.
- The "M" in "MY" on line 9 of the Pavich letter vs. the "M" in "AMARILLO" on line 2 of the Jolly document.

- The "M" in "MADE" on line 4 of the Pavich letter vs. the "N" in "AN" on line 1 of the Jolly document.
- The "M" in "ME" on line 6 of the Pavich letter vs. the "M" in "MOINES" on line 7 of the Jolly document.
- The "S" in "PERSONAL" on line 9 of the Pavich letter vs. the "S" in "SINCE" on line 5 of the Jolly document.

Further, with respect to the Pavich letter in Attachment #1, page 4 and the bottom portion of the documentation letter in Attachment #1, page 2:

- The "B"s in "BROWN" and "BANK" on lines 4 and 7 of the Pavich letter vs. the "B" in "BEVERLY" on line 6 of the documentation letter.
- The "H" in "THE" on line 3 of the Pavich letter vs. the "H" in "SHENANDOAH" on line 2 of the documentation letter. Note the slight although distinguishable "hook" on the vertical bar in each example.
- The "R" in "SIR" on line 2 of the Pavich letter vs. the "R" in "RD" on line 2 of the documentation letter.
- The "S" in "S.L.C." on line 8 of the Pavich letter vs. the "S" in "SELF" on line 5 of the documentation letter.

Attachment #1, page 5 contains a photocopy of an envelope submitted with the Pavich letter.\* We feel it is particularly noteworthy that this envelope bears no evidence of having been stamped or postmarked.

\* The Committee submitted a photocopy of the envelope rather than the original.

02040334371

B. Tony Ladakis  
\$250.00  
12/11/79

Attachment #1, page 6 contains a photocopy of a cashier's check included in the threshold submission for Tony Ladakis, residing at 1292 Fourth Avenue in Salt Lake City, Utah. It should be noted that the serial number of this instrument is sequential to the serial number of the cashier's check attributed to Leo Pavich, who is discussed on pages 4 and 5 of this document.

Attachment #1, page 7 contains a photocopy of a letter, bearing the signature "Tony Ladakis", which was submitted with this cashier's check.

The analysis contained on pages 4 and 5 of this memorandum concerning the Leo Pavich letter clearly suggests that the body of the letter was prepared by David Jolly. From a comparison of the Pavich letter in Attachment #1, page 4 with the Tony Ladakis letter in Attachment #1, page 7 we feel there is little doubt that both letters were prepared by the same individual, namely David Jolly.\*

Further, from a comparison of the handwriting style of the body of the Tony Ladakis letter in Attachment #1, page 7 with the signature on this letter (line 10), the Audit staff is of the opinion that they were completed by the same hand.

For example:

- "TONY LADAKIS" on line 8 vs. the signature "TONY LADAKIS" on line 10.
- The second and third "N"s in "CONTINENTAL" on line 3 vs. the "N" in "TONY" in the signature on line 10.
- The "A"s in "THAT" and "CASHIER'S" on lines 2 and 3 vs. the "A"s in "LADAKIS" in the signature on line 10.
- The "H" in "THAT" on line 2 vs. the "K" in "LADAKIS" in the signature on line 10.
- The "S"s in "PLEASE" and "FUNDS" on lines 2 and 9 vs. the "S" in "LADAKIS" in the signature on line 10.

\* See pages 85 and 86 of the August 7, 1981 memorandum for a discussion of the similarities noted between the Pavich and Ladakis letters.

32040354372

141

It is the Audit staff's understanding that in a phone conversation on September 18, 1981, Tony Ladakis informed Michael Dymersky of your office that he and his wife had made approximately \$1,500 in contributions to the Brown for President Committee.

Attachment #1, page 8 contains a photocopy of the Committee prepared contributor card for Tony and Barbara Ladakis which was obtained by the Audit staff on March 5, 1980, during the audit fieldwork. This card indicates that, as of March 5, 1980, Tony and Barbara Ladakis had jointly contributed only \$500.00 to the Committee. Further, we have reviewed all disclosure reports filed by the Committee to date and have noted that the only contributions itemized (in the disclosure reports) as having been received from Tony and Barbara Ladakis are those which are also recorded on the contributor card discussed above.

It is also the understanding of the Audit staff that the questionnaires sent to Tony and Barbara Ladakis by your office request the aggregate amount of contributions made to the Committee. The information discussed above is provided for use in your analysis of the responses to the questionnaires.

32740354073

C. Barbara Ladakis  
\$250.00  
12/19/79

Attachment #1, page 9 contains a photocopy of a cashier's check included in the threshold submission for Barbara Ladakis, residing at 1292 Fourth Avenue in Salt Lake City, Utah.\*

Attachment #1, page 10 contains a photocopy of a letter bearing the signature "Barbara Ladakis" which was submitted with this instrument.

As discussed on pages 85 and 86 of the August 7, 1981 memorandum, the Audit staff is of the opinion that the body of this letter was prepared by the same individual who prepared the letters bearing the signatures "Leo Pavich" and "Tony Ladakis" (Attachment #1, pages 4 and 7, respectively). Further, as discussed on pages 4 through 6 of this document, this individual appears to be David Jolly, the Committee's Assistant Treasurer.

The signature and address lines on this letter appear to have been written by someone other than the individual who prepared the body of the letter. As discussed below, the handwriting of the address lines appears to be that of Jodie Krajewski, and, in our opinion, there is evidence to suggest that she also signed the letter.

Attachment #1, page 11 contains a photocopy of a contributor card, the first two lines of which appear to have been prepared by Jodie Krajewski. Certain characteristics of handwriting style contained on both the address line of the Barbara Ladakis letter appearing on Attachment #1, page 10, and the first two lines of the contributor card are so strikingly similar, that it would appear they were completed by the same hand, namely Jodie Krajewski.

For example:

- The "S" in "SALT" on the Ladakis letter vs. the "S" in "ST" on line 2 of the contributor card.
- The "Y" in "CITY" on the Ladakis letter vs. the "Y" in the second "NY" on line 2 of the contributor card.
- The "H" in "FOURTH" on the Ladakis letter vs. the "H" in "6TH" on line 2 of the contributor card.
- The upper loop of the "L" in "LAKE" on the Ladakis letter vs. the loop of the "R" in "MARK" on line 1 of the contributor card.

\* It should be noted that this cashier's check is sequential to the cashier's check submitted for Cheri Weston, who was discussed on pages 10 and 11 of the August 7, 1981 memorandum.

920403371

Attachment #1, page 12 contains a photocopy of a label affixed to one of the binders containing the committee's threshold submission. Again, certain characteristics of handwriting style contained on the address lines of the Barbara Ladakis letter and the label are so strikingly similar that it would appear they were completed by the same hand, namely Jodie Krajewski:

- The horizontal bars of the "F" in "FOURTH" on the Barbara Ladakis letter vs. the horizontal bars in the Roman numeral "III" on the label. Notice that the "hooks" at the right edge of the upper bar and at the left edge of the lower bar are identical in both cases. Further, the slope of the lower bar is identical in both cases.

At this time we are unable to definitely state that the signature on the Barbara Ladakis letter was written by a committee person, Jodie Krajewski in particular; however, we feel there are certain indications that this may be the case:

- the "B" in "BARBARA" is quite similar to the "B" in "BOOK" on the label contained in Attachment #, page 12. Note the "hook" at the right hand edge of the uppermost horizontal bar.
- The curved line and loop of the "S" in "SALT" is identical to the corresponding portion of the "B" in "BARBARA". As previously discussed, the "S" in "ST" on line 2 of the Holland contributor card ( prepared by Jodie Krajewski) contained in Attachment #1, page 11 is remarkably similar.
- The reproduction quality of the signature and address lines is the same, indicating that the same writing instrument was used and most likely, that all three lines were written at the same point in time. This comparison, using photocopies of documents rather than the originals, clearly demonstrates the absolute necessity of obtaining original documents for analysis.

The above analysis concerning the Pavich, Tony and Barbara Ladakis instruments and documentation submitted for threshold purposes in the State of Utah sets forth a very convincing case wherein \$750.00 toward the \$5,000\* state qualifying amount is in serious question. By virtue of this direct linkage to the Committee's Treasurer and Assistant Treasurer, other aspects/ contributions regarding the Brown For President's matching fund submissions also become suspect. Once again, the Audit Division points out that this Committee, by only a very narrow margin, exceeded the \$5,000 State qualifying amount in numerous states (see chart on page 2).



1 In 1979 an airplane transporting Brown  
2 for President volunteers crashed in Amarillo, Texas.  
3 The destination of the passengers was Des Moines, Iowa.  
4 The crew planned to helicopter them off at the Iowa  
5 canons. Since the air was totally destroyed it became  
6 necessary to try to get the persons from Amarillo to Des  
7 Moines by bus.

8 The volunteers had only limited funds and meant  
9 that the Brown Committee had to purchase tickets for  
10 them. As everybody knows Greyhound does not accept  
11 credit cards or checks. Therefore, a check was cashed  
12 to purchase the bus tickets.

13 David Galt

14 3/20/80

Keith Cowing  
Assistant Treasurer  
Brown for President  
630 Shatto Place  
Los Angeles, CA 90005

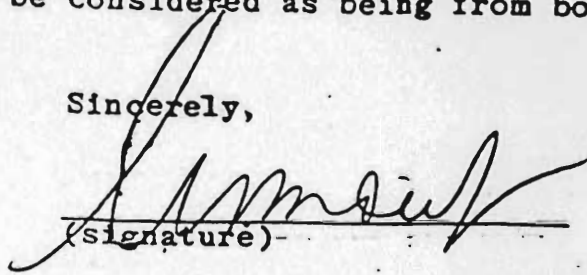
145

Dear Keith:

My check number 3664 for \$ 100 dated Oct, 26 19 79  
is a contribution to Brown for President from my personal funds and is  
not drawn on an account maintained by an incorporated entity.

Furthermore, my spouse has equal interest in these funds and this con-  
tribution should therefore be considered as being from both of us.

Sincerely,



(signature)

(signature)

049334977

1	NAME <u>Robert A. Mout</u> PHONE <u>723-3654</u>	NAME _____ PHONE _____
2	HOME ADDRESS <u>1570 Skendock Rd.</u>	HOME ADDRESS _____
3	CITY <u>San Marino</u> ZIP _____	CITY _____ ZIP _____
4	OCCUPATION <u>Attorney</u>	OCCUPATION _____
5	EMPLOYER/FIRM <u>Self</u>	EMPLOYER/FIRM _____
6	BUSINESS ADDRESS <u>5410 E Beverly Blvd.</u>	BUSINESS ADDRESS _____
7	CITY <u>LA</u> ZIP <u>90022</u>	CITY _____ ZIP _____
8	<input checked="" type="checkbox"/> SELF EMPLOYED BUS. PHONE <u>723-3654</u>	<input type="checkbox"/> SELF EMPLOYED BUS. PHONE _____

A COPY OF OUR REPORT IS FILED WITH THE FEDERAL ELECTION COM-  
MISSION AND IS AVAILABLE FOR PURCHASE FROM THE FEDERAL  
ELECTION COMMISSION, WASHINGTON, D.C. ID # C00111740

Brown for President Committee Jodie Krajewski, Treasurer

A COPY OF OUR REPORT IS FILED WITH THE FEDERAL ELECTION COM-  
MISSION AND IS AVAILABLE FOR PURCHASE FROM THE FEDERAL  
ELECTION COMMISSION, WASHINGTON, D.C. ID # C00111740

Brown for President Committee Jodie Krajewski, Treasurer

Attachment II - (11)

146



THE CONTINENTAL BANK AND TRUST COMPANY

3212-12-31-4  
1240

SALT LAKE CITY, UTAH

NO 260027

DEC 11 79

PAY TO THE ORDER OF

\*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*

\$ 250.00

CONTINENTAL BANK & TRUST 25000 CTS

DOLLAR

PURCHASED BY LEO PAVICH

CASHIER'S CHECK

*Leo Pavich*  
AUTHORIZED SIGNATURE

⑈0260027⑈ ⑆12400004⑆

00-30-001

TS 654 D58 12/22

82040331073

1-10-80

Dear Sir,

the Cashiers check for  
250<sup>00</sup> made to "Brown for  
PRESIDENT COMMITTEE" Purchased  
By me from the MAIN  
BRANCH CONTINENTAL BANK  
& TRUST, - S. L. C. UTAH #  
26002 where my Personal  
Funds.

Thank you.

Leobrich

JAH

FS # 654

148

Lipo FAVICH  
OLIO FARMS ROAD,  
SALT LAKE CITY, UTAH

Herb Brown

1900 M Street

Northwest

Washington D. C.

20036

0801504080

149

801-1111111 #

3211

31-4  
1240



# THE CONTINENTAL BANK AND TRUST COMPANY T-C

SALT LAKE CITY, UTAH

DEC 11 79

NO 260026

PAY TO THE ORDER OF

\*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*

\$ 250.00

CONTINENTAL BANK & TRUST

25000 CTS

DOLLAR

PURCHASED BY TONY LADAKIS

CASHIER'S CHECK

1992 fourth Ave, Salt Lake City, UT 84103

AUTHORIZED SIGNATURE

⑈0260026⑈ ⑆124000041⑆ 00 30 00⑈

8 2 0 1 0 3 5 4 0

12-21-77

Dear Jodie -

Please be advised that a

Cashier's check from the Continental Bank  
and Trust, MAIN BRANCH, SALT  
LAKE CITY, UTAH TO THE

"Brown for PRESIDENT COMMITTEE"

FOR THE AMOUNT OF \$250<sup>00</sup> PURCHASED

By Tony Lodiak (check # 260026) are my

personal funds.

Tony Lodiak  
1292 - 4<sup>th</sup> AVE  
S.C. UTAH 84103

10  
11  
12

151

LAST NAME: Ladakis FIRST: Tony ✓ MIDDLE: Baebaza  
 HOME ADDRESS: 1292 4th AVE, SLC, Utah 84103  
 HOME PHONE: 801-364-1143 OCCUPATION: INVESTOR/HOUSEWIFE  
 EMPLOYER: El Greece Cafe  YES  
 BUSINESS ADDRESS: 1255 Empire Ave, Park City, Utah  
 BUSINESS NUMBER: None during letter CONTACT: \_\_\_\_\_

B4P#	DEP #	DATE REC	AMOUNT	T4	C	SOURCE
3211	58	12/22/79	250. <sup>00</sup>		182	Utah
3213	58	12/22/79	250. <sup>00</sup>		182	Utah

8204035108



152

MAIN OFFICE  
Walker Bank & Trust Company

3213

31-2  
1240

PURCHASED BY SALT LAKE CITY, UTAH

No. 395039

\*\*\*Barbara T Ladakis\*\*\*

DATE DECEMBER 19, 1979

PAY TO THE ORDER OF \*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*

\$ \*\*\*250.00\*\*\*

CASHIER'S CHECK

MAIN OFFICE  
WALKER BANK

250 00/100

*[Handwritten Signature]*

AUTHORIZED SIGNATURE

⑈395039⑈ ⑆1240⑈0002⑆ 3210101 0200000⑈

8204035

12-27-79

153

DEAR Jodie,

TS644 DSB 12/22

A CASHIERS CHECK # 395039

PURCHASED BY ME, BARBARA T. LADAKIS

IN THE AMOUNT OF \$250<sup>00</sup> MADE

TO "BROWN FOR PRESIDENT COMMITTEE"

FROM WALKER BANK & TRUST, MAIN

BRANCH, SALT LAKE CITY, UTAH;

WERE FROM MY PERSONAL

FUNDS.

Thank you

And Good Luck

Barbara T. Ladakis

1292 Fourth Ave

Salt Lake City Ut.

84103

8-204035438

154

Barbara J. Lohli  
 1292 Fourth Ave  
 Salt Lake City Ut.  
 84103

82010354385

1 HOLLAND MARK SPOUSE  
 LAST NAME FIRST

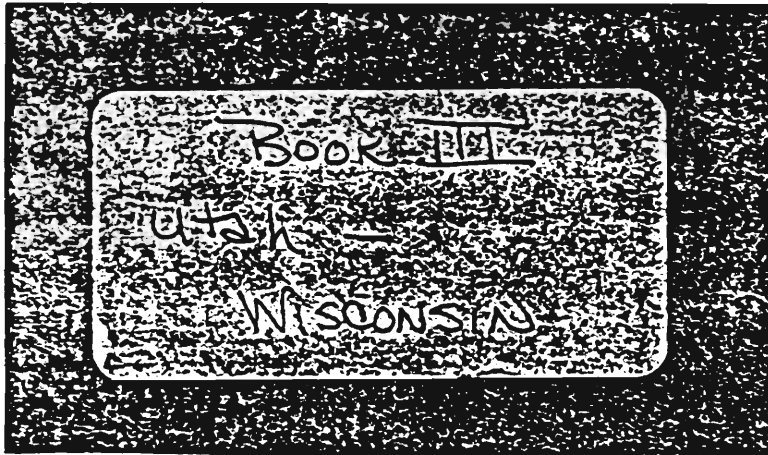
2 520 E. 6th St, NY NY 10001 HOME ADDRESS  
 ASSOC. DIRECTOR OCCUPATION  
 HOME PHONE  
 AHS Chiropractic Assoc. EMPLOYER  SELF  
 45 John St. N.Y. N.Y. 10038 BUSINESS ADDRESS

BUSINESS NUMBER		CONTACT				SOURCE	
B4P#	DEP #	DATE REC.	AMOUNT	T4	C		
1967	39	11/19	250.	1	110	NYJC J24	

155

Barbara J. Lulie  
1292 Fourth Ave  
Salt Lake City Ut.  
84103

82740654237



2. Rick Reed  
\$250.00  
9/18/79

Attachment #2, page 1 is a photocopy of a cashier's check attributed to Rick Reed which was included in the Committee's Threshold submission for the State of Hawaii.

Attachment #2, page 2 is a photocopy of a letter bearing the signature "Rick Reed".\* From a comparison of the handwriting style exhibited on the signature line to that exhibited in the body of this letter, there is no doubt that both were completed by the same hand:

- The "R"s in the signature "RICK REED" vs. the upper loop of the "B" in "BROWN" on line 11.
- The "C" in the signature "RICK REED" vs. the "C"s in "CHECK", "PURCHASED" and "PACIFIC" on lines 6 and 7.
- The "D" in the signature "RICK REED" vs. the "D"s in "PURCHASED" and "PRESIDENT" on lines 7 and 8.

Attachment #2, pages 3 and 4 consist of photocopies of the letters bearing the signatures "Leo Pavich" and "Tony Ladakis". The handwriting style exhibited on these letters was associated with David Jolly, the Committee's Assistant Treasurer, on pages 4 through 6 of this memorandum.

Certain distinct characteristics of the handwriting style contained on these letters and the letter bearing the signature "Rick Reed" are so strikingly similar that it would appear they were completed by the same individual, namely David Jolly.

For example, with respect to the Reed and Pavich letters in Attachment #2, pages 2 and 3:

- The "CHE" in "CHECK" on line 6 of the Reed letter vs. the "CHE" in "CHECK" on line 3 of the Pavich letter.
- The "R'S" in "CASHIER'S" on line 6 of the Reed letter vs. the "RS" in "CASHIERS" on line 3 of the Pavich letter.
- The second "K" in "KRAJEWSKI" and in "BANK" on lines 1 and 7 of the Reed letter vs. the "K"s in "CHECK" and "THANK" on lines 3 and 11 of the Pavich letter.
- The "B" in "BROWN" on line 8 of the Reed letter vs. the "B" in "BRANCH" on line 7 of the Pavich letter.

\* It should be noted that this letter was not included with the Threshold documents received by the Audit staff on January 2, 1980, but rather, was provided by David Jolly, the Committee's Assistant Treasurer, during the week of January 7, 1980.

- The "S" in "SINCERELY" on line 12 of the Reed letter vs. the "S" in "SIR" on line 2 of the Pavich letter.
- The "R"s in the signature "RICK REED" vs. the "R"s in "SIR" and "BRANCH" on lines 2 and 7 of the Pavich letter.
- The "C"s in "ACCOUNT" and "SINCERELY" on lines 10 and 12 and the signature "RICK REED" vs. the "C" in the signature "LEO PAVICH".

Further, with respect to the Reed and Tony Ladakis letters in Attachment #2, pages 2 and 4:

- The "B"s in "BROWN" on lines 2, 8 and 11 of the Reed letter vs. the "B" in "BROWN" on line 6 of the Ladakis letter.
- The word "DEAR" on line 5 of the Reed letter and line 1 of the Ladakis letter.
- The "F" in "CALIFORNIA" on line 4 of the Reed letter vs. the "F" in "FROM" on line 3 of the Ladakis letter.
- The "K" in "BANK" on line 7 of the Reed letter vs. the "K"s in "CHECK" and "BANK" on line 3 of the Ladakis letter.
- The "C"s in "CHECK" and "ACCOUNT" on lines 6 and 10 and the signature "RICK REED" vs. the "C" in "CHECK" on line 3 of the Ladakis letter.
- The "R"s in the signature "RICK REED" vs. the "R" in "BROWN" on line 6 of the Ladakis letter.
- The "D"s in "JODIE" on line 1 and the signature "RICK REED" vs. the "D" in "LADAKIS" on line 8 of the Ladakis letter.
- The "H"s in "CHECK" and "PURCHASED" on lines 6 and 7 of the Reed letter vs. the "H"s in "THAT" and "CHECK" on lines 2 and 3 of the Ladakis letter.



159

1/4/80

1 Jodie Krajewski  
 2 Brown for President  
 3 630 Shatto Place  
 4 Los Angeles, California 90005

5 Dear Ms. Krajewski:

6 Cashier's check # 031542,  
 7 purchased at Central Pacific Bank  
 8 to the order of Brown for President  
 9 for \$250.00, is from my personal  
 10 account and is a contribution  
 11 from me to Brown for President.

12 Sincerely,

13 Rick Reed

Rick Reed

Hawaii



100

1-10-80

Dear Sir,

the Cashiers check for  
250<sup>00</sup> made to "Brown for  
PRESIDENT Committee" Purchased  
By me from the MAIN  
BRANCH CONTINENTAL BANK  
& TRUST, - S. L. C. UTAH #  
26002 where my Personal  
Funds.

Thank you.

Leobrick

JAH

FS # 654

761

12-27-17

Dear Jodie -

Please be advised that a

cashier's check from the Continental Bank and Trust, MAIN BRANCH, SALT LAKE CITY, UTAH TO THE

"Brown for PRESIDENT COMMITTEE"

FOR THE AMOUNT OF \$250.00 PURCHASED

By Tony Lohman (check # 260026) are my personal funds.

Tony Lohman

1292 - 4th AVE

S.C. UTAH 84103

3. Rollan and Eleanora Swanson

102

Attachment #3, page 1 consists of photocopies of threshold money orders submitted for Rollan and Eleanora Swanson of Eureka, Nevada. Similarities between the handwriting exhibited on these instruments and the handwriting of Jodie Krajewski, the Committee's Treasurer, were discussed on pages 18 and 19 of the August 7, 1981 memorandum.

Attachment #3, page 2 consists of a photocopy of a letter bearing the signatures "Rollan Swanson" and "Eleanora Swanson". This letter was included with the original threshold documents received by the Audit Division on January 2, 1980.

Attachment #3, page 3 is a photocopy of the Statement of Availability of Records prepared and signed by Jodie Krajewski, the Committee's Treasurer, during the audit fieldwork.

Certain distinct characteristics of handwriting styles exhibited in the signatures on the Swanson letter and the Statement of Availability of Records are so strikingly similar that it would appear that the Swanson letter was signed by Jodie Krajewski\*:

- The "W" in "ROLLAN SWANSON" vs. the "W" in the cursive "KRAJEWSKI".
- The "O" in "ROLLAN" vs. the "O" in the cursive "JODIE". Note that the letter "O" is not "closed" and formation of the letter "O" begins from a point above the actual letter:
- The "W" in "ELEANORA SWANSON" vs. the "W" in the printed "KRAJEWSKI".

Attachment #3, page 5 contains a photocopy of a money order attributed to Salvador Lopez which was discussed on pages 11, 63 and 64 of the August 7, 1981 memorandum.

Again, certain distinct characteristics of handwriting style contained on the Swanson letter and the Lopez money order are strikingly similar:

- The "R" in "ROLLAN" vs. the "R" in "BROWN". Note the curvature of the loop in the letter.
- The "A" in "ROLLAN" vs. the second "A" in "SALVADOR". Both exhibit a "teardrop" shape and the line joining the "A" with the next letter is positioned midway.
- The "A" in "SWANSON" in the Rollan Swanson signature vs. the first "A" in "SALVADOR". Again, note the way the "A" is connected to the next letter.

\* For purposes of comparison, the relevant portions of these documents are included in Attachment #3, page 4.

8204033499

Attachment #3, page 6 consists of the signature portion of the Swanson letter\* and the signature portion of the Barbara Ladakis letter\*\*. Similarities between the handwriting styles exhibited on the Ladakis letter and documents prepared by Jodie Krajewski, the Committee's Treasurer, are discussed on pages 8 and 9 of this memorandum.

Similar characteristics of handwriting style are exhibited in the excerpts included in Attachment #3, page 6.

For example:

- The "A" in "SWANSON" in the Eleanora Swanson signature vs. the "A" in "SALT" under the Barbara Ladakis signature.
- The top loop of the "S" in "SWANSON" in the Eleanora Swanson signature vs. the top loop of the "L" in "LAKE" under the Barbara Ladakis signature. Note also the curved line used to connect the first letter with the following letter. In both instances, the curvature of the line is convex .

One noteworthy feature of the Eleanora Swanson signature is the mixture of upper and lower case letters within the first name: ElEanora.

As shown in Attachment #3, page 7, the mixture of upper and lower case letters within the same word is a common characteristic in the handwriting style of Jodie Krajewski, the Committee's Treasurer.

In this section, the Audit Division has attempted to demonstrate a direct linkage between the handwriting style of the signatures appearing on the additional documentation letter attributed to the Swansons and the handwriting style of Jodie Krajewski, the Committee's Treasurer. The common characteristics noted, coupled with the previously identified similarites (see August 7, 1981 memorandum, pages 11, 18-19, and 63-64), brings into question the circumstances surrounding the purchase, completion and submission of these documents for Federal matching fund payments.

\* A photocopy of this document in its entirety is in Attachment #3, page 2.

\*\* A photocopy of this document in its entirety is in Attachment #1, page 10.

164

3366

24

DM  
94.15  
1212

DESERT INN ROAD OFFICE

Nevada National Bank

LAS VEGAS, NEVADA

DATE December 24, 1979

NO 12359

JERRY BROWN FOR PRESIDENT

\$250.00\*

EMCNY\$250 AND 00CTS

DOLLARS

PERSONAL MONEY ORDER

Rollan Swanson

ROLLAN SWANSON

EUREKA, NEV.

⑈0012359⑈ ⑆121200158⑆ 24 21343 8190 966

8 2-0 4 0 3 3 1 3 9

3367

24

T-OIC  
94.15  
1212

DESERT INN ROAD OFFICE

Nevada National Bank

LAS VEGAS, NEVADA

DATE December 24, 1979

NO 12358

JERRY BROWN FOR PRESIDENT

\$250.00\*

EMCNY\$250 AND 00CTS

DOLLARS

Eleanora Swanson

ELEANORA SWANSON

EUREKA, NEV.

165

December 27, 1979

Rollan and Eleanora Swanson  
Eureka, Nevada 89316

Brown for President  
630 Shatto Place  
Los Angeles, Ca. 90005

Dear Jodie Krajewski:

Enclosed are duplicate money order receipts, MO's  
# 12358, 12359 for \$500.00 which represent my personal funds  
which I have donated to Jerry Brown's presidential efforts.

Sincerely,

By: *Eleanora Swanson*

By: *Rollan Swanson*

1204015-43-97

166

The undersigned, JODIE KRATENSKI,  
Residing at 201 OCEAN AVE 1804B SANTA MONICA CA,  
makes the following statement.

1. I am the treasurer of BROWN FOR PRESIDENT  
Committee(s).

2. All the records of the above named committee(s) have  
been, or will be, made available to Compliance Review Staff of  
the Federal Election Commission.

(Signed) Jodie Krateniski

(Date) 5-7-80

82040334099

167

Sincerely,

By: *[Signature]*

By: *[Signature]*

STATEMENT OF AVAILABILITY OF RECORDS

The undersigned, JODIE KRATENSKI,  
Residing at 201 OCEAN AVE 1804B Santa Monica CA,  
makes the following statement.

1. I am the treasurer of **BROWN FOR PRESIDENT**  
Committee(s).

2. All the records of the above named committee(s) have  
been, or will be, made available to Compliance Review Staff of  
the Federal Election Commission.

(Signed) Jodie Kratenski

82040354397



108

Sincerely,

By: *E. Brown*

By: *R. Murphy*

130 Oak St  
Midvale, UT

MIDVALE OFFICE  
Walker Bank & Trust Company  
MIDVALE, UTAH

97-148  
1240  
No. 110731

84047 3692  
DATE DEC 26, 1979

PAY TO THE ORDER OF BROWN FOR PRESIDENT \$ 20.00

MIDVALE OFFICE  
WALKER BANK

**BANK MONEY ORDER**

20 AND 00/100 CTS  
NOT GOOD FOR MORE THAN THREE HUNDRED DOLLARS

*X Salvador H. Lopez*  
SIGNATURE OF REMITTER

⑈ 110731 ⑈ ⑈ 1240014801 ⑈ 3210200 22000000 ⑈

109

Sincerely,

By: *E. Leonard Brown*

By: *R. H. Murphy*

*Barbara J. Lulic*  
1292 Fourth Ave  
Salt Lake City, Ut.  
84103

10045034701

Sincerely,

*Jodie*

Jodie Krajewski  
Treasurer

ATTACHMENT # 3 , PAGE 7

170

I am requesting the identification of the rejected contributions supporting the amounts noted above. I agree that this precludes the resubmission of the submission in its entirety and limits resubmission by the Committee to only the identified items.

Submission No. 09

*Jodie Krajewski*

(Signature of Candidate or Designee)

Amount Requested: 30,172.40

Date: 5-23-80

Name of Committee: Committee for President

A. Full Name, Mailing Address and ZIP Code	Date (month, day, year)	Amount of each receipt this period
Dr. Marcia K. Klemer 332 Vista Trucha Newport Beach, Calif. 92660	# 720	
Principal Place of Business Klemer + Klemer NOC Newport Beach, CA	Occupation CHIROPRACTOR Aggregate Year-To-Date... ▶ \$ 250.	10/4/79 250.00

KILGORE Jim  
LAST NAME FIRST SPOUSE

14420 Farlington, Baldwin Park, CA 91706  
HOME ADDRESS

962-1161  
HOME PHONE OCCUPATION

Attachment II - (36)

171

4. Patricia Browne  
\$250.00  
12/11/79

Attachment #4, page 1 contains a photocopy of a money order included in the threshold submission for the State of New Jersey for Patricia M. Browne, residing at 13 Bucknell Drive in Hazlet, New Jersey.

Attachment #4, pages 1 through 3 contain photocopies of documents signed and/or prepared by Jodie Krajewski, the Committee's Treasurer. Certain distinct characteristics of handwriting styles contained on the Browne money order and the Krajewski documents are so strikingly similar that it would appear that Jodie Krajewski completed and signed the Browne money order.

For example, with respect to the Browne money order and the Krajewski check in Attachment #4, page 1:

- The "J" in "JERRY" on the Browne money order vs. the "J" in "JODIE".
- The "R"s in "BROWN" and "BROWNE" vs. the "R"s in "BROWN" and "KRAJEWSKI". Notice the loop of the "B" in "BROWN" on both instruments and how it becomes the "R".
- The "F" in "FOR" on the Browne money order vs. the first "F" in "FIFTY" on the Krajewski check.
- The "ENT" in "PRESIDENT" on both instruments.

With respect to the Browne money order and the MASON contributor card on Attachment #4, page 2:

- The "B"s in "BROWN" and "BROWNE" vs. the "B" in "BEVERLY".
- The "R"s in "JERRY BROWN" vs. the "R" in "WILSHIRE".

With respect to the Browne money order and the RAMIREZ contributor card on Attachment #4, page 3:


- The "C" in "COMMITTEE" on the Browne money order vs. the "C"s in "CARMICHAEL, CA".
- The "P"s in "PRESIDENT" and "PATRICIA" on the Browne money order vs. the "P" in "EMPLOYMENT" and the loop of the "R" in "RAMIREZ".
- The first "M" in "COMMITTEE" on the Browne money order vs. the second "M" in "EMPLOYMENT".
- The "N"s in "PRESIDENT", "BROWNE" and "BUCKNELL" vs. the "N"s in "EMPLOYMENT DEVELOPMENT" on the Ramirez contributor card.

- The "3" in "13 BUCKNELL" on the Browne money order vs. the "3" in the telephone number on line 6 of the Ramirez contributor card.

The numerous similarities noted between the Browne money order and (1) the check prepared and signed by Jodie Krajewski, and (2) the Committee prepared contributor cards leaves little doubt that the money order attributed to Patricia M. Browne for threshold purposes in the State of New Jersey was completed in total by the Committee's Treasurer, Jodie Krajewski.

82040634704

173

Issued By A Member of  
 **United Jersey Banks**

3180 Money Order  
 131 9449410

TRAVELERS EXPRESS COMPANY INC.  
DRAWN BY MONEY ORDER IN CASE STATED ON REVERSE

PAY TO THE ORDER OF Jerry Brown for President Committee DATE Nov 11, 1979

DO NOT PAY OVER FIVE HUNDRED UNITED STATES DOLLARS

8103 \$ 250.00

AMOUNT Two hundred and fifty SUBJECT TO CONTRACT REFERRED TO ON REVERSE

PAYABLE THROUGH FIRST NORTHWESTERN NATIONAL BANK OF SAN BARTOLOMEO PURCHASER'S ADDRESS Patricia M. Moore 13 Bucknell Dr. H. 10474

⑆0919⑆0053⑆131 94494100⑆ 90

JAN KRAJEWSKI #19 326 SLK  
 630 SHATTO PLACE 390-6151  
 LOS ANGELES, CALIF. 90005

7/25 1979 90-757  
 1222

PAY TO THE ORDER OF Brown for President \$250.00

Two hundred & fifty DOLLARS

CALIFORNIA FIRST BANK  
 SANTA MONICA OFFICE  
 500 Montana Avenue, Santa Monica, California 90403

Jodie Krajewski

⑆122207574⑆0361⑆20385⑆ 0326

174

Issued By A Member of  
**United Jersey Banks**  
 3180 Money Order  
 131 9449410  
 TRAVELERS EXPRESS COMPANY INC.  
 BRANCH ON "OUT" ACCOUNT IN CASES STATED ON REVERSE

PAY TO THE ORDER OF James Brown for President Committee DATE Nov 11, 1979  
 DO NOT PAY OVER FIVE HUNDRED UNITED STATES DOLLARS

8103 \$ 250.00

AMOUNT 250.00 SUBJECT TO CONTRACT REFERRED TO ON REVERSE

PAYABLE THRU FIRST NORTHEASTERN NATIONAL BANK OF FARMBAULT PURCHASER'S POWER FOR DRAWER PURCHASER'S ADDRESS

⑆0919⑈0053⑆131 94494100⑈ 90

02040351006

MASON KENNETH C.  
 LAST NAME FIRST SPOUSE

1805 SHENANDOAH AVE LA, CA 90056  
 HOME ADDRESS

213-641-1819 ATTORNEY  
 HOME PHONE OCCUPATION


Self employed - Law office of Kenneth C. Mason, SELF  
 EMPLOYER

8530 Wilshire # 404 Beverly Hills 90211  
 BUSINESS ADDRESS

652-9382 (Home)  
 BUSINESS NUMBER CONTACT

DP#	DEP #	DATE REC.	AMOUNT	T4	C	SOURCE
11	34	11/6	250.	1	67	27
39	23	3/1/80	300.	1	4	DINNER
28	108	4/14/80	100.-			
37	100	3/31/80	150.		31	

175

Issued By A Member of  
 **United Jersey Banks**

3180 Money Order  
131 9449410

TRAVELERS EXPRESS COMPANY INC.  
DRAWN WITHOUT RESERVE IN CASES STATED ON REVERSE

PAY TO THE ORDER OF Gene Brown for President Committee DATE Dec 11, 1979

DO NOT PAY OVER FIVE HUNDRED UNITED STATES DOLLARS

AMOUNT 8103 \$ 250.00

PAYABLE THRU FIRST NORTHWESTERN NATIONAL BANK OF SAN BARTOLOME

PURCHASER'S NAME AND ADDRESS Patricia M. Moore 13 Bucknell Dr. H. 1148

PURCHASER'S ADDRESS

⑆09⑆9⑆0053⑆⑆3⑆ 94494⑆00⑆ 90

82040354707

Ramirez FRANK  
LAST NAME FIRST SPOUSE

6615 GRANT AVE, CARMICHAEL, CA 95608  
HOME ADDRESS

State of CA - EDD Employment Development  
HOME PHONE OCCUPATION

800 Capital Mall, Room 6000, Sacramento, CA  
BUSINESS ADDRESS

916-944-0365 05874  
BUSINESS NUMBER CONTACT

DATE REC.	DEP #	AMOUNT	T4	C	SOURCE
3/18	95	500.00	1	20	



176

5. Payee Line Discrepancies

Attachment #5, page 1 contains photocopies of a contributor check submitted for Shiang Ting Sung of Monterey Park, California.

The first version of this check was included in the Committee's third submission, received by the Audit Division on January 11, 1980.\* Note that the payee line is blank.

The second version of this check was included in the NSF listings for the Committee's ninth and eleventh submissions, received by the Audit Division on April 7, 1980 and May 18, 1980 respectively.\*\* The handwriting on the payee line is clearly that of Jodie Krajewski, the Committee's Treasurer. Compare "BROWN FOR PRESIDENT" as written on the Notice of Rejected Contributions (Attachment #5, page 2) to the payee line.

The third version of this check was included in the resubmission of the Committee's third and fourth submissions, received by the Audit Division on September 2, 1980. We are unable to determine whether the handwriting on the payee line of this version is that of the contributor or a Committee person, however, it is clearly different from the second version included in the NSF listings.

Although we are unable to explain the circumstances surrounding the different payee lines on photocopies of the same check, the Audit staff is of the opinion that this situation could be indicative of more serious and widespread Committee involvement in the preparation and/or signature of other written instruments and documentation.

\* This instrument was not a sample item.


\*\* The check was ultimately returned to the contributor. Further, the amount certified in a subsequent submission was adjusted downward to account for this.

177

1)

SHIANG TING SUNG 2422 505  
 2162 S. GARFIELD AVENUE  
 MONTEREY PARK, CALIF. 91754 16-339  
 11-30079 1220

Pay to the order of 100%  
 one Hundred DOLLARS

 **The Sumitomo Bank**  
 of California  
 707 ATLANTIC BOULEVARD  
 MONTEREY PARK, CALIF. 91754


Shiang Ting Sung

⑆ 122003396⑆ 101023046 2076

2) 8102

SHIANG TING SUNG 2422 505  
 2162 S. GARFIELD AVENUE  
 MONTEREY PARK, CALIF. 91754 16-339  
 11-30079 1220

Pay to the order of 100%  
 one Hundred DOLLARS

 **The Sumitomo Bank**  
 of California  
 707 ATLANTIC BOULEVARD  
 MONTEREY PARK, CALIF. 91754

Shiang Ting Sung


⑆ 122003396⑆ 101023046 2076

0000010000

3)

SHIANG TING SUNG 2422 505  
 2162 S. GARFIELD AVENUE  
 MONTEREY PARK, CALIF. 91754 16-339  
 11-30079 1220

Pay to the order of 100%  
 one Hundred DOLLARS

 **The Sumitomo Bank**  
 of California  
 707 ATLANTIC BOULEVARD  
 MONTEREY PARK, CALIF. 91754

Shiang Ting Sung

⑆ 122003396⑆ 101023046 2076



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

NOTICE OF REJECTED CONTRIBUTIONS

Brown For President

Submission No. 09

Date Submitted: April 7, 1980

Resubmission No.

Your primary matching fund submission noted above has been reviewed in accordance with the Commission's review procedures. The results of the review are summarized below. For a thorough explanation of the Commission's Policy on the exceptions noted, see the Commission's Guideline for Presentation in Good Order, Section IV - "Standard Exception Codes for Review of Matching Fund Requests." Furthermore, requirements for resubmission of rejected contributions are also contained in Section IV.

Exception Code	Amount Rejected	Error Percentage
A	277.37	.91
B		
C		
D		
E	69.34	.23
F	485.39	1.60
G		
H	346.71	1.14
I		
J	346.71	1.14
K		
Other	277.37	.91
Other		
Subtotal	1,802.89	5.93
NSF Adjustment	225.00	
TOTAL	2,027.89	5.93

As a result of this review, your next matching fund payment will include an adjustment of \$ 1,626.17 which is the difference between the certified amount (based on a hold back percentage) and the actual amount verified.

I am requesting the identification of the rejected contributions supporting the amounts noted above. I agree that this precludes the resubmission of the submission in its entirety and limits resubmission by the Committee to only the identified items.

Submission No. 09

Jodie Krajewski  
(Signature of Candidate or Designee)

Amount Requested: 30,172.90

Date: 5-23-80

Name of Committee: Brown for President

Attachment II - (44)



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

A-980  
~~XXXXXXXXXX~~  
179

December 21, 1981

MEMORANDUM

TO: CHARLES N. STEELE  
GENERAL COUNSEL

THROUGH: B. ALLEN CLUTTER <sup>1151</sup>  
STAFF DIRECTOR

FROM: BOB COSTA <sup>RJC</sup>

SUBJECT: REVIEW OF CONTRIBUTOR RESPONSES -  
BROWN FOR PRESIDENT COMMITTEE

As requested by Michael Dymersky of your office on December 9, 1981, we have reviewed the five (5) contributor responses received in connection with your investigation of the Brown for President matching fund submissions (MUR #1346). Although we have not performed an indepth analysis of the handwriting and signatures contained on these responses, we have noted several discrepancies which we feel warrant additional analysis. Our comments and preliminary recommendations are attached for your consideration.

If you have any questions, please do not hesitate to contact Susanne Haessler at 3-4155.

Attachment as stated

Attachment III - (1)

1194054911

Kathleen Byrnes

On pages 38 and 39 of our August 7, 1981 memorandum, comparisons were drawn between the handwriting style exhibited on a \$250.00 money order attributed to Kathleen Byrnes and the handwriting style of Jodie Krajewski, the Committee's Treasurer.

From a comparison of the signature "Kathleen Byrnes" on the money order and on the contributor response, there is little doubt that they were completed by the same hand. However, from a comparison of these signatures with the handwriting style of Jodie Krajewski, we are still of the opinion that they were completed by Jodie Krajewski. Attachment #1 consists of photocopies of the signature "Kathleen Byrnes" contained on the money order and the contributor response and a portion of a document signed and prepared by Jodie Krajewski.\*

The "B" in "Byrnes" on the contributor response is so strikingly similar to the "B" in "Brown" on the Krajewski document that there can be little doubt they were completed by the same hand, namely Jodie Krajewski.

We have also noted that the handwriting style exhibited on the first page of the contributor response is clearly different from the style exhibited on the second page, not to mention the fact that different writing instruments were used.

During a brief comparison of the handwriting style exhibited on the first page of the contributor response to Committee prepared documents, we noted similarities, the most notable of which supports our belief of Committee involvement in the completion of the response. Attachment #2 consists of a photocopy of the first page of the Byrnes response and a line item from the Committee's Year End 1980 disclosure report. The "M" in "MONEY" on the Byrnes response and the "M" in "FARMER" under the occupation section of the line item from the disclosure report are so similar that there can be little doubt they were completed by the same hand.\*\*

\* This document was one of the comparison documents used in the August 7, 1981 memorandum.

\*\* We are unable to identify the Committee person who completed the line item taken from the disclosure report, however, this individual prepared a substantial portion of the Committee's Year End 1980 disclosure report.

820403512

~~181~~  
181

Based upon the results of our preliminary review of the Byrnes response, it is our recommendation that a more comprehensive analysis of the handwriting be undertaken. This analysis would include a comparison with other contributor responses received throughout your investigation of the Brown for President matching fund submissions, as well as all Committee prepared documents now in our possession. It is estimated that this review could be completed in less than three weeks time.

82040354913

Attachment III - (3)

Barbara and Tony Ladakis

Our preliminary review of these responses coupled with our previous analysis of additional documentation letters submitted for Barbara and Tony Ladakis has raised several questions which we feel warrant further analysis prior to the rendering of an opinion on our part. A discussion of our findings and recommendations will be forwarded for your consideration in the near future.

22040334714

Attachment III - (4)

183

Judd K. Roth

On pages 51 and 52 of our August 7, 1981 memorandum, comparisons were made between the handwriting style exhibited on a money order attributed to Judd K. Roth and the handwriting style of Jodie Krajewski, the Committee's Treasurer.

At this time we have no reason to question the authenticity of the signature "JUDD K. ROTH" on the contributor response.

82040334013

Attachment III - (5)



Robert Wheeler

~~184~~  
184

At this time, we have no reason to question the authenticity of the signature "ROBERT WHEELER" on the contributor response. It should be noted that the money order attributed to Robert Wheeler was only included in our August 7, 1981 memorandum for the reason that it was sequential to a money order attributed to Judd K. Roth. The handwriting style exhibited on the Wheeler money order has not been associated with a Committee person.

02040354016

Attachment III - (6)

Bank of Hawaii

Head Office 59-102/1213

368

NO. 7-3529101

185

PERSONAL MONEY ORDER

9-18 1979

PAY TO THE ORDER OF

Byron For President

NOT VALID IF DRAWN FOR OVER \$1,000

BANK OF HAWAII 23250

32 Wilani - Kihai - Hi. 96753

ADDRESS

Kathleen Byrnes  
SIGNATURE OF REMITTER  
Kathleen Byrnes

⑈7352910⑈ ⑆121301028⑆ 0000⑈92220⑈

I am requesting the identification of the rejected contributions supporting the amounts noted above. I agree that this precludes the resubmission of the submission in its entirety and limits resubmission by the Committee to only the identified items.

Submission No. 09

Jodie Krasowski  
(Signature of Candidate or Designee)

Amount Requested: 30,172.40

Date: 5-23-80

Name of Committee: Byron For President

11-5-81  
Date

Kathleen Byrnes  
Kathleen Byrnes

82040359017

3007 5 175  
1208/346  
186



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1981

Ms. Kathleen Byrnes  
32 Uilani Street  
Kihei, Maui, Hawaii 96793

NOV 9 4:45 PM '81

Dear Ms. Byrnes:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

(1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?  
*yes*

(1a) If so, what is the aggregate amount?  
*\$250.00*

(2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee appearing to bear your signature. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you?  
*purchased myself*

(2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?  
*I paid them with this money order.*

(2b) How did you pay (e.g., cash or check)?

(2c) Did you fill out the money order and sign it, or did someone else?  
*I did.*

(2d) If someone else did, who was it?

Attachment III - (8)

B. Full Name, Mailing Address and ZIP Code Fred Salyer P.O. Box 488 Corcoran, Calif. 93212		Date (month, day, year) 10/15/79	Amount of each receipt this period 500.00
Principal Place of Business FRED SALYER FARMS CORCORAN - CA		Occupation FARMER	Aggregate Year-To-Date... > \$ 500

920403547

GCC# 5869  
1346



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1981

Mr. Robert K. Whedel  
33 North Warren Street  
Easton, Pennsylvania 18103

*WHEELER*  
Dear Mr. Whedel.

NOV 27 P 2: 22

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

8204034919

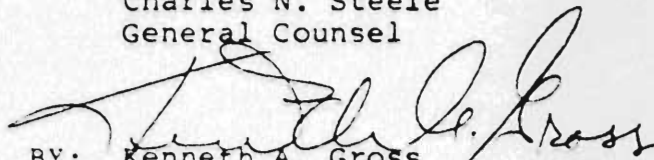
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.? *YES*
- (1a) If so, what is the aggregate amount? *\$50.00*
- (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you? *myself*
- (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?
- (2b) How did you pay (e.g., cash or check)? *money order*
- (2c) Did you fill out the money order *you* ~~or did someone else?~~
- (2d) If someone else did, who was it?

Letter to Robert K. Whedel  
Page 2

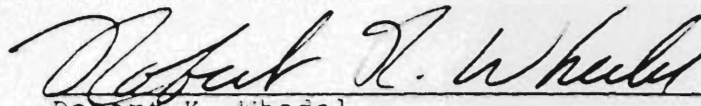
Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

11-23-81  
Date

  
Robert K. Whedel  
WHEELER

New address  
439 Walnut Street  
Allentown, Pa. 18102

02040354920

PERSONAL MONEY ORDER

PERSONAL MONEY ORDER

2840

60-128

313

1979



123227

DATE 12-12

PAY

ALLENTOWN FIFTY AND 00/100 CTS

TO THE ORDER OF Jerry Brown for President Committee

NOT VALID OVER \$1000.00

THE FIRST NATIONAL BANK

*d. Wilson*

ALLENTOWN - PENNSYLVANIA 18101

*Robert N. W. ...*  
SIGNATURE  
*35 N. Warren St., Easton, Pa.*  
ADDRESS

⑈0123227⑈ ⑆031301286⑆

60 01 1⑈

82040

MUR 1346



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

October 13, 1981

Ms. Kathleen Byrnes  
32 Uilani Street  
Kihei, Maui, Hawaii 96793

Dear Ms. Byrnes:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

(1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr. *yes*

(1a) If so, what is the aggregate amount? *250.00*

(2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee appearing to bear your signature. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you? *purchased myself*

(2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee? *I paid them with the money order.*

(2b) How did you pay (e.g., cash or check)?

(2c) Did you fill out the money order and sign it, or did someone else? *I did.*

(2d) If someone else did, who was it?

2040

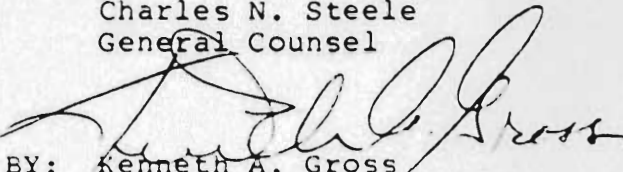
NOV 9 4 10 PM '81

Letter to Kathleen Byrnes  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

11-3-81  
Date

Kathleen Byrnes  
Kathleen Byrnes

82010354927



6cc# 5766

GEORGE ULLOM  
Registrar

OFFICE OF THE  
**Registrar of Voters**  
CLARK COUNTY, NEVADA

400 Las Vegas Boulevard South • Las Vegas, Nevada 89101 • Telephone (702) 386-4055

November 2, 1981

Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Attn: Michael Dymersky

Gentlemen:

Per Scott Thomas' request of October 28:

Jerome D. Mack [redacted]

and

Joyce Mack [redacted]

live at 2961 Augusta Drive, Las Vegas 89109

Sincerely,

*George Ullom*  
GEORGE ULLOM  
Registrar of Voters

GU/skd

Enclosure

8204 035 4924

NOV 6 P 1:57



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

October 28, 1981

Ms. Louise Todd  
Chief of Registration  
Voter Registration Office  
4000 Las Vegas Blvd. South  
Las Vegas, Nevada 89101

Re: Jerome Mack;  
Joyce Mack

Dear Ms. Todd:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we are hereby requesting that you provide the addresses of the above-captioned persons. A Commission staff member spoke with you on October 28, 1981, and requested the same. However, you informed him that the information could only be released pursuant to a written request.

Your cooperation in this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Scott E. Thomas".

Scott E. Thomas  
Assistant General Counsel

32040354725

MUR 1346



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

October 28, 1981

Ms. Louise Todd  
Chief of Registration  
Voter Registration Office  
4000 Las Vegas Blvd. South  
Las Vegas, Nevada 89101

Re: Jerome Mack;  
Joyce Mack

Dear Ms. Todd:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we are hereby requesting that you provide the addresses of the above-captioned persons. A Commission staff member spoke with you on October 28, 1981, and requested the same. However, you informed him that the information could only be released pursuant to a written request.

Your cooperation in this matter is greatly appreciated.

Sincerely,

Scott E. Thomas  
Assistant General Counsel

82040351025

Shorn

600#5693

KUR1346



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

OCT 26 P 3: 03

October 13, 1981

Mr. Tony Ladakis  
1292 Fourth Avenue  
Salt Lake City, Utah 84103

Dear Mr. Ladakis:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

82040351027

(1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.? *BROWN FOR PRESIDENT COMMITTEE.*

(1a) If so, what is the aggregate amount? *2500*

(2) A cashier's check was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the cashier's check yourself or did a member of the Brown Committee purchase it for you? *I PURCHASED IT.*

(2a) If the latter, did you pay the Brown Committee before or after the cashier's check was purchased by the Committee?

(2b) How did you pay (e.g., cash or check)? *CASH*

(2c) Did you fill out the cashier's check or did someone else? *THE PERSON WORKING IN THE BANK FILLED IT IN.*

(2d) If someone else did, who was it?

(3) We also received a letter from the Brown Committee. (See attached photocopy). As you can see, it is addressed to Jodie Krajewski, dated December 27, 1979, signed, and states that you made a \$250 contribution from your personal funds by cashier's check #260026, to the Brown Committee.

(3a) Did you prepare this letter, or did a member of the Brown Committee prepare the letter for your signature?

(3b) If a member of the Brown Committee prepared it, please give that person's name. *I SENT THE LETTER.*

(3c) Did you sign it?

(4) Did you receive funds from or reimbursement by any person for purposes of making this contribution?

(4a) If so, please give that person's name. *NO.*

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number, (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

*Kenneth A. Gross*  
BY: Kenneth A. Gross  
Associate General Counsel

10-19-81  
Date

*Tony Ladakis*  
\_\_\_\_\_  
Tony Ladakis

82040354023



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

1 OCT 23 P 21 31

October 13, 1981

Mrs. Barbara Ladakis  
1292 Fourth Avenue  
Salt Lake City, Utah 84103

mail 1346

Dear Mrs. Ladakis:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

3204035402

- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.? YES, BROWN FOR PRESIDENT COMMITTEE.
- (1a) If so, what is the aggregate amount? \$250.00
- (2) A cashier's check was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the cashier's check yourself or did a member of the Brown Committee purchase it for you? I PURCHASED THE MONEY ORDER.
- (2a) If the latter, did you pay the Brown Committee before or after the cashier's check was purchased by the Committee?
- (2b) How did you pay (e.g., cash or check)? I PAID WITH CASH.
- (2c) Did you fill out the cashier's check or did someone else? THE BANK EMPLOYEE FILLED IT OUT.
- (2d) If someone else did, who was it?





FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

00192 P3:13

October 13, 1981

Mr. Judd Roth  
1048 North 27th Street  
Allentown, Pennsylvania 18103

17112 1246

Dear Mr. Roth:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

- 82040351031
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.? *yes*
  - (1a) If so, what is the aggregate amount? *\$100.00*
  - (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you? *myself*
  - (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee? *N/A*
  - (2b) How did you pay (e.g., cash or check)?
  - (2c) Did you fill out the money order or did someone else? *myself*
  - (2d) If someone else did, who was it? *N/A*

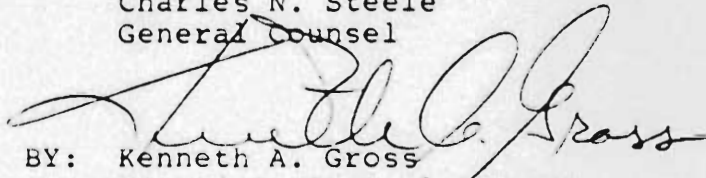


Letter to Judd Roth  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel



BY: Kenneth A. Gross  
Associate General Counsel

10.20.81  
Date

Judd K Roth  
Judd Roth

12040354032

PERSONAL MONEY ORDER



PERSONAL MONEY ORDER



123226

2835

DATE 12-12

60-128  
313  
19 79

PAY

FNB  
ALLENTOWN 100 AND 00 CTS

TO THE ORDER OF Jerry Brown for President Committee

NOT VALID OVER \$1000.00

THE FIRST NATIONAL BANK

ALLENTOWN - PENNSYLVANIA 18101

Judd K Roth  
SIGNATURE

ALLENTOWN PA.  
ADDRESS

⑆01232262⑆ ⑆031301286⑆

240

60 01 ⑆⑆ TS 593 D52 12/77

82040



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1346

Date Filmed 10/25/82 Camera No. 1

Cameraman J. A. B.

0204035473



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

October 13, 1981

Ms. Ellen Abrams  
3633 Pahoia Avenue  
Honolulu, Hawaii 96816

Dear Ms. Abrams:

8 2 0 4 0 3 5 1 9 3 5

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

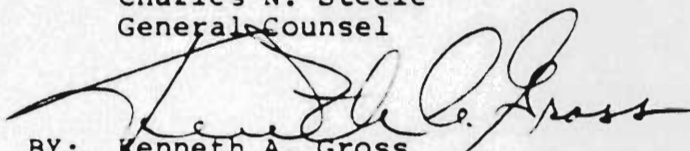
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
  - (1a) If so, what is the aggregate amount?
- (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee appearing to bear your signature. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you?
  - (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?
  - (2b) How did you pay (e.g., cash or check)?
  - (2c) Did you fill out the money order and sign it, or did someone else?
    - (2a) If someone else did, who was it?

Letter to Ellen Abrams  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel



BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Ellen Abrams

82040354735

# Bank of Hawaii

Head Office 59-102/1213

366

SEP

65 SEP 10 1979

NO. 7- 3491039

## PERSONAL MONEY ORDER

Sept 20 19 79

PAY TO THE ORDER OF

Brown for President

NOT VALID IF DRAWN FOR OVER \$1,000

BANK OF HAWAII  
65-1

\$250 AND 00 CENTS

3633 Piina Ave. Honolulu  
ADDRESS

Ellen Abrams

SIGNATURE OF REMITTER

Ellen Abrams

⑈73491039⑈ ⑆121301028⑆ 0000⑈922201⑈

32040351087

EX 74 (REV. 6/78)

111



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1981

Mr. Louis Zimmerman  
5321 Ganado Drive  
Las Vegas, Nevada 89103

Dear Mr. Zimmerman:

8 2 7 4 0 3 3 4 7 7 7

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

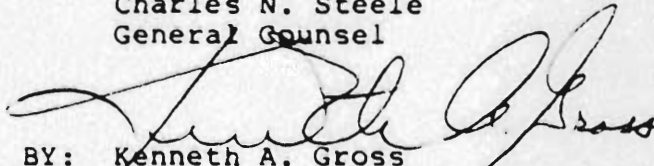
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
  - (1a) If so, what is the aggregate amount?
- (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you?
  - (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?
  - (2b) How did you pay (e.g., cash or check)?
  - (2c) Did you fill out the money order or did someone else?
  - (2d) If someone else did, who was it?

Letter to Louis Zimmerman  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel



BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Louis Zimmerman

82040354737



PERSONAL MONEY ORDER

38941

DATE December 31, 19 79

90-1272  
1222

DAY  
TO THE  
ORDER  
OF

Brown Fern President

\$ 250.00

NOT GOOD FOR OVER \$250.00

The sum of \$250 and 00/100

WOODLAND HILLS OFFICE  
INDEPENDENCE BANK  
21108 VENTURA BOULEVARD  
WOODLAND HILLS, CALIFORNIA 91366

*[Signature]*  
SIGNATURE OF ISSUER  
5321 GANADO DRIVE  
ADDRESS  
LAS VEGAS NEVADA  
CITY & STATE  
89103

⑈03894⑈ ⑆⑈122226272⑈ ⑆22⑈960627⑈

32040354740



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 13, 1981

Ms. Cheri Weston  
318 South 300 West (rear)  
Cedar City, Utah 84720

Dear Ms. Weston:

8 2 0 4 0 3 5 4 7 4 1

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

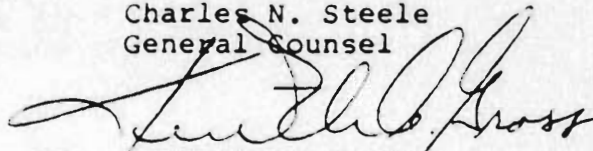
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
  - (1a) If so, what is the aggregate amount?
- (2) A cashier's check was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the cashier's check yourself or did a member of the Brown Committee purchase it for you?
  - (2a) If the latter, did you pay the Brown Committee before or after the cashier's check was purchased by the Committee?
  - (2b) How did you pay (e.g., cash or check)?
  - (2c) Did you fill out the cashier's check or did someone else?
  - (2d) If someone else did, who was it?

- (3) We also received a letter from the Brown Committee. (See attached photocopy). As you can see, it is addressed to Jodie Krajewski, signed, and states that you made a \$250 contribution from your personal funds by cashier's check #395038, to the Brown Committee.
- (3a) Did you prepare this letter, or did a member of the Brown Committee prepare the letter for your signature?
- (3b) If a member of the Brown Committee prepared it, please give that person's name.
- (3c) Did you sign it?
- (4) Did you receive funds from or reimbursement by any person for purposes of making this contribution?
- (4a) If so, please give that person's name.

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number, (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel



BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Cheri Weston

02040334742

3214  
Walker Bank & Trust Company

MAIN OFFICE

31-2  
1240

PURCHASED BY

SALT LAKE CITY, UTAH

No. 395038

\*\*\*Cheri Weston\*\*\*

DATE DECEMBER 19, 1979

3/8 South 300 West  
Cedar City, UTAH 84720

PAY TO THE  
ORDER OF

D58 12-22-79  
\*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*

\$ \*\*\*250.00\*\*\*

CASHIER'S CHECK

MAIN OFFICE  
WALKER BANK

250 AND 00/100

*[Handwritten Signature]*

AUTHORIZED SIGNATURE

⑈395038⑈ ⑆1240⑈0002⑆ 3210101 0200000⑈

820

Jodie Krajewski  
Brown for President  
630 Shatto Place  
Los Angeles, California 90005

Dear Jodie,

<sup>cashiers</sup>  
My check number 395038 for \$ 250. is a

contribution to Brown for President from my personal funds.

Sincerely,

Chert Weston  
(SIGNATURE)

NAME: CHERT WESTON

ADDRESS: 318 S. 300 WEST REAR

CITY, STATE, ZIP: Cedar City UTAH 84700

OCCUPATION: COMMON LABOR

PLACE OF EMPLOYMENT: J & S Stone Tile Co.

WORK ADDRESS: 288 NORTH 400 WEST

0204035494



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 13, 1981

Mr. Tony Ladakis  
1292 Fourth Avenue  
Salt Lake City, Utah 84103

Dear Mr. Ladakis:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

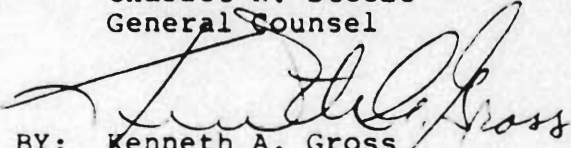
- 32040334045
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
    - (1a) If so, what is the aggregate amount?
    - (2) A cashier's check was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the cashier's check yourself or did a member of the Brown Committee purchase it for you?
      - (2a) If the latter, did you pay the Brown Committee before or after the cashier's check was purchased by the Committee?
      - (2b) How did you pay (e.g., cash or check)?
      - (2c) Did you fill out the cashier's check or did someone else?
      - (2d) If someone else did, who was it?

- (3) We also received a letter from the Brown Committee. (See attached photocopy). As you can see, it is addressed to Jodie Krajewski, dated December 27, 1979, signed, and states that you made a \$250 contribution from your personal funds by cashier's check #260026, to the Brown Committee.
- (3a) Did you prepare this letter, or did a member of the Brown Committee prepare the letter for your signature?
- (3b) If a member of the Brown Committee prepared it, please give that person's name.
- (3c) Did you sign it?
- (4) Did you receive funds from or reimbursement by any person for purposes of making this contribution?
- (4a) If so, please give that person's name.

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number, (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Tony Ladakis

02040334746



801-1000000 # 3211  
**THE CONTINENTAL BANK AND TRUST COMPANY**

31-4  
1240

SALT LAKE CITY, UTAH

DEC 11 79

**No 260026**

PAY TO THE ORDER OF

\*\*\*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*\*\*

\$ 250.00

CONTINENTAL BANK & TRUST

**25000 CTS**

DOLLAR

PURCHASED BY TONY LADAKIS

**CASHIER'S CHECK**

1292 Fourth Ave, Salt Lake City, UT 84103

AUTHORIZED SIGNATURE

⑈0260026⑈ ⑆124000041⑆ 003000⑈

82040321



Dear Jodie -

12-21-77

Please be advised that a  
Cashier's check from the Continental Bank  
and Trust, MAIN BRANCH, SALT  
LAKE CITY, UTAH TO THE  
"Brown for PRESIDENT COMMITTEE"  
For the AMOUNT of \$250<sup>00</sup> PURCHASED  
By Tony Lobotis (check # 260026) are my  
personal funds.

Tony Lobotis  
1292 - 4<sup>th</sup> AVE  
S.L.C. UTAH 84103

02015504030



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 13, 1981

Mrs. Barbara Ladakis  
1292 Fourth Avenue  
Salt Lake City, Utah 84103

Dear Mrs. Ladakis:

82040351043

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

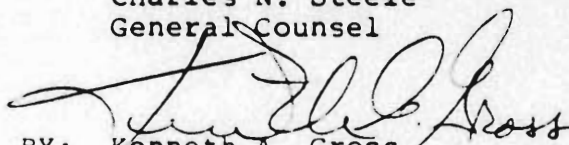
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.
  - (1a) If so, what is the aggregate amount?
  - (2) A cashier's check was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the cashier's check yourself or did a member of the Brown Committee purchase it for you?
    - (2a) If the latter, did you pay the Brown Committee before or after the cashier's check was purchased by the Committee?
    - (2b) How did you pay (e.g., cash or check)?
    - (2c) Did you fill out the cashier's check or did someone else?
    - (2d) If someone else did, who was it?

- (3) We also received a letter from the Brown Committee. (See attached photocopy). As you can see, it is addressed to Jodie Krajewski, dated December 27, 1979, signed, and states that you made a \$250 contribution from your personal funds by cashier's check #395039, to the Brown Committee.
- (3a) Did you prepare this letter, or did a member of the Brown Committee prepare the letter for your signature?
- (3b) If a member of the Brown Committee prepared it, please give that person's name.
- (3c) Did you sign it?
- (4) Did you receive funds from or reimbursement by any person for purposes of making this contribution?
- (4a) If so, please give that person's name.

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number, (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Barbara Ladakis

02040354050

MAIN OFFICE  
**Walker Bank & Trust Company**

3213

31-2  
1240

PURCHASED BY

SALT LAKE CITY, UTAH

No. 395039

\*\*\*Barbara T Ladakis\*\*\*

DATE DECEMBER 19, 1979

PAY TO THE  
ORDER OF

\*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*

\$ \*\*\*250.00\*\*\*

CASHIER'S CHECK

MAIN OFFICE  
WALKER BANK

250 AND 00/100

*David H. ...*

AUTHORIZED SIGNATURE

⑈ 395039 ⑈ ⑆ 1240 ⑈ 00021 ⑆ 3210101 0200000 ⑈

320

12-27-77

Dear Julie,

TS644 DSB 12/22

A CASHIERS CHECK # 395039

PURCHASED BY ME, BARBARA T. LADDIS

IN THE AMOUNT OF \$250<sup>00</sup> MADE

TO "BROWN FOR PRESIDENT COMMITTEE"

FROM WALKER BANK & TRUST, MAIN

BRANCH, SALT LAKE CITY, UTAH

WERE FROM MY PERSONAL

FUNDS.

Thank you

and Good Luck

Barbara T. Laddis

1292 Fourth Ave

Salt Lake City Ut.

84103

02090334750



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

October 13, 1981

Mr. Leo Pavich  
Old Farms Road  
Salt Lake City, Utah 84102

Dear Mr. Pavich:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

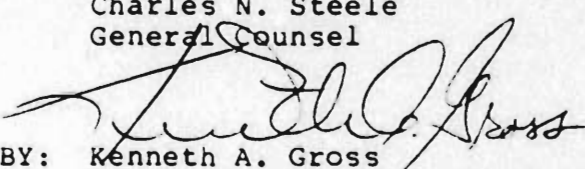
- 8 2 0 4 0 3 3 4 9 2
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
    - (1a) If so, what is the aggregate amount?
  - (2) A cashier's check was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the cashier's check yourself or did a member of the Brown Committee purchase it for you?
    - (2a) If the latter, did you pay the Brown Committee before or after the cashier's check was purchased by the Committee?
    - (2b) How did you pay (e.g., cash or check)?

- (3) We also received a letter from the Brown Committee. (See attached photocopy). As you can see, it is addressed to "Dear Sir" (Herb Brown), dated January 10, 1981, signed, and states that you made a \$250 contribution from your personal funds by cashier's check #26002 [sic], to the Brown Committee.
- (3a) Did you prepare this letter, or did a member of the Brown Committee prepare the letter for your signature?
- (3b) If a member of the Brown Committee prepared it, please give that person's name.
- (3c) Did you sign it?
- (4) Did you receive funds from or reimbursement by any person for purposes of making this contribution?
- (4a) If so, please give that person's name.

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number, (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Leo Pavich

15  
920403349



# THE CONTINENTAL BANK AND TRUST COMPANY

3212

31-4  
124C

SALT LAKE CITY, UTAH

No 260027

DEC 11 79

PAY TO THE  
ORDER OF

\*\*\*\*\*BROWN FOR PRESIDENT COMMITTEE\*\*\*\*\*

\$ 250.00

CONTINENTAL  
BANK & TRUST

25000 CTS

DOLLAR

PURCHASED BY LEO PAVICH

CASHIER'S CHECK

AUTHORIZED SIGNATURE

⑈0260027⑈ ⑆12400004⑆

00-30 00⑈

TS 654 D58 12/22

32040354



1-10-80

Dear Sir,

the Cashiers check for  
250<sup>00</sup> made to "Brown for  
PRESIDENT COMMITTEE" Purchased  
By me from the MAIN  
BRANCH CONTINENTAL BANK  
& TRUST, - S. L. C. UTAH #  
26002 where my Personal  
Funds.

Thank you.

Leo Smith

JTAH

FS # 654



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

October 13, 1981

Mr. Jerome Mack  
3111 Bel Air Drive  
Las Vegas, Nevada 89109

Dear Mr. Mack:

82040331957

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

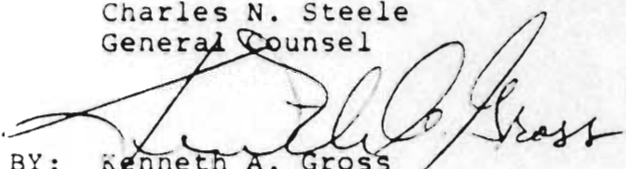
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
  - (1a) If so, what is the aggregate amount?
- (2) A postal money order was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you?
  - (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?
  - (2b) How did you pay (e.g., cash or check)?
  - (2c) Did you fill out the money order or did someone else?
  - (2d) If someone else did, who was it?

- (3) We also received a letter from the Brown Committee. (See attached photocopy). As you can see, it is addressed to Brown for President, dated January 7, 1980, signed, and states that you made a commitment for a contribution which was reimbursed from your personal funds by postal money order #56534 [sic], made payable to the Brown Committee.
- (3a) Did you prepare this letter, or did a member of the Brown Committee prepare the letter for your signature?
- (3b) If a member of the Brown Committee prepared it, please give that person's name.
- (3c) Did you sign it?
- (4) Did you receive funds from or reimbursement by any person for purposes of making this contribution?
- (4a) If so, please give that person's name.
- (4b) Please give the approximate date of your "commitment for the contribution".

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number, (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Jerome Mack

02040351059

82040334759

2000 2000 2000 2000 2000 2000 2000 2000 2000 2000

ET-OK  
7/00



PAY TO  
PRESIDENT COMITEE  
PURCHASED BY  
JEROME MACK  
FOR 3111 Bel Air Dr  
Las Vegas, NV

NOT VALID IF OVER  
Five Hundred  
DOLLARS  
USA

1:00000 00 201: 25010468965#

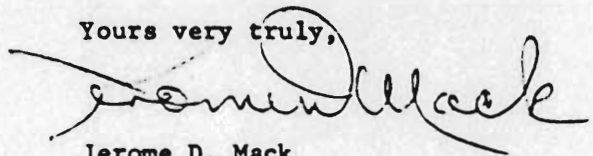
January 7, 1980

Brown for President  
630 Chatto Place  
Los Angeles, Calif. 90005

Gentlemen:

A commitment for the contribution to the Brown for President  
campaign was made by my wife and myself and a postal M.O.# 56534  
was issued in my name. Reimbursement was made from my personal  
funds.

Yours very truly,



Jerome D. Mack  
2961 Augusta Drive  
Las Vegas, Nevada 89109

5334

82040354067



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1981

Mrs. Joyce Mack  
3111 Bel Air Drive  
Las Vegas, Nevada 89109

Dear Mrs. Mack:

82040334961

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

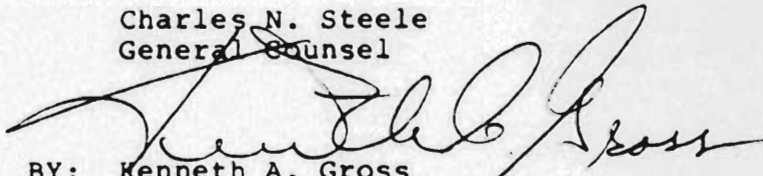
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
  - (1a) If so, what is the aggregate amount?
- (2) A postal money order was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you?
  - (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?
  - (2b) How did you pay (e.g., cash or check)?
  - (2c) Did you fill out the money order or did someone else?
  - (2d) If someone else did, who was it?

Letter to Joyce Mack  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Joyce Mack

32040354962

UNITED STATES POSTAL SERVICE MONEY ORDER 1930

25010468976 791221 891061 <sup>328</sup> 200\*00



DO NOT STAMP, WRITE OR MARK ABOVE THIS LINE  
PAY TO  
BROWN FOR  
PRESIDENT COMMITTEE  
PURCHASED BY  
JOYCE MARK  
3111 BEL AIR DR  
LAS VEGAS, NV

DOLLARS AND CENTS  
NOT VALID IF OVER  
Two Hundred  
DOLLARS  
USA

⑆00000⑆0020⑆ 25010468976⑆

82040651967





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1981

Ms. Kathleen Schafer  
Countryside  
Brodheads ville, Pennsylvania 18322

Dear Ms. Schafer:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

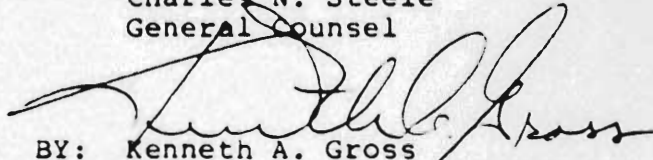
- 3204035476
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
    - (1a) If so, what is the aggregate amount?
    - (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you?
      - (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?
      - (2b) How did you pay (e.g., cash or check)?
      - (2c) Did you fill out the money order or did someone else?
      - (2d) If someone else did, who was it?

Letter to Kathleen Schafer  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kathleen Schafer

0204035495

PERSONAL MONEY ORDER



PERSONAL MONEY ORDER



123228

2841

DATE 12-12

60-128  
313  
1979

PAY

ALLENTOWN <sup>FNB</sup> 250 AND 00 CTS

TO THE ORDER OF Jerry Brown for President Committee

NOT VALID OVER \$1000.00

THE FIRST NATIONAL BANK

*of Allentown*

ALLENTOWN - PENNSYLVANIA 18101

*Kathleen A. Leifer*  
SIGNATURE

*Brodheadsville, Pa.*  
ADDRESS

⑈01232289⑈ ⑆031301286⑆

60 01 1⑈



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1981

Mr. Judd Roth  
1048 North 27th Street  
Allentown, Pennsylvania 18103

Dear Mr. Roth:

82040634967

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

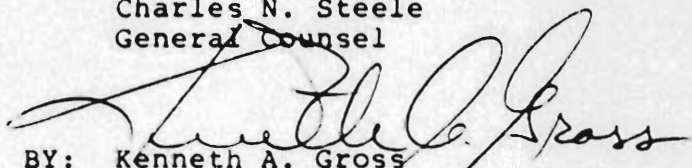
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.
  - (1a) If so, what is the aggregate amount?
  - (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you?
    - (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?
    - (2b) How did you pay (e.g., cash or check)?
    - (2c) Did you fill out the money order or did someone else?
    - (2d) If someone else did, who was it?

Letter to Judd Roth  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Judd Roth

32040354068

PERSONAL MONEY ORDER



PERSONAL MONEY ORDER



123226

2835

DATE 12-12

60-128  
313  
19 79

PAY

FNS ALLENTOWN 100 AND 00 CTS

TO THE ORDER OF Jerry Brown for President Committee

NOT VALID OVER \$1000.00

THE FIRST NATIONAL BANK

ALLENTOWN - PENNSYLVANIA 18101

Judd K Roth  
SIGNATURE  
ALLENTOWN PA.  
ADDRESS

⑆01232262⑆ ⑆031301286⑆

240

60 01 ⑆ TS 593 D52 12/17

8204033473



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

October 13, 1981

Mr. Robert K. Whedel  
33 North Warren Street  
Easton, Pennsylvania 18103

Dear Mr. Whedel:

3204035475

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

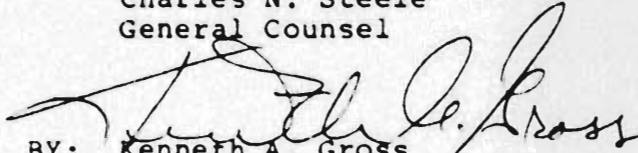
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
  - (1a) If so, what is the aggregate amount?
- (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you?
  - (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?
  - (2b) How did you pay (e.g., cash or check)?
  - (2c) Did you fill out the money order or did someone else?
  - (2d) If someone else did, who was it?

Letter to Robert K. Whedel  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Robert K. Whedel

02040354971



PERSONAL MONEY ORDER



PERSONAL MONEY ORDER



123227

2840

DATE 12-12

60-128  
313  
1979

PAY

ALLENTOWN FIVE AND 00 CTS

TO THE ORDER OF Jerry Brown for President Committee

NOT VALID OVER \$1000.00

THE FIRST NATIONAL BANK

of Allentown  
ALLENTOWN - PENNSYLVANIA 18101

*Robert N. W. ...*  
SIGNATURE  
*35 N. Warren St. Easton, Pa.*  
ADDRESS

⑈0123227⑈ ⑆031301286⑆ 60 01 ⑈

82040351972



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1981

Mr. Rick Reed  
86 Central Avenue  
Wailuku, Maui, Hawaii 96793

Dear Mr. Reed:

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

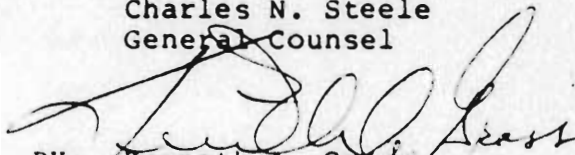
- 8204033477
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
    - (1a) If so, what is the aggregate amount?
    - (2) A cashier's check was provided by Governor Brown's 1980 Presidential Campaign Committee. (See attached photocopy). Did you purchase the cashier's check yourself or did a member of the Brown Committee purchase it for you?
      - (2a) If the latter, did you pay the Brown Committee before or after the cashier's check was purchased by the Committee?
      - (2b) How did you pay (e.g., cash or check)?
      - (2c) Did you fill out the cashier's check or did someone else?
      - (2d) If someone else did, who was it?

- (3) We also received a letter from the Brown Committee. (See attached photocopy). As you can see, it is addressed to Jodie Krajewski, dated January 4, 1980, signed, and states that you made a \$250 contribution from your personal funds by cashier's check #031542, to the Brown Committee.
- (3a) Did you prepare this letter, or did a member of the Brown Committee prepare the letter for your signature?
- (3b) If a member of the Brown Committee prepared it, please give that person's name.
- (3c) Did you sign it?
- (4) Did you receive funds from or reimbursement by any person for purposes of making this contribution?
- (4a) If so, please give that person's name.

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number, (800) 424-9530.

Sincerely,

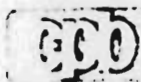
Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Rick Reed

820403547



**Central Pacific Bank**

KAHULUI SHOPPING CENTER  
KAHULUI, HAWAII 96732

KAHULUI BRANCH

**CASHIER'S CHECK** No. 031542

59-209  
1213

DATE September 18, 1979

PAY TO  
THE ORDER OF

• • • • BROWN FOR PRESIDENT • • • •

DOLLARS \$ 250.00

1116

CENTRAL  
PACIFIC  
BANK

250 AND 00 CTS

From: Rick Reed  
50 Central Av  
Waikeke, Maui, Ha 96793

*[Handwritten Signature]*

AUTHORIZED SIGNATURE

⑆ 2 1 3 0 2 0 5 ⑆

32040

SEW

✓  
K.C.K.

MC

1/4/80

Jodie Krajewski  
Brown for President  
630 Shatto Place  
Los Angeles, California 90005

Dear Ms. Krajewski:

Cashier's check # 031542,  
purchased at Central Pacific Bank  
to the order of Brown for President  
for \$250.00, is from my personal  
account and is a contribution  
from me to Brown for President.

Sincerely,

Rick Reed

Rick Reed

Hawaii

AS 190



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

October 13, 1981

Mr. Rick Perry  
32 Uilani Street  
Kihei, Maui, Hawaii 96793

Dear Mr. Perry:

82040554977

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

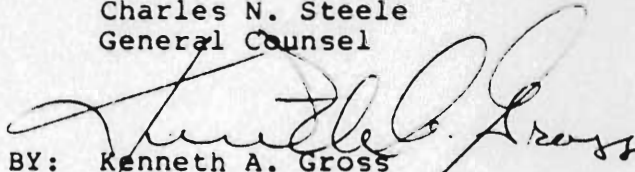
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.
  - (1a) If so, what is the aggregate amount?
- (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee appearing to bear your signature. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you?
  - (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?
  - (2b) How did you pay (e.g., cash or check)?
  - (2c) Did you fill out the money order and sign it, or did someone else?
  - (2d) If someone else did, who was it?

Letter to Rick Perry  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel

  
BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Rick Perry

02040331073

# Bank of Hawaii

Head Office 59-102/1213

NO. 7- 3403140

## PERSONAL MONEY ORDER

SEPT. 25 1977

PAY TO THE  
ORDER OF

BROWN FOR PRESIDENT

NOT VALID IF DRAWN FOR OVER \$1,000

BANK OF HAWAII \$250 AND NO CENTS

384

32-Uilani St., K. Hei, Maui, HI-96753  
ADDRESS

Rick Perry

RICK PERRY  
SIGNATURE OF REMITTER

⑈73403140⑈ ⑆121301028⑆ 0000⑈922201⑈

32040351979

EA 74 (REV. 8/76)

in





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 13, 1981

Ms. Kathleen Byrnes  
32 Uilani Street  
Kihei, Maui, Hawaii 96793

Dear Ms. Byrnes:

82040351030

The Federal Election Commission, established in April, 1975, has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, Title 2, United States Code (2 U.S.C. § 431 et seq.), and Chapters 95 and 96 of Title 26, United States Code. In connection with an investigation being conducted by the Commission, we have reviewed the records submitted by the Brown for President Committee, and your name appeared as a contributor. As part of the investigatory process, pursuant to its statutory authority, the Commission requests responses to the following questions:

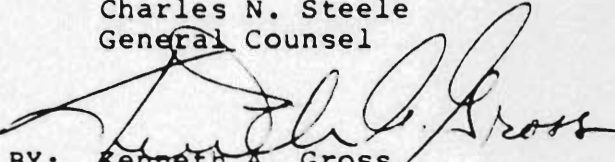
- (1) Did you make a contribution(s) to the Brown for President Committee's 1980 Presidential campaign, any of its authorized committees or to Edmund G. Brown, Jr.?
  - (1a) If so, what is the aggregate amount?
- (2) A money order was provided by Governor Brown's 1980 Presidential Campaign Committee appearing to bear your signature. (See attached photocopy). Did you purchase the money order yourself or did a member of the Brown Committee purchase it for you?
  - (2a) If the latter, did you pay the Brown Committee before or after the money order was purchased by the Committee?
  - (2b) How did you pay (e.g., cash or check)?
  - (2c) Did you fill out the money order and sign it, or did someone else?
  - (2d) If someone else did, who was it?

Letter to Kathleen Byrnes  
Page 2

Please sign below and return your response within ten days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039 or toll free number (800) 424-9530.

Sincerely,

Charles N. Steele  
General Counsel



BY: Kenneth A. Gross  
Associate General Counsel

\_\_\_\_\_  
Date

\_\_\_\_\_  
Kathleen Byrnes

02040354081

# Bank of Hawaii

Head Office 59-102/1213

368

NO. 7- 3529101

## PERSONAL MONEY ORDER

9-18-79

PAY TO THE ORDER OF

*Bank for President*

NOT VALID IF DRAWN FOR OVER \$1,000

BANK OF HAWAII \$250

*32 Wilani - Kihai - Hi. 96753*

ADDRESS

*Kathleen Byrnes*  
SIGNATURE OF REMITTER  
*Kathleen Byrnes*

⑈ 73529101 ⑈ ⑆ 121301028 ⑆ 0000 ⑈ 922201 ⑈

320403518

EX 54 (REV 6/79)

*ML*



samples of both Jodie Krajewski, Treasurer of the Brown Committee, and an unnamed assistant, found in the committee reports on file with the Commission, as well as the "handwriting" of a number of ostensible contributors from certain states that were part of the various Brown Committee submissions (which included money orders).

Currently, my staff is reviewing the referral for probative value in light of the situation evident in Texas.


The Audit Division has assembled evidence about certain handwriting "regularities" which suggest the possibility that (certain) agents for the Brown Committee are responsible for preparing and submitting for matching fund purposes a large number of questionable contributions. This raises possible 26 U.S.C. § 9042 implications as to the Committee. Therefore, under the aegis of the instant matter, members of my staff will be contacting certain ostensible contributors whose names appear in the August 10, Audit referral, in an effort to determine if in fact, these named individuals did make contributions to the Committee.

As to the original respondents, i.e. Jim Engstrom, Radford Freel, Patricia Freel, Louis Law, Karen Tucker and Bob Tucker, my staff is currently making every effort to conclude

the matter, and should be presenting a probable cause to believe report within the next 60 days (assuming prompt receipt of Mr. Weiss' information).

Charles N. Steele  
General Counsel

Sept. 7, 1981  
Date

BY:   
Kenneth A. Gross  
Associate General Counsel

82040354795

101589

RECEIVED  
GCC #5419

01 SEP 8 12:44

LAW OFFICES  
ROSENFELD, MEYER & SUSMAN  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

9601 WILSHIRE BOULEVARD  
BEVERLY HILLS, CALIFORNIA 90210

VICTOR S. NETTERVILLE (1925-1968)

TELEPHONE (213) 858-7700  
CABLE ADDRESS: ROMERSU  
TELECOPIER: (213) 271-6430  
TELEX: 194-195

September 1, 1981

- MARVIN B. MEYER\*
- DONALD T. ROSENFELD\*
- ALLEN E. SUSMAN\*
- GEORGE C. ZACHARY\*
- JEFFREY L. NAGIN\*
- NORMAN H. GAREY\*
- GARY A. SCHLESSINGER\*
- LAWRENCE S. KARTIGANER\*
- DAVID D. WEXLER\*
- ROBERT H. THAU\*
- MELVIN ZIGANTZ\*
- ROBERT M. QUONIK\*
- STEPHEN A. KROFF\*
- JOHN G. DAVIES\*
- ROBERT C. BOFFA\*
- F. BARRY HALDEMAN
- KENNETH MEYER\*
- BILLY H. HUNT\*
- JOSEPH D. BECKERMAN\*
- ALAN S. WERTHEIMER
- WILLIAM BILICK
- STEVEN FAYNE
- SARL MIDDAL TITEL
- LAURENCE N. STRENGER\*
- CHRISTINE S. CUDDY

- JAMES M. A. MURPHY
- WILLIAM J. BIRD
- J. HALLECK HOELAND
- MARYANNE LA GUARDIA
- WALTER S. WEISS\*
- MAREN CHRISTENSEN
- MATTHEW H. SAVER
- MELANIE COOK
- KAREN GARVER
- JAMES B. GOODMAN
- JOHN J. STUMREITER
- THOMAS LARRY WATTS
- ROBERT H. ROTSTEIN
- MICHAEL T. SHEPHERD
- FREDERIC E. SCHREYER
- LEE M. CORT
- CLIFFORD W. GILBERT
- SONORA ELLEN BERCHIN
- DAVID E. MCGOVERN
- MARIANNE DOZIER VOGT
- DONALD E. KARL
- RICHARD D. THOMPSON
- STEVEN N. BEPSCH
- MATTHEW B. ARANE
- HENRY M. SPANNA

\*A PROFESSIONAL CORPORATION

SEP 8 13:39

RECEIVED  
GENERAL COUNSEL

Michael Dymersky, Esq.  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D. C. 20463

In Re: MUR 1346  
Brown for President Committee

Dear Mr. Dymersky:

Enclosed please find Affidavit of Jodie Krajewski, treasurer of the Brown for President Committee, which is being submitted in accordance with our discussion of today.

We would appreciate being advised of the action taken by the Commission as soon as possible.

Sincerely

*Walter S. Weiss*  
WALTER S. WEISS

WSW/jl

encl.

1004034086

AFFIDAVIT

81 SEP 8 P2:44

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

Jodie Krajewski, being first duly sworn according to law, deposes and says:

1. This Affidavit is being submitted to the Federal Election Commission with respect to an investigation being conducted of the Brown for President Committee, MUR No. 1346.

2. In accordance with standard procedure in effect during 1978 and 1979 verification letters were sent by the Brown for President Committee to Bob D. and Karen Tucker, as well as Lewis L. Law, seeking confirmation that their contributions to the Brown for President Committee were voluntary and were paid out of their personal funds. There is attached hereto, as Exhibit 1, copy of the confirmation letters sent to these individuals.

3. The individual who actually received the checks from Radford H. Freel, on behalf of the Brown for President Committee, was Richard H. Maullin.

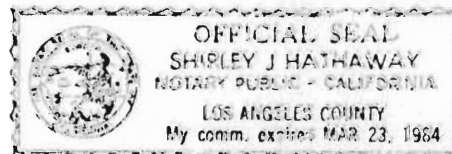
Sworn and subscribed to this 3<sup>rd</sup> day of September, 1981.

82040351787

*Jodie Krajewski*  
JODIE KRAJEWSKI

Sworn to and subscribed before me this 3<sup>rd</sup> day of September, 1981.

*Shirley J. Hathaway*  
NOTARY





January 7, 1980

Ms. Jodi Krajewski  
c/o Herb Brown  
1900 M Street  
Washington, D. C. 20036

Dear Jodi,

Houston National Bank cashier's check #6-1797712  
made out to Brown for President Committee for \$250.00  
came out of my personal funds.

Sincerely yours,

*Louis L. Law*  
Louis L. Law

32040351087

January 7, 1980

Ms. Jodie Krajewski  
c/o Herb Brown  
1900 M Street  
8th Floor  
Washington, D.C. 20036

Dear Jodie,

This letter is to inform you that Houston  
National Bank Cashier Check #6-1797709 to Brown  
for President Committee in the amount of \$250.00  
came from my personal funds.

Sincerely yours,



Karen H. Tucker

02040351180

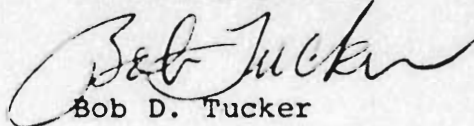
January 7, 1980

Ms. Jodie Krajewski  
c/o Herb Brown  
1900 M Street  
8th Floor  
Washington, D. C. 20036

Dear Jodie,

This letter is to inform you that Houston National Bank Cashier Check #6-1797710 to Brown for President Committee in the amount of \$250.00 came from my personal funds.

Sincerely yours,

  
Bob D. Tucker

02040354990

MJR  
1346

RECEIVED  
GCC # 5115

81 JUL 22 12:04

**AKIN, GUMP, STRAUSS, HAUER & FELD**

ATTORNEYS AT LAW  
1333 NEW HAMPSHIRE AVENUE, N.W.  
SUITE 400  
WASHINGTON, D.C. 20036

DALLAS OFFICE  
2800 REPUBLIC NATIONAL BANK BUILDING  
DALLAS, TEXAS 75201  
(214) 655-2800

(202) 867-4000  
TELEX 89-665 4017  
WRITER'S DIRECT DIAL NUMBER 887-

AUSTIN OFFICE  
900 AMERICAN BANK TOWER  
AUSTIN, TEXAS 78701  
(512) 476-7167

July 20, 1981

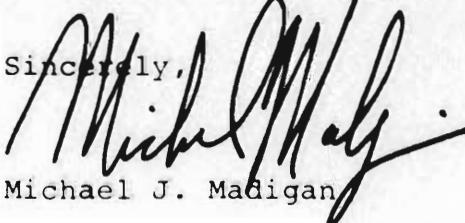
Mr. Michael Dymersky  
Federal Election Commission  
1325 K Street, N. W.  
Washington, D. C. 20463

Dear Mike:

I enclose a copy of a statement which I asked Les Law to prepare in connection with his cash repayment to Rad Freel. I am sure you can understand that recollections are not as crystal clear this long after the fact. This statement, however, represents Les's best recollection.

I sincerely hope that you will see fit to close this matter as soon as possible. As you no doubt determined by talking with Rad, this is certainly not a matter where there was any intent to violate any civil or criminal law. Nor, do I think any law, in fact, was violated. In any event, I am sure the Commission has many important worthwhile matters to address its attention which should preclude spending much more time on this case. Rad, however, would like to get the whole matter behind him as soon as possible. We hope to hear from you in the near future.

If I can be of any other assistance, please give me a call.

Sincerely,  
  
Michael J. Madigan

MJM:jp

Enclosure

82:28 JUL 22 11

1204035491

RECEIVED  
GENERAL COUNSEL

July 14, 1981

To the best of my recollection, I reimbursed  
Mr. R. H. Freel for my contribution to the Brown  
Campaign between mid-October and mid-November, 1979.

*Louis L. Law*  
Louis L. Law

02040354092





100899

RECEIVED  
GCC#4933

81 JUN 22 P12:51

LAW OFFICES  
ROSENFELD, MEYER & SUSMAN

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

UNITED CALIFORNIA BANK BUILDING  
9601 WILSHIRE BOULEVARD  
BEVERLY HILLS, CALIFORNIA 90210

VICTOR S. NETTERVILLE (925) 496-0101

TELEPHONE (213) 858-7700  
CABLE ADDRESS: ROMER80  
TELECOPIER (213) 271-6433  
TELEX: 194195

June 19, 1981

MARVIN B. MEYER\*  
DONALD I. ROSENFELD\*  
ALLEN E. SUSMAN\*  
GEORGE C. ZACHARY\*  
JEFFREY C. NAGIN\*  
NORMAN H. GAREY\*  
DARYL A. SCHLESSINGER\*  
LAWRENCE S. KARTIGANER\*  
DAVID D. WEXLER\*  
ROBERT W. THAL\*  
MELVIN ZIDT\*  
ROBERT M. DUDNIK\*  
STEPHEN A. KRUEF\*  
JOHN G. DAVIES\*  
ROBERT C. BOFFA\*  
E. BARRY HALDEMAN  
KENNETH MEYER\*  
BRIE H. HUNT\*  
JOSEPH D. PECKERMAN\*  
ALAN S. WERTHEIMER\*  
WILLIAM BALICK  
STEVEN FAYNE  
DAN MIDDAL TITEL  
LAURENCE N. STRENDER\*  
CHRISTINE S. CUDDY

JAMES M. A. MURPHY  
WILLIAM J. BRD  
J. HALLECK HOELAND  
MARYANNE LA GUARDIA  
WALTER S. WEISS\*  
MARLEN CHRISTENSEN  
MATTHEW H. SAUER  
MELANE COOK  
KAREN GARDER  
JAMES B. GOSWAM  
JOHN J. SCHREFFER  
THOMAS LARRY WATTS  
ROBERT H. ROUSTEN  
MICHAEL T. SCHMERS  
FREDERIC E. SCHNEIDER  
LEE M. COPT  
CLIFFORD W. GILBERT  
SANDRA ELLEN BERENIN  
DAVID C. MCGOVERN  
MARSHALL DODIER WOOD  
DONALD E. KAN  
RICHARD D. THOMPSON  
STELLEN N. BERLIN  
MATTHEW D. KRANE

\*A PROFESSIONAL CORPORATION

Federal Election Commission  
Washington, D.C. 20463

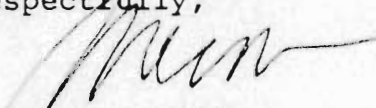
In Re: MUR 1346

Gentlemen:

This is in further reference to the above-captioned matter. I am enclosing an Affidavit from Mr. David B. Jolly, which I believe further supports our position that all matching fund submissions were correct in all material respects.

We continue to request that you advise us of any and all action which you contemplate taking in this matter.

Respectfully,

  
WALTER S. WEISS

WSW/jl

enclosure

1 JUN 22 P 2:17  
GENERAL COUNSEL

02040354094

31 JUN 22 P 2:17

RECEIVED  
GENERAL INVESTIGATIVE  
DIVISION

AFFIDAVIT

STATE OF CALIFORNIA        )  
                                  ) ss.  
COUNTY OF LOS ANGELES    )

David B. Jolly, being first duly sworn according to law, deposes and says:

1. I had been employed with the Federal Election Commission from 1978 until 1979, when I was employed by the Brown for President Committee. While employed with the Federal Election Commission I was a research analyst in Washington, D.C., analyzing reports submitted by various campaign committees. As a result of this service with the Federal Election Commission, I believe I became an expert in federal election reporting requirements.

2. I was employed by the Brown for President Committee for the period August, 1979 through August, 1980 for the principal purpose of insuring that there would be full compliance by the Committee with the Federal Election Campaigns Act.

3. I assisted in filing reports for the Brown for President Committee beginning with the report which was filed on October 10, 1979. Thereafter, I participated in the filing of the reports filed on January 20, 1980 and for each month thereafter until August, 1980. I personally typed all reports of expenditures during this period of time

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and supervised preparation of all reports pertaining to contributions received.

4. Immediately prior to the preparation and submission of the threshold report, I was in Washington, D.C. from January 7 through January 11, 1980, coordinating the final details contained in this report. I met almost daily with representatives of the Federal Election Commission, as they reviewed the submission of the Brown for President Committee involving matching funds. As questions were raised by the Federal Election Commission concerning situations where bank checks had been received and where there was no written confirmation that the contributor had used his own personal funds in making the contribution, I obtained a list of these names from the Commission and I communicated with the Brown For President headquarters in Los Angeles. They contacted each contributor by telephone, requesting that the contributor sign a confirmation letter. I recall receiving between 20 and 30 of said letters, when I was in Washington. I specifically recall that these letters came from all parts of the United States, i.e., the domiciles of the various individuals signing the confirmation letters. I have examined the letter from Jim Engstrom, dated January 7, 1980, addressed to Mrs. Jodi (sic) Krajewski, c/o Herb Brown, and this letter is typical of the letters I received while I was in Washington. As I received these letters, I personally delivered them to a representative of the Federal

Election Commission. I believe the individual I delivered them to was Mr. Dan Boyle.

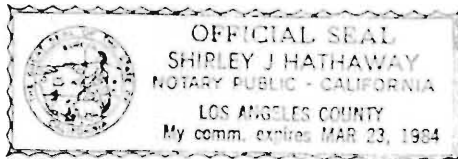
5. It was my distinct belief and understanding that all of the letters I received, while in Washington, were signed by the individuals whose names appeared on said letters and that they were correct and regular in all respects. If I had any reason to believe that there was any irregularity or impropriety with respect to these letters, I would not have submitted them to the Federal Election Commission.

Dated: June 18, 1981.

David B. Jolly  
DAVID B. JOLLY

Sworn and subscribed to  
before me this 18th day  
of June 1981.

Shirley J. Hathaway  
Notary Public



82040354097

000#4861

**AKIN, GUMP, STRAUSS, HAUER & FELD**

ATTORNEYS AT LAW

1333 NEW HAMPSHIRE AVENUE, N.W.

SUITE 400

WASHINGTON, D.C. 20036

(202) 887-4000

TELEX 89-665

WRITER'S DIRECT DIAL NUMBER 887-4017

DALLAS OFFICE  
2800 REPUBLIC NATIONAL BANK BUILDING  
DALLAS, TEXAS 75201  
(214) 655-2800

AUSTIN OFFICE  
900 AMERICAN BANK TOWER  
AUSTIN, TEXAS 78701  
(512) 476-7183

1 JUN 10 P 1: 01

JUN 10 P 2: 23

June 9, 1981

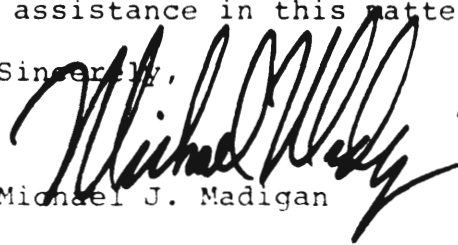
Michael Dymersky  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Mr. Dymersky:

Per our recent conversation, I enclose a copy of the January 7, 1980 check from the Tuckers reimbursing Mr. Freel for their respective \$250.00 contributions to the Brown Campaign in 1979. As you can see from the back of the check it was deposited according to the bank's stamp on January 8, 1980, well before any inquiry by the Commission. In addition, I have inquired about this matter with the Brown Campaign and have been advised that Mr. Engstrom himself on January 7, 1980 assured the Brown Campaign that the \$250.00 contribution came out of his personal funds. Again, this was well before any inquiry by the Commission. Thus, it seems to me that we are left with a person (Mr. Engstrom) who in reality agrees essentially as to what occurred, despite his vague recollection of someone (not Mr. Freel) telling him the matter was taken care of. In any event, I believe the documentary record we have provided now substantiates what took place in September of 1979. Accordingly, I urge you to consider closing the matter. We of course will be pleased to provide you with any additional information you require, but I think you now have everything there is.

Thank you for your kind assistance in this matter.

Sincerely,

  
Michael J. Madigan

Enclosures

MJM/mjr

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3  
5  
C  
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C  
2





100770  
GCC #4836

LAW OFFICES  
ROSENFELD, MEYER & SUSMAN

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

UNITED CALIFORNIA BANK BUILDING  
9601 WILSHIRE BOULEVARD  
BEVERLY HILLS, CALIFORNIA 90210

VICTOR S. NETTERVILLE (9925-1968)  
JUN 8 11:49  
TELEPHONE (213) 858-7700  
CABLE ADDRESS: ROMERSLU  
TELECOPIER (213) 271-8411  
TELEX: 194-195

MARVIN B. MEYER*	JAMES M. A. MURPHY
DONALD T. ROSENFELD*	WILLIAM J. BIRD
ALLEN E. SUSMAN*	J. HALLICK HIGLAND
GEORGE C. ZACHARY*	MARYANNE LA BEARDIA
JEFFREY L. NAGIN*	WALTER S. WEISS*
NORMAN H. GARE*	MAREN CHRISTENSEN
DARY A. SCHLESINGER*	MATTHEW H. SAVER
JARRENE S. KAPLANER*	MELANE COFF
DAVID D. WEXLER*	KAREN CARVER
ROBERT H. THAL*	JAMES B. GOODMAN
MELVIN ZONTZ*	JOHN J. STUMPFETER
ROBERT M. QUON*	THOMAS LARRY WATTS
STEPHEN A. KROFF*	ROBERT H. ROTSTEIN
JOHN D. DAVIES*	MICHAEL T. SHEPHERD
ROBERT E. BOFFA*	FREDERIC E. SCHREYER
E. BARRY HALDEMAN	LEE M. CORT
KENNETH MEYER*	CLIFFORD W. GILBERT
BILL H. HUNT*	BONONA ELLEN BERTCH
JOSEPH D. PEKLERMAN*	DAVID C. MCCOVERN
ALAN S. WERTHEIMER	MARJANNE DOZER VOOT
WILLIAM BILICK	DONALD E. KARL
STEVEN FATNE	RICHARD D. THOMPSON
GAIL MCDONALD TYLE	STEVEN N. BERSCH
LARENCE N. STREINER*	MATTHEW G. KRANT
CHRISTINE S. CLUDY	

June 5, 1981

JUN 8 11:03

Federal Election Commission  
Washington, D. C. 20463

In Re: MUR 1346

Gentlemen:

This firm represents Mrs. Jodie Krajewski, Treasurer of the Brown For President Committee. Your letter, dated May 18, 1981, was not received by Mrs. Krajewski until approximately May 29, 1981. In accordance with the provisions of 2 U.S.C. § 437g(a)(12)(A), it is requested that this investigation not be made public by the Commission.

There is enclosed an affidavit of Mrs. Krajewski, which we believe adequately responds to the allegations contained in the General Counsel's Factual and Legal Analysis.

In addition to Mrs. Krajewski's affidavit, we are also enclosing a copy of a letter, dated January 7, 1980 from Jim Engstrom to Mrs. Krajewski, which we believe you have previously seen.

Based upon Mrs. Krajewski's affidavit and Mr. Engstrom's letter we do not believe that the Brown For President Committee violated 2 U.S.C. § 441f and, therefore, no further action by the Commission is warranted. If you have any further questions please contact me.

Respectfully,

WALTER S. WEISS

Enclosures

WSW1:I

100550308020

\* PROFESSIONAL CORPORATION

630 Shatto Place  
Los Angeles, California 90005  
June 5, 1981

JUN 8 P 11:03

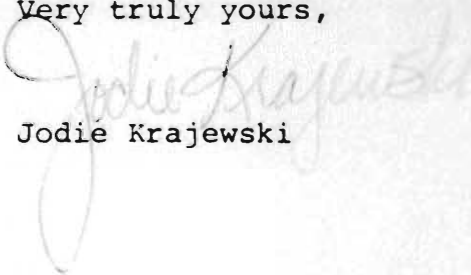
Federal Election Commission  
Washington, D.C. 20463

In Re: MUR 1346  
Brown for President Committee

Gentlemen:

This will confirm that Walter S. Weiss, Esq., of the firm of Rosenfeld, Meyer & Susman, 9601 Wilshire Boulevard, Fourth Floor, Beverly Hills, California 90210 (213)858-7700, represents me and the Brown for President Committee in connection with the above-cited investigation. Such counsel is authorized to receive any and all notifications and other communications from the Commission on my behalf.

Very truly yours,

  
Jodie Krajewski

0204035300?

AFFIDAVIT

STATE OF CALIFORNIA )  
 ) ss.  
COUNTY OF LOS ANGELES )

01 JUN 8 11:03

RECEIVED  
GENERAL COUNSEL

Jodie Krajewski, being first duly sworn, deposes and says:

1. During the latter portion of 1979 I was the Treasurer of the Brown For President Committee. I am submitting this affidavit in response to allegations and recommendations contained in the Federal Election Commission's General Counsel's Factual and Legal Analysis dated May 18, 1981.

2. It was the standard procedure for our committee, whenever contributions to the Brown For President Committee were received in the form of either a money order or cashiers' check, that either I, or a member of our staff, would contact the contributor to obtain a written confirmation that the funds contributed were his personal funds.

3. Check Number 1797711 from the Houston National Bank was received in late September, 1979 and Mr. Engstrom was indicated as the purchaser. In accordance

1204033005





were not the source of the contribution, I would not have accepted his contribution.

Sworn and subscribed to this 5th day of June, 1981.

*Jodie Krajewski*  
JODIE KRAJEWSKI

Sworn to and subscribed before me this 5th day of June, 1981.

*Shirley J. Hathaway*  
Notary Public



3204035005

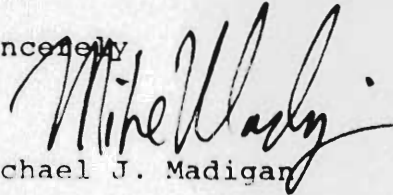


AKIN, GUMP, STRAUSS, HAUER & FELD

Michael Dymersky, Esquire  
May 20, 1981  
Page Two

Please let me know when you will be available. We would like to meet at your earliest convenience.

Sincerely,



Michael J. Madigan

MJM:jp

Enclosure

02040535007

Mike Madigan

RADFORD H. FREEL  
FIRST INTERNATIONAL PLAZA, 48th FLOOR  
HOUSTON, TEXAS 77002

April 24, 1981

Mr. John Warren McGarry  
Chairman  
Federal Election Commission  
Washington, D. C. 20463

Dear Mr. McGarry:

I apologize for the lateness of my response to your letter of January 28, 1981. If the Commission has any additional questions, I suggest that Mr. Dymersky or another member of your staff communicate directly with Mr. Michael J. Madigan of the law firm of Akin, Gump, Strauss, Hauer & Feld. I would be pleased to provide any and all information the commission requests about this matter.

In direct response to your inquiry of January 28, i.e.,

"Did you purchase a cashier's check(s) for anyone else to enable them to make a contribution to the Brown for President Committee's 1980 presidential campaign? If so, please explain the circumstances fully, including a description of how the check was purchased and who the other person(s) was."

The circumstances were as follows:

In late 1979 I received a request from the presidential campaign of Governor Jerry Brown to assist the campaign in attempting to encourage contributions to the campaign. While I do not now have a clear and specific recollection of exactly what was said my impression is that I was asked to encourage as many people as possible to contribute to the Brown campaign. I asked some of my associates to consider making a contribution to the governor's campaign. Some declined, while others agreed to contribute. While I do not have a positive recollection of all of those who agreed to contribute, to the very best of my recollection they were: Mr. Bob Tucker, his wife Karen Tucker, Mr. Louis Law, Mr. Jim Engstrom, and my wife. In order to expedite the contributions to be able to personally deliver the checks to Governor Brown on his Houston trip I provided my own personal funds for the purchase of cashier's checks to be reimbursed by the contributors at a subsequent time. I do not recall who actually purchased the cashier's checks, but I believe it was one of our runners. I believe

Mike Madison

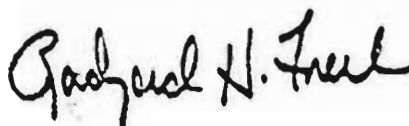
Mr. John Warren McGarry  
April 24, 1981  
Page two

The checks were purchased on September 27, 1979 and were given to Governor Brown on that same day.

When the contributions were made to the Brown campaign, I received reimbursement from Mr. and Mrs. [redacted] by check and from Mr. Law by cash repayment. My wife's contribution was paid out of our personal funds. As to Mr. Engstrom, I cannot recall when and if he repaid the \$250.00, but my best recollection is that he did not. Mr. Engstrom resigned from our organization sometime after these contributions were made and is now employed by another company.

I would be pleased to provide any additional information that you require in connection with this matter. While I have in the past made small contributions to a few candidates for elected office I have always been a political independent. The only instance where I ever solicited campaign contributions in any form was in connection with this matter and then only at the request of a good friend. At no time did I do anything that I knew or suspected was inappropriate. Nor was I aware that there could possibly be any question about contributions made in the manner described above until I received your letter earlier this year. In any event, I remain available to assist the Commission in any way possible.

Very truly yours,



Radford H. Freel

RHF:aa

MIKE MADIGAN

Mrs. Patricia P. Freel  
11135 North Country Squire  
Houston, Texas 77024

April 24, 1981

Mr. John Warren McGarry  
Chairman  
Federal Election Commission  
Washington, D. C. 20463

Dear Mr. McGarry:

My contribution to Governor Brown's campaign was accomplished through the purchase of a cashiers check. The contribution was made from funds which were part of my community property (i.e., my personal funds). The cashiers check was actually purchased by a runner in my husband's office.

I did not purchase a cashiers check for anyone else in this regard.

Very sincerely,

*Patricia P. Freel*

Patricia P. Freel

82040353010



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 18, 1981

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Radford Freel  
48th Floor  
First International Plaza  
Houston, Texas 77002

Re: MUR 1346

Dear Mr. Freel:

On April 27, 1981, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution in the name of another person. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter within ten (10) days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.



Letter to: Radford Freel  
Page 2

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Michael Dymersky, the staff member assigned to this matter, at 202-523-4039.

Sincerely

*John Warren McGarry*  
John Warren McGarry  
Chairman

Enclosures

General Counsel's Factual and Legal Analysis  
Procedures

cc: Michael Madigan, Esq. (with enclosures)

8 2 0 4 0 3 5 5 0 1 2

MR 1346 *Reynolds*

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):  
 Show to whom and date delivered.  
 Show to whom, date and address of delivery.  
 RESTRICTED DELIVERY  
 Show to whom and date delivered.  
 RESTRICTED DELIVERY.  
 Show to whom, date, and address of delivery.

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO  
*Michael Madigan  
1333 New Hampshire Ave NW  
Suite 400, Wash. D.C.  
20036*

3. ARTICLES DESCRIPTION  
REGISTERED NO. *118854*  
CERTIFIED MAIL *YES*

(Always check department of address or agent.)  
I have received the article described above.  
SIGNATURE *C.A. Lane* Date of delivery *5/19/81*

4. DATE OF DELIVERY

5. ADDRESS TO WHICH ONLY IF RETURNED TO SENDER

6. UNABLE TO DELIVER REASON

1815/81

U.S. Form 3811, Jan. 10-'79 RETURN RECEIPT, REGISTERED, CERTIFIED AND CERTIFIED MAIL

8 2 0 4 0 3 5 5 0 1 3

MUR 1346 *Reprints*

Form 3811, Jan. 1979

● **SENDER:** Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

Show to whom and date delivered.....

Show to whom, date and address of delivery.....

RESTRICTED DELIVERY  
Show to whom and date delivered.....

RESTRICTED DELIVERY  
Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO  
*Cooper, Fred  
484 N. First St.,  
Houston, TX 77002*

3. ARTICLE DESCRIPTION:  
REGISTERED NO.      CERTIFIED NO.      INSURED NO.  
*E10934*

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE       Addressee       Authorized agent  
*Fred Cooper*

4. DATE OF DELIVERY  
*MAY 21 1981*

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

POSTMARK: HOUSTON TX MAY 21 1981

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

☆ GPO : 1979-500-488

*5/18/81*

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 18, 1981

MUR NO. 1346  
STAFF MEMBER(S) & TEL. NO.  
Michael Dymersky

RESPONDENT Radford Freel

202-523-4039

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

Evidence adduced from Jim Engstrom, a respondent in this matter, indicates that Radford Freel violated 2 U.S.C. § 441f by making a contribution in the name of another to the Brown for President Committee.

FACTUAL BASIS AND LEGAL ANALYSIS

Mr. Engstrom implicates Mr. Radford H. Freel, President of Sioux Natural Gas Corporation, <sup>1/</sup> as having made a \$250 contribution to the Committee utilizing Mr. Engstrom's name.

He claims he confronted Radford Freel on February 3, 1981, after receiving the Commission's "reason to believe" notification and that Freel told him that on September 24, 1979, a "'number' of cashier's checks were purchased at the Houston National Bank, using cash to buy them with," and that Mr. Engstrom's name was printed on one of them (cashier's check denominated number 711).

Pursuant to 2 U.S.C. § 441f:

No person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

---

<sup>1/</sup> The Sioux Natural Gas Corporation is now denominated as the Rapada Corporation as a result of a corporate name change, and is headquartered on the 48th Floor, First International Plaza, Houston, Texas 77002.

8204035011

By causing a cashier's check (number 711) to be purchased in an amount of \$250, by causing James Engstrom's name to be placed upon it as remitter, and by tendering it to the Committee as a contribution in the name of James Engstrom, Radford H. Freel appears to have violated the proscription set forth above. The General Counsel recommends, therefore, that the Commission find reason to believe that Radford Freel 2/ violated 2 U.S.C. § 441f.

RECOMMENDATION

Find reason to believe that Radford Freel violated 2 U.S.C. § 441f.

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2/ On March 2, 1981, this office received a letter (of representation) from Radford Freel which indicates that although he has retained Messrs. Edward Knight and Michael J. Madigan to represent him in his response to our inquiry, he prefers to have future correspondence sent to his office in lieu of counsels'.

On March 17, 1981, members of my staff met with Messrs. Knight and Madigan, to discuss the interrogatory sent to Mr. Freel. During that meeting, they suggested that an answer would be received by my staff not later than March 27, 1981. There has been no answer as of this report.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 18, 1981

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jody Krajewski, Treasurer  
Brown for President Committee  
630 Shatlo Place  
Los Angeles, California 90005

Re: MUR 1346

Dear Ms. Krajewski,

On April 27, 1981, the Federal Election Commission determined that there is reason to believe that your committee violated 2 U.S.C. 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), by knowingly accepting a contribution made by one person in the name of another person. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter within ten (10) days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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Letter to: Jody Krajewski  
Page 2

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Michael Dymersky, the staff member assigned to this matter, at 202-523-4039.

Sincerely,

*John Warren McGarry*  
John Warren McGarry  
Chairman

Enclosures

General Counsel's Factual and Legal Analysis  
Procedures

02040335017

MUR 1346 *Reprints*

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)  
 Show to whom and date delivered.  
 Show to whom, date, and address of delivery.  
 RESTRICTED DELIVERY Show to whom and date delivered.  
 RESTRICTED DELIVERY. Show to whom, date, and address of delivery.

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*Jody Krajewski, Treas.  
630 Shatto Place  
Los Angeles, CA 90005*

3. ARTICLE DESCRIPTION:  
REGISTERED NO. CERTIFIED NO. INSURED NO.  
*118264*

(Always obtain signature of addressee if signed)

I have received the article described above.  
SIGNATURE  Addressee  Postmaster/agent  
*J. Kraus*

4. DATE OF DELIVERY *MAY 24 1987* POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: CLERK'S INITIALS

5/18/87

INPO: 1979-014-000

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 18, 1981

MUR NO. 1346  
STAFF MEMBER(S) & TEL. NO.

RESPONDENT Brown for President Committee

Michael Dymersky

202-523-4039

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

Evidence adduced from Jim Engstrom, a respondent in this matter, and from primary matching fund submissions of the Brown for President Committee ("the Committee"), indicates that the Committee violated 2 U.S.C. § 441f by knowingly accepting contributions in the names of other persons.

FACTUAL BASIS AND LEGAL ANALYSIS

On February 11, 1981, my staff received from Jim Engstrom a response to certain Commission interrogatories. He states that he did not make a contribution to the Committee. Mr. Engstrom implicates Mr. Radford H. Freel, President of Sioux Natural Gas Corporation, <sup>1/</sup> as having made a \$250 contribution to the Committee utilizing Mr. Engstrom's name. Mr. Engstrom explains that it was in response to recurring pleas by a Committee representative that he "finally wrote the letter [confirmation of contribution] as requested in order to get rid of the annoying phone calls." He claims he confronted Radford Freel on February 3, 1981, and that Freel told him that on September 24, 1979, a "'number' of cashiers checks were purchased at the Houston National Bank, using cash to buy them with," and that Mr. Engstrom's name was printed on one of them (cashier's check denominated number 711).

1/ The Sioux Natural Gas Corporation is now denominated as the Rapada Corporation as a result of a corporate name change, and is headquartered on the 48th Floor, First International Plaza, Houston, Texas 77002.

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Pursuant to 2 U.S.C. § 441f:

No person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

As to the Brown Committee, Mr. Engstrom indicated in a subsequent statement that an agent of the Committee, with a first name of Jody 2/ repeatedly contacted him in an effort to get him to submit a contribution confirmation letter. In and of itself, this fact is not sufficiently probative. However, when viewed in conjunction with the apparent receipt by the Committee of other contributions by seriatum cashier's checks (on September 24, 1979) from Mr. Freel, and similar patterns in a number of other States 3/ in which the Committee qualified for primary matching funds, i.e. same principal place of business, and consecutively numbered money orders and cashier's checks, there is a suggestion that the Committee through its agent knowingly accepted a contribution made by Mr. Freel in the name of Mr. Engstrom, and that such activity has occurred in other states as to other contributions.

Therefore, the General Counsel recommends that the Commission find reason to believe that the Committee violated 2 U.S.C. § 441f.

RECOMMENDATION

Find reason to believe that the Brown for President Committee violated 2 U.S.C. § 441f.

---

2/ A Jody Krajewski is the treasurer for the Brown for President Committee.

3/ The Audit Division pointed out in its Analysis of the Threshold Submission of Governor Brown, submitted to this Office on January 23, 1980, 1) that the Committee received matchable contributions in excess of \$5,000 in only 21 of the 22 States submitted, and 2) that certain patterns in contributions existed to cast suspicion upon their validity.

82040355010





**SENSITIVE**

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

81 MAY 11 P 2: 25

May 11, 1981

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele  
General Counsel

SUBJECT: MUR 1346; Jim Engstrom, et al.

On April 27, 1981, the Commission voted to authorize, inter alia, the issuance of an order to Mr. Radford Freel to answer a question (which was attached to the General Counsel's April 21, 1981, report, as Attachment 3). On April 28, 1981, my staff received a response to the specific question (which had been asked in March) for which the Commission had, the previous day, issued the order to answer. Therefore, both the order and the re-asked question are superfluous, in light of the April 28, 1981, response from Respondent Freel.

As a result, it is necessary to delete reference to the order and question in the reason to believe notification letter addressed to Mr. Freel. The amended letter is attached for Commission approval. Thus, this memorandum of explanation and the amended notification letter is distributed on a 48 hour tally vote basis.

RECOMMENDATION

Approve the attached notification letter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
                          ) )  
Jim Engstrom      ) )

MUR 1346

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 27, 1981, the Commission decided by a vote of 5-0 to take the following actions regarding MUR 1346:

1. Find REASON TO BELIEVE that Radford Freel violated 2 U.S.C. § 441f.
2. Find REASON TO BELIEVE that the Brown for President Committee violated 2 U.S.C. § 441f.
3. Authorize the Audit Division staff to reinvestigate the matching fund submissions of Governor Brown.
4. Authorize sending the notification letters as attached to the General Counsel's Report dated April 21, 1981.
5. Authorize issuance of the order to Radford Freel to answer questions (Attachment 3 to the General Counsel's April 21, 1981 report).

Voting for this determination were Commissioners Aikens, Harris, Reiche, Thomson and Tiernan. Commissioner McGarry did not cast a vote in this matter.

Attest:

4/27/81  
Date

Marjorie W. Emmons  
Marjorie W. Emmons  
Secretary of the Commission

Received in Office of the Commission Secretary: 4-23-81, 11:40  
Circulated on 48 hour vote basis: 4-23-81, 4:00

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a \$250 contribution to the Committee utilizing Mr. Engstrom's name. Mr. Engstrom explains that it was in response to recurring pleas by a Committee representative whom he calls "Jody," that he "finally wrote the letter [confirmation of contribution] as requested [by Jody] in order to get rid of the annoying phone calls." He claims he confronted Radford Freel on February 3, 1981, after receiving the Commission's "reason to believe" notification and that Freel told him that on September 24, 1979, a "'number' of cashiers checks were purchased at the Houston National Bank, using cash to buy them with," and that Mr. Engstrom's name was printed on one of them (cashier's check denominated number 711).

## II. LEGAL ANALYSIS

Pursuant to 2 U.S.C. § 441f:

No person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

By causing a cashier's check (number 711) to be purchased in an amount of \$250, by causing James Engstrom's name to be placed upon it as remitter, and by tendering it to the Committee as a contribution in the name of James Engstrom, Radford H. Freel appears to have violated the proscription set forth above. The General Counsel recommends, therefore,

that the Commission find reason to believe that Radford Freel 2/ violated 2 U.S.C. § 441f.

As to the Brown Committee, Mr. Engstrom indicated in a subsequent statement that an agent of the Committee, with a first name of Jody 3/ repeatedly contacted him in an effort to get him to submit a contribution confirmation letter. In and of itself, this fact is not sufficiently probative. However, when viewed in conjunction with the apparent receipt by the Committee of other contributions by seriatum cashier's checks (on September 24, 1979) from Mr. Freel, and similar patterns in a number of other States 4/ in which the Committee qualified for primary matching funds, i.e. same principal place of business, and consecutively numbered money orders and

2/ On March 2, 1981, this office received a letter (of representation) from Radford Freel (Attachment 2) which indicates that although he has retained Messrs. Edward Knight and Michael J. Madigan to represent him in his response to our inquiry, he prefers to have future correspondence sent to his office in lieu of counsels'.

On March 17, 1981, members of my staff met with Messrs. Knight and Madigan, to discuss the interrogatory sent to Mr. Freel. During that meeting, they suggested that an answer would be received by my staff not later than March 27, 1981. There has been no answer as of this report.

3/ A Jody Krajewski is the treasurer for the Brown for President Committee.

4/ The Audit Division pointed out in its Analysis of the Threshold Submission of Governor Brown, submitted to this Office on January 23, 1980, 1) that the Committee received matchable contributions in excess of \$5,000 in only 21 of the 22 States submitted, and 2) that certain patterns in contributions existed to cast suspicion upon their validity.

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cashier's checks, there is a suggestion that the Committee through its agent knowingly accepted a contribution made by Mr. Freel in the name of Mr. Engstrom, and that such activity has occurred in other states as to other contributions.

Therefore, the General Counsel recommends that the Commission find reason to believe that the Committee violated 2 U.S.C. § 441f. Furthermore, in the General Counsel's view there is sufficient reason to cast the validity and veracity of other contributions in other States into question. Thus, the General Counsel further recommends that the Commission authorize the Audit Division staff, on the basis of information thus far adduced, to begin a reexamination of the matching fund submissions of Governor Brown, to ensure the qualitative and quantitative validity of the information therein submitted.


### III. RECOMMENDATION

- 1) Find reason to believe that Radford Freel violated 2 U.S.C. § 441f.
- 2) Find reason to believe that the Brown for President Committee violated 2 U.S.C. § 441f.
- 3) Authorize the Audit Division staff to reinvestigate the matching fund submissions of Governor Brown.
- 4) Authorize the attached notification letters.
- 5) Authorize the attached order to Radford Freel to answer the attached question.

Attachments

- 1) Letter from James Engstrom (6 pages)
- 2) Letter of representation from Radford Freel
- 3) Notification Letter to Radford Freel and Order to Submit Written Answers. (6 pages)
- 4) Notification Letter to the Brown for President Committee (4 pages)
- 5) Authorization to Issue Order

21 April 1961  
Date

  
\_\_\_\_\_  
Charles N. Steele  
General Counsel

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Dymally 9/21/49

CKC# 3959  
#12: 84

Attachment I

FEDERAL ELECTION COMMISSION

TO: Jim Engstrom  
MUR 1346

INTERROGATORIES

For the purpose of these interrogatories, the term "contribution" refers to all of the contributions ostensibly made by you to the Brown for President Committee's 1980 Presidential campaign. If more than one contribution was made, your answers should refer to each contribution so made.

1. Did you make a contribution to the Brown for President Committee? *No*

2. What was the amount of the contribution? *\$250.00 (See attached)*

3. What was the date of the contribution? *Sept. 24, 1979 (See attached)*

4. Did you make a contribution using a cashier's check?

*No*

If so, please explain the circumstances surrounding the contribution, including how the cashier's check was purchased (e.g., by check from your personal checking account, by cash from your personal savings account, etc.), where it was purchased (e.g., what bank or institution), when it was purchased, and how the contribution was solicited and delivered.

*See attached explanation*

5. Did any other person purchase a cashier's check for you to enable you to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was. *Yes*

6. Did you purchase a cashier's check for anyone else to enable them to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was.

*No.*

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2-4-81

Office of General Counsel  
Federal Election Commission  
1325 "K" Street, N.W.  
Washington, D.C.  
20463

SEP 21 1979

Attn: Mr. Michael Dymersky

Dear Sir,

I have never made a contribution to the campaign effort of Jerry Brown out of my personal funds. I did not knowingly permit my name to be used to effect a contribution in the name of another person to the Brown for President Committee.

On September 24<sup>th</sup>, 1979, I was employed as a geologist by Sioux Natural Gas Corporation, Houston, Texas. I had been employed there for approximately 1 month, since August 27<sup>th</sup>, 1979. During the course of that Monday day, I became aware that the president of my company wanted to make a campaign contribution to Mr. Jerry Brown. The method for making this "contribution" was that certain employees were being "asked" to contribute \$250.00. I do not remember who the person was that I heard this from, as a number of employees were standing in the hallway & discussing this problem. I can state

that the president (Mr. Radford) did not ask me to make this "contribution". I do remember one of the employees in that hallway saying, "Don't worry about it, the company will probably reimburse us down the road." What we were supposed to do was to write a check for \$250.00 and turn it over to the company. (Supposedly the checks were going to be mailed or sent to Jerry Brown.)

The following day (September 25<sup>th</sup>) I took check no. 425 to work with me and dutifully started to make the check out for \$250.00. I asked one of the officers of Sioux Nat. Gas, "Who do I make the check out to .... Jerry Brown?, his treasurer or finance manager?, Brown for President Committee?, Who? The reply was, "You don't have to write the check, the "matter" has already been taken care of." Relieved, because I didn't want to make the contribution anyway, I went back to my desk and went to work. Nothing more was said about the "contribution" to me. I merely felt that nothing had happened, either Rad had changed his mind or that I wouldn't have to write the check later on.

On October 4, 1974, I received in the mail, at my home, a letter from Mr. Jerry Brown thanking me for my "generous contribution." The receipt of that letter was the first (and only) piece of evidence that I have that "I" contributed to the Jerry Brown campaign. I have no evidence that the amount was even \$250.00. It could have been for any amount. I never saw any cashier's check. I did not deliver by personal contact any contribution in any amount to Jerry Brown or any of his associates. I did not witness the delivery by any means or by any other person a campaign contribution to Mr. Jerry Brown.

After October 4th and the receipt of that letter from Mr. Jerry Brown, my feeling was that, "Yes, indeed, something had happened (a contribution) and that Rad Free! had in fact made a contribution and that my name was on the list of "contributors". At no time, however, did any of the corporate officers ask me to write out a check for \$250.00. I eventually used that check (#425) to pay for a \$15.00 haircut. I have no knowledge that any of the employees who might have actually "paid" \$250.00 to Mr. Jerry Brown at the "request" of the president, did ever receive reimbursement from the company.

Noting the following words, I received repeated & frequent phone calls at work from a person on Jerry Brown's committee urging me to write a letter (one sentence) to them saying that I had indeed purchased a cashier's check in the amount of \$250.00 and that the cashier's check whose number was # ----- (the number was supplied to me over the phone, I don't remember the number today) was from my personal funds. I finally wrote the letter as requested in order to get rid of the annoying phone calls. This was wrong. I shouldn't have written that letter. I guess at that time I should have confronted the president with this matter and "had it out with him". In whatever reasons (perhaps fearful of being fired), I didn't.

On November 6<sup>th</sup>, 1980, I quit my job as a geologist with Sino Natural Gas Corporation (now called Rapada Corporation after a corporate name change)

On Tuesday night, Feb. 3, 1981, I called Mr. Arel at his residence after I received this present inquiry. I asked him about the matter. He informed me that on the day of September 24<sup>th</sup>, 1979, a "number" of cashier's checks were purchased at the Houston National Bank, using cash to buy them with. He told

me that my name was one of the names  
typed & printed to one of them. He wanted  
these checks so that he could personally  
hand them to Mr. Jerry Brown later  
that evening. The person who actually  
went downstairs to the bank and  
"bought" the cashier's checks was not  
identified to me. I can only surmise  
that it was one of the corporate officers.  
Mr. Frost apologized to me for the problem  
that I have and said that he was  
sorry it had happened. He wished me  
"Good Luck".

I have always considered myself to  
be a reasonably intelligent person, but  
I have doubts now. I guess I'm not  
a very "sophisticated" person.

In this way, then, I respectfully  
submit this explanation.

James Engstrom

JAMES CHARLES ENGSTROM  
12114 SUGAR SPRINGS  
HOUSTON TEXAS 77077  
1-713-496-1897 (HOME)  
1-713-651-0531 (WORK)

1063 Attachment II

*Dymersky*

RADFORD H. FREEL  
Fourteen Hundred Eleven Hundred Milam Bldg.  
Houston, Texas 77002

February 27, 1981

Mr. Michael Dymersky  
1325 K Street Northwest  
Washington, D. C. 20463

1 MAR 2 P 3: 01 PM

Dear Mr. Dymersky:

Please be advised that Messrs. Edward Knight and Michael J. Madigan with the law firm of Akin, Gump, Strauss, Hauer & Feld are representing me in regard to your recent inquiry.

I would very much appreciate it if all future correspondence in regard to this matter is sent to me at my office address, 48th Floor, First International Plaza, Houston, Texas 77002.

Very sincerely,

*Radford H. Freel*

Radford H. Freel

RHF:aa

Page 1 of 1

1204033034



Attachment III

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Radford Freel  
48th Floor  
First International Plaza  
Houston, Texas 77002

Re: MUR 1346

Dear Mr. Freel:

On 1981, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), by making a contribution in the name of another person. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter within ten (10) days of your receipt of this letter. Where appropriate, statements should be submitted under oath. Also, please note the enclosed order to answer the enclosed question. Please submit said answer within ten (10) days of your receipt of this letter, as well.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

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Letter to: Radford Freel  
Page 2

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Michael Dymersky, the staff member assigned to this matter, at 202-523-4039.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis  
Procedures  
Order to Submit Written Answers  
Question

82040153036

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE \_\_\_\_\_

MUR NO. 1346  
STAFF MEMBER(S) & TEL. NO.  
Michael Dymersky

RESPONDENT Radford Freel

202-523-4039

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

Evidence adduced from Jim Engstrom, a respondent in this matter, indicates that Radford Freel violated 2 U.S.C. § 441f by making a contribution in the name of another to the Brown for President Committee.

FACTUAL BASIS AND LEGAL ANALYSIS

Mr. Engstrom implicates Mr. Radford H. Freel, President of Sioux Natural Gas Corporation, 1/ as having made a \$250 contribution to the Committee utilizing Mr. Engstrom's name.

He claims he confronted Radford Freel on February 3, 1981, after receiving the Commission's "reason to believe" notification and that Freel told him that on September 24, 1979, a "'number' of cashier's checks were purchased at the Houston National Bank, using cash to buy them with," and that Mr. Engstrom's name was printed on one of them (cashier's check denominated number 711).

Pursuant to 2 U.S.C. § 441f:

No person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

---

1/ The Sioux Natural Gas Corporation is now denominated as the Rapada Corporation as a result of a corporate name change, and is headquartered on the 48th Floor, First International Plaza, Houston, Texas 77002.

By causing a cashier's check (number 711) to be purchased in an amount of \$250, by causing James Engstrom's name to be placed upon it as remitter, and by tendering it to the Committee as a contribution in the name of James Engstrom, Radford H. Freel appears to have violated the proscription set forth above. The General Counsel recommends, therefore, that the Commission find reason to believe that Radford Freel 2/ violated 2 U.S.C. § 441f.

RECOMMENDATION

Find reason to believe that Radford Freel violated 2 U.S.C. § 441f.

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2/ On March 2, 1981, this office received a letter (of representation) from Radford Freel which indicates that although he has retained Messrs. Edward Knight and Michael J. Madigan to represent him in his response to our inquiry, he prefers to have future correspondence sent to his office in lieu of counsels'.

On March 17, 1981, members of my staff met with Messrs. Knight and Madigan, to discuss the interrogatory sent to Mr. Freel. During that meeting, they suggested that an answer would be received by my staff not later than March 27, 1981. There has been no answer as of this report.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter )  
                  )           MUR 1346  
Jim Engstrom    )

ORDER TO SUBMIT WRITTEN ANSWERS

To: Mr. Radford Freel  
      President, Rapada Corporation  
      48th Floor, First International Plaza  
      Houston, Texas 77002

Pursuant to 2 U.S.C. § 437d(a)(1), and in furtherance  
of its investigation in the above-styled matter, the  
Federal Election Commission hereby orders you to submit  
written answers to the questions attached to this Order.

Such answers must be submitted under oath and must  
be forwarded to the Commission within        days of your  
receipt of this Order.

WHEREFORE, the Chairman of the Federal Election  
Commission has hereunto set his hand in Washington, D.C.  
on this        day of        , 1981.

\_\_\_\_\_  
John Warren McGarry  
Chairman

ATTEST:

\_\_\_\_\_  
Marjorie W. Emmons  
Secretary to the Commission

Attachment  
Question

32040355039

QUESTION

Did you purchase, or cause to be purchase, a cashier's check(s) for anyone else to enable them to make a contribution to the Brown for President Committee's 1980 Presidential campaign? If so, please explain the circumstances fully, including a description of how the check(s) was purchased, who purchased the check(s), whether corporate funds (i.e. Rapada Corporation or Sioux Natural Gas Corporation) were used to purchase the check(s) and who the other person(s) was.

02040655040



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jody Krajewski, Treasurer  
Brown for President Committee  
630 Shatlo Place  
Los Angeles, California 90005

Re: MUR 1346

Dear Ms. Krajewski,

On \_\_\_\_\_, 1981, the Federal Election Commission determined that there is reason to believe that your committee violated 2 U.S.C. 441f, a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), by knowingly accepting a contribution made by one person in the name of another person. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter within ten (10) days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

Letter to: Jody Krjewski  
Page 2

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Michael Dymersky, the staff member assigned to this matter, at 202-523-4039.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis  
Procedures

20101114

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE \_\_\_\_\_

MUR NO. 1346  
STAFF MEMBER(S) & TEL. NO.  
Michael Dymersky

RESPONDENT Brown for President Committee

202-523-4039

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

Evidence adduced from Jim Engstrom, a respondent in this matter, and from primary matching fund submissions of the Brown for President Committee ("the Committee"), indicates that the Committee violated 2 U.S.C. § 441f by knowingly accepting contributions in the names of other persons.

FACTUAL BASIS AND LEGAL ANALYSIS

On February 11, 1981, my staff received from Jim Engstrom a response to certain Commission interrogatories. He states that he did not make a contribution to the Committee. Mr. Engstrom implicates Mr. Radford H. Freel, President of Sioux Natural Gas Corporation, <sup>1/</sup> as having made a \$250 contribution to the Committee utilizing Mr. Engstrom's name. Mr. Engstrom explains that it was in response to recurring pleas by a Committee representative that he "finally wrote the letter [confirmation of contribution] as requested in order to get rid of the annoying phone calls." He claims he confronted Radford Freel on February 3, 1981, and that Freel told him that on September 24, 1979, a "'number' of cashiers checks were purchased at the Houston National Bank, using cash to buy them with," and that Mr. Engstrom's name was printed on one of them (cashier's check denominated number 711).

<sup>1/</sup> The Sioux Natural Gas Corporation is now denominated as the Rapada Corporation as a result of a corporate name change, and is headquartered on the 48th Floor, First International Plaza, Houston, Texas 77002.

10040653043



Pursuant to 2 U.S.C. § 441f:

No person shall make a contribution in the name of another person or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

As to the Brown Committee, Mr. Engstrom indicated in a subsequent statement that an agent of the Committee, with a first name of Jody 2/ repeatedly contacted him in an effort to get him to submit a contribution confirmation letter. In and of itself, this fact is not sufficiently probative. However, when viewed in conjunction with the apparent receipt by the Committee of other contributions by seriatum cashier's checks (on September 24, 1979) from Mr. Freel, and similar patterns in a number of other States 3/ in which the Committee qualified for primary matching funds, i.e. same principal place of business, and consecutively numbered money orders and cashier's checks, there is a suggestion that the Committee through its agent knowingly accepted a contribution made by Mr. Freel in the name of Mr. Engstrom, and that such activity has occurred in other states as to other contributions.

Therefore, the General Counsel recommends that the Commission find reason to believe that the Committee violated 2 U.S.C. § 441f.

RECOMMENDATION

Find reason to believe that the Brown for President Committee violated 2 U.S.C. § 441f.

2/ A Jody Krajewski is the treasurer for the Brown for President Committee.

3/ The Audit Division pointed out in its Analysis of the Threshold Submission of Governor Brown, submitted to this Office on January 23, 1980, 1) that the Committee received matchable contributions in excess of \$5,000 in only 21 of the 22 States submitted, and 2) that certain patterns in contributions existed to cast suspicion upon their validity.

3204035341

RECEIVED  
THE  
SECRETARY  
Louis L. Law  
311 Biscayne  
Seabrook, Texas 77588

May 4, 1981

Federal Election Commission  
Washington, D.C. 20463

Attention: Mr. John Warren McGarry, Chairman

Dear Sir:

In response to your letter of January 28, 1981, which was received February 2, 1981, I submit the following response:

Question One: A person other than myself did physically go to a bank and purchase a cashier's check for me. The circumstances were as follows:

I was asked by Mr. Radford H. Freel if I would voluntarily contribute \$250.00 to the Brown Campaign. I responded to Mr. Freel in the affirmative and that I did not have my check book on me at the time, but that I would reimburse him for the amount. The cashier's check was probably picked either by James Thompson or Connie Martinez, both of these people having been employed at about that period of time and both performed various runner type tasks. I promptly reimbursed Mr. Freel in cash for this contribution.

Question Two: No.

Sincerely,

*Louis L. Law*  
Louis L. Law

02040553045

11 MAY 11 AM 11:21

RECEIVED  
GENERAL COUNSEL

100505

9007  
4568

Bob D. Tucker  
3605 Wakeforest  
Houston, Texas 77098

11 APR 27 P 1: 26

GENERAL INVESTIGATIVE  
DIVISION

April 21, 1981

Mr. Michael Dymersky  
Federal Election Commission  
1325 K Street, N.W.  
Washington, D.C. 20463

Dear Mr. Dymersky:

My wife, Karen Tucker, and I have, within the last ten days, received by first class mail, letters with enclosures, dated January 28, 1981, from your Mr. John W. McGarry. If I correctly understand the "Factual Basis and Legal Analysis", you may have previously attempted to reach one or both of us by certified mail. Inasmuch as our residence is unoccupied during the day, and our office is some distance from the post office, it is usually impractical to receive certified mail.

I have enclosed the fully answered "Interrogatories" that accompanied the letters referenced above. Note that, since the circumstances surrounding both Karen's and my contributions are similar, the responses are the same.

Very truly yours,



Bob D. Tucker

Encls (2)

32040555146

FEDERAL ELECTION COMMISSION

TO: Bob Tucker  
MUR 1346

INTERROGATORIES

For the purpose of these interrogatories, the term "contribution" refers to all of the contributions ostensibly made by you to the Brown for President Committee's 1980 Presidential campaign. If more than one contribution was made, your answers should refer to each contribution so made.

1. Did you make a contribution to the Brown for President Committee? Yes.
2. What was the amount of the contribution? \$250.00.
3. What was the date of the contribution? September 27, 1979.
4. Did you make a contribution using a cashier's check? Yes\*

If so, please explain the circumstances surrounding the contribution, including how the cashier's check was purchased (e.g., by check from your personal checking account, by cash from your personal savings account, etc.), where it was purchased (e.g., what bank or institution), when it was purchased, and how the contribution was solicited and delivered.

5. Did any other person purchase a cashier's check for you to enable you to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was. Yes, please see answer to question #4.
6. Did you purchase a cashier's check for anyone else to enable them to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was. No.

\* On September 27, 1979, I was asked by Mr. Radford H. Freel if I would consider contributing to Governor Brown's presidential campaign. I replied that I would contribute, whereupon arrangements were made for an office messenger to purchase a cashier's check in the amount of \$250.00 for my contribution. I do not recollect which of the office messengers actually purchased the cashier's check; the check was purchased from Houston National Bank of Houston. The funds were from an advance by Mr. Freel which was subsequently repaid from my personal funds.

FEDERAL ELECTION COMMISSION

TO: Karen Tucker  
MUR 1346

INTERROGATORIES

For the purpose of these interrogatories, the term "contribution" refers to all of the contributions ostensibly made by you to the Brown for President Committee's 1980 Presidential campaign. If more than one contribution was made, your answers should refer to each contribution so made.

1. Did you make a contribution to the Brown for President Committee? Yes.
2. What was the amount of the contribution? \$250.00.
3. What was the date of the contribution? September 27, 1979.
4. Did you make a contribution using a cashier's check? Yes\*

If so, please explain the circumstances surrounding the contribution, including how the cashier's check was purchased (e.g., by check from your personal checking account, by cash from your personal savings account, etc.), where it was purchased (e.g., what bank or institution), when it was purchased, and how the contribution was solicited and delivered.


5. Did any other person purchase a cashier's check for you to enable you to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was. Yes, please see answer to question #4.
6. Did you purchase a cashier's check for anyone else to enable them to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was. No.

\* On September 27, 1979, I was asked by Mr. Radford H. Freel if I would consider contributing to Governor Brown's presidential campaign. I replied that I would contribute, whereupon arrangements were made for an office messenger to purchase a cashier's check in the amount of \$250.00 for my contribution. I do not recollect which of the office messengers actually purchased the cashier's check; the check was purchased from Houston National Bank of Houston. The funds were from an advance by Mr. Freel which was subsequently repaid from my personal funds.



On February 11, 1981, this office received a response from Jim Engstrom which implicates Mr. Radford Freel, President of Rapada Corporation (previously Sioux Natural Gas Corporation), as having made a \$250 contribution to the committee utilizing Mr. Engstrom's name. In a subsequent telephone conversation with Mr. Engstrom, members of my staff discussed the factual elements of his letter. At that time, Mr. Engstrom agreed to sign an affidavit as to his factual assertions. That affidavit is currently being prepared.

24 March 1981  
Date

  
\_\_\_\_\_  
Charles N. Steere  
General Counsel

Attachment  
Letter from Radford Freel

3204035050





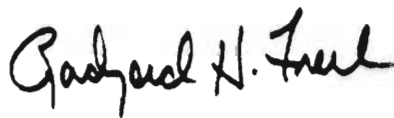
Mr. John Warren McGarry  
April 24, 1981  
Page Two

the checks were purchased on September 27, 1979 and were given to Governor Brown on that same day.

After the contributions were made to the Brown campaign, I received reimbursement from Mr. and Mrs. Tucker by check and from Mr. Law by cash repayment. My wife's contribution was paid out of our personal funds. As to Mr. Engstrom, I cannot recall when and if he repaid the \$250.00, but my best recollection is that he did not. Mr. Engstrom resigned from our organization sometime after these contributions were made and is now employed by another company.

620493505  
I would be pleased to provide any additional information that you require in connection with this matter. While I have in the past made small contributions to a few candidates for elected office I have always been a political independent. The only instance where I ever solicited campaign contributions in any form was in connection with this matter and then only at the request of a good friend. At no time did I do anything that I knew or suspected was inappropriate. Nor was I aware that there could possibly be any question about contributions made in the manner described above until I received your letter earlier this year. In any event, I remain available to assist the Commission in any way possible.

Very truly yours,



Radford H. Freel

RHF:aa

GCC#4585

RECEIVED  
OFFICE OF THE  
COMPTROLLER

81 APR 29 P 12:15  
Mrs. Patricia P. Freel  
11135 North Country Squire  
Houston, Texas 77024

81 APR 29 P 2:15

April 24, 1981

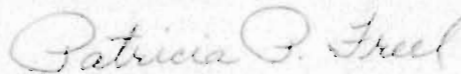
Mr. John Warren McGarry  
Chairman  
Federal Election Commission  
Washington, D. C. 20463

Dear Mr. McGarry:

My contribution to Governor Brown's campaign was accomplished through the purchase of a cashiers check. The contribution was made from funds which were part of my community property (i.e. my personal funds). The cashiers check was actually purchased by a runner in my husband's office.

I did not purchase a cashiers check for anyone else in this regard.

Very sincerely,



Patricia P. Freel

82040353053



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 16, 1981

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

James C. Engstrom  
12114 Sugar Springs  
Houston, Texas 77077

Re. MUR 1346

Dear Mr. Engstrom:

Enclosed herewith, please find a five (5) page document entitled "Affidavit." Please make any corrections or amendments and sign it, have it sworn to and notarized, and return it to this office within ten (10) days of your receipt of this letter.

If you have any questions, please contact Michael Dymersky, the staff member assigned to this matter at 202-523-4039.

Sincerely,

Charles N. Steele

3 2 7 4 0 3 5 5 0 5 1

Enclosure

Affidavit

*Dymersky* *MUR 1346*

1. The following service is requested (check one):  
 Home to whom and date delivered.....  
 Show to whom, date and address of delivery.....  
 RESTRICTED DELIVERY  
 Show to whom and date delivered.....  
 RESTRICTED DELIVERY  
 Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
**James C. Engstrom  
 12114 Sugar Springs  
 Houston, Texas 77077**

3. ARTICLE NO. REGISTERED NO. CERTIFIED NO. ASSIGNED NO.  
 REGISTERED NO. **997714**

(Always obtain signature of addressee or agent)  
 I have received the article described above.  
 SIGNATURE *J. C. Engstrom* CLASSIFICATION  
 DATE OF DELIVERY **4-20-81**

4. ADDRESS TO WHICH ONLY RETURNED IF UNDELIVERED  
**APR 23 1981**  
**APR 24 1981**  
 UNABLE TO DELIVER BECAUSE

APR 24 1981

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

AFFIDAVIT

I, James Charles Engstrom, being duly sworn according to law, hereby depose and say under penalty of perjury, as follows:

1. I was employed as a geologist by the Sioux Natural Gas Corporation \*/ of Houston Texas from August 27, 1979 until November 6, 1980.
2. I have never made a contribution in any amount whatsoever, nor have I ever authorized any other person to make a contribution in any amount whatsoever, to the 1980 Presidential campaign of Governor Jerry Brown.
3. On information and belief, Radford Freel, President of the Sioux Natural Gas Corporation, made a \$250 contribution by cashier's check denominated number 711, bearing my name, to the Brown for President Committee ("the Committee"), on September 24, 1979.

---

\*/ The Sioux Natural Gas Corporation is now denominated as the Rapada Corporation as a result of a corporate name change, and is headquartered on the 48th Floor, First International Plaza, Houston, Texas 77002.

32040353153

4. I did not authorize Radford Freel, any agent of Radford Freel, or any other person whatsoever, to make a contribution of any amount whatsoever, bearing my name, or otherwise, to the Committee at any time.

5. On September 25, 1979, in response to an informal, general solicitation of the employees of Sioux Natural Gas Corporation, I intended to make a contribution of \$250 by personal check, denominated number 425, to the Committee.

6. On September 25, 1979, when making an effort to respond to the above-mentioned informal, general solicitation, I was told by \_\_\_\_\_, a corporate officer that the "matter" has already been taken care of, and that my check was no longer needed; as a result, I made no contribution in any amount by personal check, denominated number 425, or by any other tender to the Committee or to any other person on behalf of the Committee.

7. I have never entered into an agreement oral or written, express or implied, to pay any sum of money to, or otherwise reimburse Radford Freel, any agent of Radford Freel, or any other person whatsoever, for a \$250 contribution by cashier's check denominated number 711, bearing my name, to the Committee made on September 24, 1979.

8. I have never been asked by Radford Freel, any agent of Radford Freel, or any other person whatsoever, to pay any sum of money to, or otherwise reimburse Radford Freel, any agent of Radford Freel, or any other person whatsoever, for a \$250 contribution by cashier's check denominated number 711, bearing my name, to the Committee on September 24, 1979.

9. On October 9, 1979, I received a letter from the Committee, signed by Governor Jerry Brown, thanking me for "my generous contribution."

10. Subsequent to October 9, 1979, I received many entreaties over the telephone from someone named "Jody", representing herself as an agent of the Committee, urging me to make a written statement declaring that I had purchased a \$250 cashier's check denominated number 711, with personal funds, and that I had made a contribution by that instrument to the Committee on September 24, 1979.

11. In response to the above-mentioned pleas, I complied by forwarding a written statement declaring that I had in fact purchased a \$250 cashier's check denominated number 711 with my personal funds, and made a contribution by that instrument to the Committee on September 24, 1979.

82040355057

12. I forwarded this statement to the Committee because I did not wish to be bothered by more phone calls. My recollection is that I did not inform the person telephoning me that I actually had not made any contribution to the Committee.

13. On February 3, 1981, I called Radford Freel after I received a reason to believe notification letter (with an order and set of interrogatories enclosed) from the Federal Election Commission, and made an inquiry as to the events surrounding the \$250 contribution by cashier's check denominated number 711, bearing my name, to the Committee on September 24, 1979.

14. Radford Freel informed me that on September 24, 1979, a "number" of cashier's checks were purchased with cash at the Houston National Bank by \_\_\_\_\_, that my name was typed or printed on one of them, and that these cashier's checks were personally handed to Governor Jerry Brown by him [Radford Freel].

15. On April 9, 1981, Radford Freel contacted me by telephone and indicated that he, Radford Freel, would like his attorney, Michael J. Madigan, Esq. of the Washington, D.C. Firm of Akin, Gump, Strauss, Hauer & Feld, to speak with me regarding the cashier's check (denominated number 711).

02040359

16. Radford Freel indicated further that his recollection of the events of September 24, 1979, were as follows: Radford Freel asked me to make a \$250 contribution to Governor Jerry Brown. I indicated that I did not have a personal check, though I agreed to make the contribution. As a result, Radford Freel purchased the cashier's check (denominated number 711), typed or printed my name on it, and rendered it to Governor Brown in reliance on my acquiescence. Radford Freel indicated that he should be reimbursed for the \$250 contribution which he did as a "favor" for me.

JAMES CHARLES ENGSTROM

Sworn to and subscribed  
before me this \_\_\_\_\_  
day of \_\_\_\_\_ 1981.

\_\_\_\_\_  
Notary Public

My Commission Expires:

02040355057



400-4  
4063 MOR 13216

RADFORD H. FREEL  
Fourteen Hundred Eleven Hundred Milam Bldg.  
Houston, Texas 77002

February 27, 1981

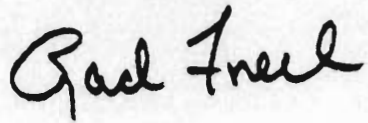
Mr. Michael Dymersky  
1325 K Street Northwest  
Washington, D. C. 20463

Dear Mr. Dymersky:

Please be advised that Messrs. Edward Knight and Michael J. Madigan with the law firm of Akin, Gump, Strauss, Hauer & Feld are representing me in regard to your recent inquiry.

I would very much appreciate it if all future correspondence in regard to this matter is sent to me at my office address, 48th Floor, First International Plaza, Houston, Texas 77002.

Very sincerely,



Radford H. Freel

RHF:aa

1 M/F 2 P 3: 01  
05/11/81  
05/11/81

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FEDERAL ELECTION COMMISSION

TO: Jim Engstrom  
MUR 1346

INTERROGATORIES

For the purpose of these interrogatories, the term "contribution" refers to all of the contributions ostensibly made by you to the Brown for President Committee's 1980 Presidential campaign. If more than one contribution was made, your answers should refer to each contribution so made.

1. Did you make a contribution to the Brown for President Committee? *No*

2. What was the amount of the contribution? *\$250.00 (See attached)*

3. What was the date of the contribution? *Sept. 24, 1979 (See attached)*

4. Did you make a contribution using a cashier's check? *No*

If so, please explain the circumstances surrounding the contribution, including how the cashier's check was purchased (e.g., by check from your personal checking account, by cash from your personal savings account, etc.), where it was purchased (e.g., what bank or institution), when it was purchased, and how the contribution was solicited and delivered.

*See attached. explanation*

5. Did any other person purchase a cashier's check for you to enable you to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was. *Yes*

6. Did you purchase a cashier's check for anyone else to enable them to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was.

*No.*

8-2740335051

SEP 22 11 33 AM '79

TEB 13

2-4-81

Office of General Counsel  
Federal Election Commission  
1325 "K" Street, N.W.  
Washington, D.C.  
20463

BFEB11 P12: 32

Attn: Mr. Michael Dymersky

Dear Sir,

I have never made a contribution to the campaign effort of Jerry Brown out of my personal funds. I did not knowingly permit my name to be used to effect a contribution in the name of another person to the Brown for President Committee.

On September 24<sup>th</sup>, 1979, I was employed as a geologist by Sioux Natural Gas Corporation, Houston, Texas. I had been employed there for approximately 1 month, since August 27<sup>th</sup>, 1979. During the course of that Monday day, I became aware that the president of my company wanted to make a campaign contribution to Mr. Jerry Brown. The method employees were being "asked" to contribute was that certain \$250.00. I do not remember who the person was that I heard this from, as a number of employees were standing in the hallway & discussing this problem. I can state

that the president (Mr. Radford Freel) did not ask me to make this "contribution". I do remember one of the employees in that hallway saying, "Don't worry about it, the company will probably reimburse us down the road." What we were supposed to do was to write a check for \$250.00 and turn it over to the company. (Supposedly the checks were going to be mailed or sent to Jerry Brown.)

The following day (September 25<sup>th</sup>) I took check no. 425 to work with me and dutifully started to make the check out for \$250.00. I asked one of the officers of Sioux Nat. Gas, "Who do I make the check out to .... Jerry Brown?, his treasurer or finance manager?, Brown for President Committee?, who? The reply was, "You don't have to write the check, the "matter" has already been taken care of." Relieved, because I didn't want to make the contribution anyway, I went back to my desk and went to work. Nothing more was said about the "contribution" to me. I merely felt that nothing had happened, either Rad had changed his mind or that I would have to write the check later on.

On October 9, 1979, I received in the mail, at my home, a letter from Mr. Jerry Brown thanking me for my "generous contribution." The receipt of that letter was the first (and only) piece of evidence that I have that "I" contributed to the Jerry Brown campaign. I have no evidence that the amount was even \$250.00. It could have been for any amount. I never saw any cashier's check. I did not deliver by personal contact any contribution in any amount to Jerry Brown or any of his associates. I did not witness the delivery by any means or by any other person a campaign contribution to Mr. Jerry Brown.

After October 9<sup>th</sup> and the receipt of that letter from Mr. Jerry Brown, my feeling was that, "Yes, indeed, something had happened (a contribution) and that Rad Freel had in fact made a contribution and that my name was on the list of "contributors". At no time, however, did any of the corporate officers ask me to write out a check for \$250.00. I eventually used that check (#425) to pay for a \$15.00 haircut. I have no knowledge that any of the employees who might have actually "paid" \$250.00 to Mr. Jerry Brown at the "request" of the president, did ever receive reimbursement from the company.

During the following weeks, I received repeated & frequent phone calls at work from a person on Jerry Brown's committee urging me to write a letter (one sentence) to them saying that I had indeed purchased a cashier's check in the amount of \$250.00 and that the cashier's check whose number was # ----- (the number was supplied to me over the phone, I don't remember the number today) was from my personal funds. I finally wrote the letter as requested in order to get rid of the annoying phone calls. This was wrong. I shouldn't have written that letter. I guess at that time I should have confronted the president with this matter and "had it out with him". In whatever reasons (perhaps fearful of being fired), I didn't.

On November 6<sup>th</sup>, 1980, I quit my job as a geologist with Siny Natural Gas Corporation (now called Rapada Corporation after a corporate name change)

On Tuesday night, Feb. 3, 1981, I called Mr. Areal at his residence after I received this present inquiry. I asked him about the matter. He informed me that on the day of September 24<sup>th</sup>, 1979, a "number" of cashier's checks were purchased at the Houston National Bank, using cash to buy them with. He told

me that my name was one of the names typed (printed) to one of them. He wanted these checks so that he could personally hand them to Mr. Jerry Brown later that evening. The person who actually went down stairs to the bank and "bought" the cashier's checks was not identified to me. I can only surmise that it was one of the corporate officers.

Mr. Frost apologized to me for the problem that I have and said that he was sorry it had happened. He wished me "Good Luck".

I have always considered myself to be a reasonably intelligent person, but I have doubts now. I guess I'm not a very "sophisticated" person.

In this way, then, I respectfully submit this explanation.

James C. Engstrom

JAMES CHARLES ENGSTROM  
12114 SUGAR SPRINGS  
HOUSTON TEXAS 77077  
1-713-496-1897 (HOME)  
1-713-651-0531 (WORK)



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 28, 1981

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Bob Tucker  
3131 Timmons Lane #502  
Houston, Texas 77027

Re: MUR 1346

Dear Mr. Tucker:

On January 6, 1981, the Federal Election Commission determined that there is reason to believe that you violated section 441f of the Federal Election Campaign Act of 1971, as amended ("the Act") by knowingly permitting your name to be used to effect a contribution in the name of another to the Brown for President Committee. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Additionally, please submit answers to the enclosed questions. Your response should be submitted within ten days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

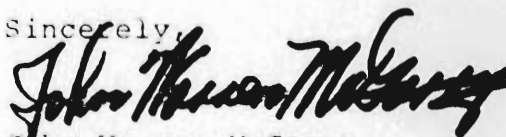
82040353067



Letter to: Bob Tucker  
Page 2

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Michael Dymersky, the staff member assigned to this matter, at (202) 523-4039.

Sincerely,



John Warren McGarry  
Chairman

Enclosures

General Counsel's Factual and Legal Analysis  
Interrogatories  
Procedures

02040353063

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE January 28, 1981

MUR NO. 1346

STAFF MEMBER(S) & TEL. NO.  
Michael Dymersky

RESPONDENT Bob Toker

(202) 523-4039

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

On November 20, 1980, the Commission voted unanimously to open a MUR and investigate contributions to the Brown for President Committee ("the Committee") from six (6) reported Texas contributors. Implicit in this matter is the possible violation of 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by one or more of the respondents.

FACTUAL BASIS AND LEGAL ANALYSIS

On January 23, 1980, the Audit Division referred selected data on the Committee's January 2, 1980, matching fund submission for further analysis by the Office of General Counsel. The referral raised questions as to the legitimacy of several contributions due to the fact that some contributors had the same place of business and the fact that some checks or money orders were numbered consecutively.

On April 10, 1980, the Commission authorized the sending of confirmation letters to contributors to the Brown for President Committee. The Commission received a response from 25 of the 36 contributors notified. On June 11, 1980, the Commission sent another letter to the 11 contributors who failed to respond to the April notification. The Commission received responses from an additional three contributors.

204035062

Six of the foregoing confirmation letters were sent to Texas contributors listing the same principal place of business (or whose spouse listed the same principal place of business.) Five of these contributions were made for the same amount on the same date by consecutively numbered certified checks. Of the six letters sent, the Commission received three responses which state that the individuals made contributions to the Brown for President Committee with their personal funds. Two of the letters were returned to this Office as unclaimed, at which time they were resent by first-class mail. No responses were forthcoming, however. This Office received no response from the individual who received the confirmation letter by certified mail. On November 20, 1980, the Commission decided by unanimous vote to "investigate further, in the context of a MUR, the contributions from Texas which are at issue." Thus, MUR 1346 was opened.

It is the opinion of this Office that the Commission should proceed with a further investigation into these contributions. The poor response rate coupled with the evidence of consecutively numbered cashiers checks raise questions as to the source of the contributions. Therefore, this Office recommends that the Commission find reason to believe that the six (6) named respondents each violated 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by permitting his or her name to be used to effect a contribution in the name of another. At this time there does not appear to be any involvement by the Committee, so no recommendation regarding the Committee is made at this time.

RECOMMENDATION

1. Find reason to believe that Bob Tucker violated 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by knowingly permitting his name to be used to effect a contribution in the name of another.
2. Approve the attached letters with interrogatories.

20403570

UNITED STATES OF AMERICA  
FEDERAL ELECTION COMMISSION


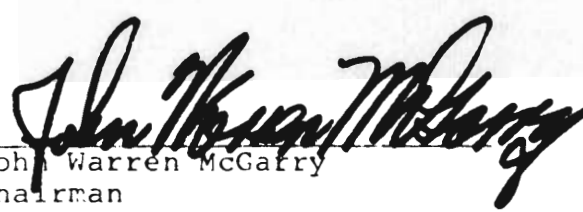
ORDER

TO: Bob Tucker  
3131 Timmons Lane #502  
Houston, Texas 77027

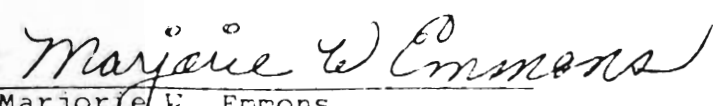
MUR 1346

1204035071  
The Federal Election Commission, pursuant to its powers set forth in 2 U.S.C. § 437d(a)(1) and (a)(3), hereby orders the interrogatories to be answered, under oath, as set out on the attached sheets, and requires that this information be sent by pre-paid certified mail, addressed to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463, Attention: Michael Dymersky within ten days after your receipt of this subpoena and order.

WHEREAS, the Chairman of the Federal Election Commission has hereunto set his hand at the Office of the Commission, 1325 K Street, N.W., Washington, D.C. 20463, this 28<sup>th</sup> day of January 1981.

  
  
John Warren McGarry  
Chairman

ATTEST:

  
Marjorie W. Emmons  
Secretary to the Commission

FEDERAL ELECTION COMMISSION

TO: Bob Tucker  
MUR 1346

INTERROGATORIES

For the purpose of these interrogatories, the term "contribution" refers to all of the contributions ostensibly made by you to the Brown for President Committee's 1980 Presidential campaign. If more than one contribution was made, your answers should refer to each contribution so made.

1. Did you make a contribution to the Brown for President Committee?
2. What was the amount of the contribution?
3. What was the date of the contribution?
4. Did you make a contribution using a cashier's check?

If so, please explain the circumstances surrounding the contribution, including how the cashier's check was purchased (e.g., by check from your personal checking account, by cash from your personal savings account, etc.), where it was purchased (e.g., what bank or institution), when it was purchased, and how the contribution was solicited and delivered.

5. Did any other person purchase a cashier's check for you to enable you to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was.

6. Did you purchase a cashier's check for anyone else to enable them to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was.

82040353072



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 28, 1981

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Karen Tucker  
3131 Timmons Lane #502  
Houston, Texas 77027

Re: MUR 1346

Dear Ms. Tucker:

On January 6, 1981, the Federal Election Commission determined that there is reason to believe that you violated section 441f of the Federal Election Campaign Act of 1971, as amended ("the Act") by knowingly permitting your name to be used to effect a contribution in the name of another to the Brown for President Committee. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Additionally, please submit answers to the enclosed questions. Your response should be submitted within ten days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

Letter to: Karen Tucker  
Page 2

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Michael Dymersky, the staff member assigned to this matter, at (202) 523-4039.

Sincerely,



John Warren McGarry  
Chairman

Enclosures

- General Counsel's Factual and Legal Analysis
- Interrogatories
- Procedures

82040353074

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE January 28, 1981

MUR NO. 1346  
STAFF MEMBER(S) & TEL. NO.  
Michael Dymersky

RESPONDENT Karen Tucker

(202) 523-4039

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

On November 20, 1980, the Commission voted unanimously to open a MUR and investigate contributions to the Brown for President Committee ("the Committee") from six (6) reported Texas contributors. Implicit in this matter is the possible violation of 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by one or more of the respondents.

FACTUAL BASIS AND LEGAL ANALYSIS

On January 23, 1980, the Audit Division referred selected data on the Committee's January 2, 1980, matching fund submission for further analysis by the Office of General Counsel. The referral raised questions as to the legitimacy of several contributions due to the fact that some contributors had the same place of business and the fact that some checks or money orders were numbered consecutively.

On April 10, 1980, the Commission authorized the sending of confirmation letters to contributors to the Brown for President Committee. The Commission received a response from 25 of the 36 contributors notified. On June 11, 1980, the Commission sent another letter to the 11 contributors who failed to respond to the April notification. The Commission received responses from an additional three contributors.



Six of the foregoing confirmation letters were sent to Texas contributors listing the same principal place of business (or whose spouse listed the same principal place of business.) Five of these contributions were made for the same amount on the same date by consecutively numbered certified checks. Of the six letters sent, the Commission received three responses which state that the individuals made contributions to the Brown for President Committee with their personal funds. Two of the letters were returned to this Office as unclaimed, at which time they were resent by first-class mail. No responses were forthcoming, however. This Office received no response from the individual who received the confirmation letter by certified mail. On November 20, 1980, the Commission decided by unanimous vote to "investigate further, in the context of a MUR, the contributions from Texas which are at issue." Thus, MUR 1346 was opened.

It is the opinion of this Office that the Commission should proceed with a further investigation into these contributions. The poor response rate coupled with the evidence of consecutively numbered cashiers checks raise questions as to the source of the contributions. Therefore, this Office recommends that the Commission find reason to believe that the six (6) named respondents each violated 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by permitting his or her name to be used to effect a contribution in the name of another. At this time there does not appear to be any involvement by the Committee, so no recommendation regarding the Committee is made at this time.

RECOMMENDATION

1. Find reason to believe that Karen Tucker violated 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by knowingly permitting her name to be used to effect a contribution in the name of another.
2. Approve the attached letters with interrogatories.

82040353075

UNITED STATES OF AMERICA  
FEDERAL ELECTION COMMISSION

ORDER

TO: Karen Tucker  
3131 Timmons Lane #502  
Houston, Texas 77027

MUR 1346

8 2 0 4 0 3 5 0 7 7  
The Federal Election Commission, pursuant to its powers set forth in 2 U.S.C. § 437d(a)(1) and (a)(3), hereby orders the interrogatories to be answered, under oath, as set out on the attached sheets, and requires that this information be sent by pre-paid certified mail, addressed to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463, Attention: Michael Dymersky within ten days after your receipt of this subpoena and order.

WHEREAS, the Chairman of the Federal Election Commission has hereunto set his hand at the Office of the Commission, 1325 K Street, N.W., Washington, D.C. 20463, this 28<sup>th</sup> day of January 1980.

  
*John Warren McGarry*  
John Warren McGarry  
Chairman

ATTEST:

*Marjorie W. Emmons*  
Marjorie W. Emmons  
Secretary to the Commission

FEDERAL ELECTION COMMISSION

TO: Karen Tucker  
MUR 1346

INTERROGATORIES

For the purpose of these interrogatories, the term "contribution" refers to all of the contributions ostensibly made by you to the Brown for President Committee's 1980 Presidential campaign. If more than one contribution was made, your answers should refer to each contribution so made.

- 8 2 0 4 0 3 5 3 7 2
1. Did you make a contribution to the Brown for President Committee?
  2. What was the amount of the contribution?
  3. What was the date of the contribution?
  4. Did you make a contribution using a cashier's check?

If so, please explain the circumstances surrounding the contribution, including how the cashier's check was purchased (e.g., by check from your personal checking account, by cash from your personal savings account, etc.), where it was purchased (e.g., what bank or institution), when it was purchased, and how the contribution was solicited and delivered.

5. Did any other person purchase a cashier's check for you to enable you to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was.
6. Did you purchase a cashier's check for anyone else to enable them to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was.



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 28, 1981

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Jim Engstrom  
12114 Sugar Springs Drive  
Houston, Texas 77077

Re: MUR 1346

Dear Mr. Engstrom:

On January 6, 1981, the Federal Election Commission determined that there is reason to believe that you violated section 441f of the Federal Election Campaign Act of 1971, as amended ("the Act") by knowingly permitting your name to be used to effect a contribution in the name of another to the Brown for President Committee. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Additionally, please submit answers to the enclosed questions. Your response should be submitted within ten days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

8204035377

Letter to: Jim Engstrom  
Page 2

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Michael Dymersky, the staff member assigned to this matter, at (202) 523-4039.

Sincerely,



John Warren McGarry  
Chairman

Enclosures  
General Counsel's Fact  
Interrogatories  
Procedures

Form 3811, Jan. 1979

MUR1346 Dymersky

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

Show to whom and date delivered.....

Show to whom, date and address of delivery.....

RESTRICTED DELIVERY  
Show to whom and date delivered.....

RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
Jim Engstrom  
114 Sugar Springs  
Houston, TX 77077

3. ARTICLE DESCRIPTION:  
REGISTERED NO. CERTIFIED NO. INSURED NO.  
948046

(Always obtain signature of addressee or agent)

I have received the article described above.  
SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY  
Feb 11 1987

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

INITIALS

FORM 3811, JAN. 1979

12040553080

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE January 28, 1981

MUR NO. 1346  
STAFF MEMBER(S) & TEL. NO.  
Michael Dymersky

RESPONDENT Jim Engstrom

(202) 523-4039

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

On November 20, 1980, the Commission voted unanimously to open a MUR and investigate contributions to the Brown for President Committee ("the Committee") from six (6) reported Texas contributors. Implicit in this matter is the possible violation of 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by one or more of the respondents.

FACTUAL BASIS AND LEGAL ANALYSIS

On January 23, 1980, the Audit Division referred selected data on the Committee's January 2, 1980, matching fund submission for further analysis by the Office of General Counsel. The referral raised questions as to the legitimacy of several contributions due to the fact that some contributors had the same place of business and the fact that some checks or money orders were numbered consecutively.

On April 10, 1980, the Commission authorized the sending of confirmation letters to contributors to the Brown for President Committee. The Commission received a response from 25 of the 36 contributors notified. On June 11, 1980, the Commission sent another letter to the 11 contributors who failed to respond to the April notification. The Commission received responses from an additional three contributors.

18004035081

Six of the foregoing confirmation letters were sent to Texas contributors listing the same principal place of business (or whose spouse listed the same principal place of business.) Five of these contributions were made for the same amount on the same date by consecutively numbered certified checks. Of the six letters sent, the Commission received three responses which state that the individuals made contributions to the Brown for President Committee with their personal funds. Two of the letters were returned to this Office as unclaimed, at which time they were resent by first-class mail. No responses were forthcoming, however. This Office received no response from the individual who received the confirmation letter by certified mail. On November 20, 1980, the Commission decided by unanimous vote to "investigate further, in the context of a MUR, the contributions from Texas which are at issue." Thus, MUR 1346 was opened.

It is the opinion of this Office that the Commission should proceed with a further investigation into these contributions. The poor response rate coupled with the evidence of consecutively numbered cashiers checks raise questions as to the source of the contributions. Therefore, this Office recommends that the Commission find reason to believe that the six (6) named respondents each violated 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by permitting his or her name to be used to effect a contribution in the name of another. At this time there does not appear to be any involvement by the Committee, so no recommendation regarding the Committee is made at this time.

RECOMMENDATION

1. Find reason to believe that Jim Engstrom violated 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by knowingly permitting his name to be used to effect a contribution in the name of another.
2. Approve the attached letters with interrogatories.

0204035032





FEDERAL ELECTION COMMISSION

TO: Jim Engstrom  
MUR 1346

INTERROGATORIES

For the purpose of these interrogatories, the term "contribution" refers to all of the contributions ostensibly made by you to the Brown for President Committee's 1980 Presidential campaign. If more than one contribution was made, your answers should refer to each contribution so made.

1. Did you make a contribution to the Brown for President Committee?
2. What was the amount of the contribution?
3. What was the date of the contribution?
4. Did you make a contribution using a cashier's check?

If so, please explain the circumstances surrounding the contribution, including how the cashier's check was purchased (e.g., by check from your personal checking account, by cash from your personal savings account, etc.), where it was purchased (e.g., what bank or institution), when it was purchased, and how the contribution was solicited and delivered.

5. Did any other person purchase a cashier's check for you to enable you to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was.
6. Did you purchase a cashier's check for anyone else to enable them to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 28, 1981

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Radford H. Freel  
11135 North Country Squire  
Houston, Texas 77024

Re: MUR 1346

Dear Mr. Freel:

Pursuant to its authority under 26 U.S.C. §9039 and 11 C.F.R. §9033.2(d), the Federal Election Commission may verify contributions submitted to establish eligibility to receive Presidential primary matching funds.

During the review of your answers to our general contribution verification questions which were received by this office in April 1980, it was apparent that a further question must be asked. Therefore, as part of its verification process, pursuant to its statutory authority, the Commission requests a response to the following question:

Did you purchase a cashier's check(s) for anyone else to enable them to make a contribution to the Brown for President Committee's 1980 Presidential campaign? If so, please explain the circumstances fully, including a description of how the check was purchased, and who the other person(s) was.

Please sign below and return your response within 10 days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039.

Sincerely

John Warren McGarry  
Chairman

Date

Signature

82040655085

680055086

MUR-1346 *Wymore*

Form 3811, Jan. 1978

● SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one):

- Show to whom and date delivered.....
- Show to whom, date and address of delivery.....
- RESTRICTED DELIVERY  
Show to whom and date delivered.....
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*Ladford H. Freil*  
*11135th No. Country Rd.*  
*Houston, TX 77029*

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	<i>948047</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Addressee  Authorized agent

4. DATE OF DELIVERY

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 28, 1981

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mr. Louis L. Law  
311 Biscayne  
Seabrook, Texas 77586

Dear Mr. Law:

Pursuant to its authority under 26 U.S.C. § 9039 and 11 C.F.R. § 9033.2(d), the Federal Election Commission may verify contributions submitted to establish eligibility to receive Presidential primary matching funds.

During the review of your answers to our general contribution verification questions which were received by this office in April, 1980, it was apparent that two further questions must be asked. Therefore, as part of its verification process, pursuant to statutory authority, the Commission requests a response to the following questions:

1. Did any other person purchase a cashier's check for you to enable you to make a contribution to the Brown for President Committee's 1980 Presidential campaign? If so, please explain the circumstances, including how the check was purchased and who the other person was.
2. Did you purchase a cashier's check(s) for anyone else to enable them to make a contribution to the Brown for President Committee's 1980 Presidential campaign? If so, please explain the circumstances, including a description of how the check(s) was purchased, and who the other person(s) was.

82040355087

Letter to: Louis L. Law  
Page 2

Please sign below and return your response within 10 days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039.

Sincerely,



John Warren McGarry  
Chairman

Date \_\_\_\_\_

Signature \_\_\_\_\_

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MCIR 1346 Dymersky

SENDER: Complete items 1, 2, and 3.  
Add your address in the "RETURN TO" space on reverse.

1. The following service is requested. (check one.)  
 Show to whom and date delivered.  
 Show to whom, date and address of delivery.  
 RESTRICTED DELIVERY  
Show to whom and date delivered.  
 RESTRICTED DELIVERY!  
Show to whom, date, and address of delivery.

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
Louis F. Law  
311 Riverside  
Houston, TX 77586

3. ARTICLE DESCRIPTION:  
REGISTERED NO. 949048

INSURED NO.

(Always obtain signature of addressee or agent)  
I have received the article described above.  
SIGNATURE  Address  Authorized agent

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

SEARCHED  
SERIALIZED  
INDEXED  
FILED  
OCT 11 1978  
FBI - HOUSTON  
U.S. DEPT. OF JUSTICE

★GPO : 1978-282-046



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 28, 1981

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mrs. Patricia P. Freel  
11135 North Country Squire  
Houston, Texas 77024

Dear Mrs. Freel:

Pursuant to its authority under 26 U.S.C. § 9039 and 11 C.F.R. § 9033.2(d), the Federal Election Commission may verify contributions submitted to establish eligibility to receive Presidential primary matching funds.

During the review of your answers to our general contribution verification questions which were received by this office in April, 1980, it was apparent that two further questions must be asked. Therefore, as part of its verification process, pursuant to statutory authority, the Commission requests a response to the following questions:

1. Did any other person purchase a cashier's check for you to enable you to make a contribution to the Brown for President Committee's 1980 Presidential campaign? If so, please explain the circumstances, including how the check was purchased and who the other person was.
2. Did you purchase a cashier's check(s) for anyone else to enable them to make a contribution to the Brown for President Committee's 1980 Presidential campaign? If so, please explain the circumstances, including a description of how the check(s) was purchased, and who the other person(s) was.

8204055787

Letter to: Patricia P. Freel  
Page 2

Please sign below and return your response within 10 days in the enclosed envelope. If you have any questions, please contact Michael Dymersky at (202) 523-4039.

Sincerely



JOHN WARREN MCGARRY  
Chairman

Date \_\_\_\_\_

Signature \_\_\_\_\_

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*MUR 1346 Dymersky*

SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.

1. The following service is requested (check one.)

- Show to whom and date delivered.....
- Show to whom, date and address of delivery.....
- RESTRICTED DELIVERY  
Show to whom and date delivered.....
- RESTRICTED DELIVERY.  
Show to whom, date, and address of delivery.....

(CONSULT POSTMASTER FOR FEES)

2. ARTICLE ADDRESSED TO:  
*Patricia P. Freel  
1135 W. Country Sq.  
Houston, TX 77024*

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	RECEIVED NO.
	<i>948049</i>	

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE  Address  Authorized agent

*Patricia P. Freel*

4. DATE OF DELIVERY

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE

FEB 1981  
CLERK'S INITIALS

☆ GPO : 1979-299-048

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Radford H. Freel ) MUR 1346  
Patricia P. Freel )  
Louis F. Law )  
Jim Engstrom )  
Bob Tucker )  
Karen Tucker )

CERTIFICATION

I, Matjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on January 22, 1981, the Commission decided by a vote of 4-0 to take the following actions regarding MUR 1346:

1. Approve the letters to Radford Freel, Patricia Freel and Louis Law, as attached to the General Counsel's January 16, 1981 memorandum.
2. Authorize the issuance of orders to accompany interrogatories directed to Bob Tucker, Karen Tucker and Jim Engstrom, respondents in this matter.

Commissioners Harris, McGarry, Reiche, and Tiernan voted affirmatively in this matter.

Attest:

1/22/81

Date

Marjorie W. Emmons  
Marjorie W. Emmons  
Secretary to the Commission

Received in Office of the Commission Secretary: 1-16-81, 4:25  
Circulated on 48 hour vote basis: 1-19-81, 11:00

32040353091





FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

MEMORANDUM TO: The Commission

FROM: Charles N. Steele  
General Counsel

SUBJECT: MUR 1346; Letters to Respondents

In accordance with the Commission's decision in this matter on January 6, 1981, the attached letters to Radford and Patricia Freel, and Louis Law are circulated for tally vote. Each of these letters with incorporated questions has been tailored to reach matters not covered in the individuals' responses to the April, 1980 verification letters. Like the previous verification letters, the attached letters are drafted to be signed by the Chairman or Vice Chairman.

In addition, to correct a procedural oversight, the Office of General Counsel recommends that the Commission separately authorize the issuance of orders which would accompany the previously-authorized interrogatories to respondents Bob and Karen Tucker and Jim Engstrom, to ensure legally enforceable responses.

Recommendations

1. Approve the attached letters to Radford Freel, Patricia Freel and Louis Law.
2. Authorize the issuance of orders to accompany interrogatories directed to Bob Tucker, Karen Tucker and Jim Engstrom, respondents in this matter.

Attachments

Proposed letters  
Authorization form for orders

MD:rld *MSD* 1/14/81  
SET *ST* 1/15/81  
KAG *KAG* 1/15/81  
CNS

*file copy*

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Radford H. Freel, et al. )

MUR 1346

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission's Executive Session on January 6, 1981, do hereby certify that the Commission took the following actions in MUR 1346:

1. Decided by a vote of 4-2 to find reason to believe that Jim Engstrom, Bob Tucker, and Karen Tucker each violated 2 U.S.C. §441f and 11 C.F.R. §110.4(b)(1)(ii) by knowingly permitting his or her name to be used to effect a contribution in the name of another.

Commissioners Aikens, McGarry, Thomson, and Tiernan voted affirmatively for the decision; Commissioners Harris and McGarry dissented.

2. Decided by a vote of 6-0 to direct the Office of General Counsel to circulate for Commission approval a letter to be sent to Radford H. Freel, Patricia P. Freel, and Louis F. Law.
3. Decided by a vote of 6-0 to send to Jim Engstrom, Bob Tucker, and Karen Tucker the letters with interrogatories as submitted with the General Counsel's December 12, 1980 report in this matter.

Attest:

1-7-81

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

8204033093

FEDERAL ELECTION COMMISSION  
1325 K Street, N.W.  
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION

12-12-80 80 DEC 12 P 3 MUR # 1346  
STAFF MEMBER(S) Dymersky

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENT'S NAME: Radford H. Freel, Patricia P. Freel, Louis F. Law,  
Jim Engstrom, Bob Tucker, Karen Tucker

RELEVANT STATUTE: 2 U.S.C. § 441f  
11 C.F.R. § 110.4(b)(1)(ii)

INTERNAL REPORTS CHECKED: None

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

On November 20, 1980, the Commission voted unani-  
mously to open a MUR and investigate contributions to  
the Brown for President Committee ("the Committee") from  
six (6) reported Texas contributors. Implicit in this  
matter is the possible violation of 2 U.S.C. § 441f and  
11 C.F.R. § 110.4(b)(1)(ii) by one or more of the respon-  
dents.

FACTUAL AND LEGAL ANALYSIS

On January 23, 1980, the Audit Division referred  
selected data on the Committee's January 2, 1980, matching  
fund submission for further analysis by the Office of  
General Counsel. The referral raised questions as to the  
legitimacy of several contributions due to the fact that  
some contributors had the same place of business and the  
fact that some checks or money orders were numbered con-  
secutively.

On April 10, 1980, the Commission authorized the  
sending of confirmation letters to contributors to the  
Brown for President Committee. The Commission received  
a response from 25 of the 36 contributors notified. On  
June 11, 1980, the Commission sent another letter to the  
11 contributors who failed to respond to the April noti-  
fication. The Commission received responses from an  
additional three contributors.

Six of the foregoing confirmation letters were sent to Texas contributors listing the same principal place of business (or whose spouse listed the same principal place of business.) Five of these contributions were made for the same amount on the same date by consecutively numbered certified checks. Of the six letters sent, the Commission received three responses which state that the individuals made contributions to the Prown for President Committee with their personal funds. Two of the letters were returned to this Office as unclaimed, at which time they were resent by first-class mail. No responses were forthcoming, however. This Office received no response from the individual who received the confirmation letter by certified mail. On November 20, 1980, the Commission decided by unanimous vote to "investigate further, in the context of a MUR, the contributions from Texas which are at issue." Thus, MUR 1346 was opened.

It is the opinion of this Office that the Commission should proceed with a further investigation into these contributions. The poor response rate coupled with the evidence of consecutively numbered cashiers checks raise questions as to the source of the contributions. Therefore, this Office recommends that the Commission find reason to believe that the six (6) named respondents each violated 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by permitting his or her name to be used to effect a contribution in the name of another. At this time there does not appear to be any involvement by the Committee, so no recommendation regarding the Committee is made at this time.

#### RECOMMENDATION

1. Find reason to believe that Padford H. Freel, Patricia P. Freel, Louis F. Law, Jim Engstrom, Bob Tucker and Karen Tucker each violated 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b) (1)(ii) by knowingly permitting his or her name to be used to effect a contribution in the name of another.
2. Approve the attached letters with interrogatories.

#### Attachments:

- 1) Audit Sheet, Brown for President
- 2) Notification Letter
- 3) General Counsel's Legal and Factual Analysis
- 4) Authorization to issue Order
- 5) Order
- 6) Interrogatories

3204035095

Attachment 1  
**BROWN FOR PRESIDENT**

ATTACHMENT

Threshold  
→ PPOB JVC ←

7.0/2

7.0/10/77

	1	2	3	4
<b>Goldman Sachs - New York, N.Y.</b>				
James Kamiński	Broker	8/22/79	250	"
Peter Louy	"	8/30/79	"	"
Eugene Mercy	"	8/30/79	"	"
Robert <u>Maucha</u>	Invest. Inc.	8/26/79	250	" Special Rep. & Contributions
John Shepherd	Broker	8/30/79	250	"
David Silfen	Invest. Bks.	8/31/79	250	"
Hy Weinberg	Broker	8/30/79	250	"
L. Thomas Mell	"	8/30/79	250	"
			2000	"
<b>Harter Concrete, Okla City, Okla.</b>				
Harley Bradshaw	owner	12/27/79	200	"
Noel Harter	Mgrs-Pres.	12/29/79	200	"
James Howard	Mgrs-Cust.	12/28/79	200	"
Clifford Norris	" "	12/29/79	200	"
			800	"
<b>Las Vegas Sun - Nevada (Las Vegas)</b>				
Daniel Greenspan	Computer	12-21-79	250	"
H.M. Greenspan	Owner	12-22-79	250	" with 250 12/22
Sylvia Weikfeld	Publ. Dir.	12-27-79	100	"
			600	"
<b>R.A. Homes/Construction Tucson, Ariz.</b>				
Clare Greene	Adm.	12-12-79	250	" with 250 12/12
Jerry McCoy	Owner	12-12-79	250	"
Melan Ritter	Exec.	12-12-79	250	" with 250 12/12
Marvin Spisak	Bus. Consult.	12-14-79	250	" with 250 12/14
			1000	"
<b>Exxon Natural Gas - Texas (Houston)</b>				
Redford Froel	Exec. Off.	11-6-79	250	" with 250 9-24-79
Jim Engstrom	Geologist	09-24-79	250	" CC ... 7/11
Lucas Law	"	09-24-79	250	" CC ... 7/12
Rob Tucker	Mkt+G	09-24-79	250	" CC ... 7/10
Karen Tucker	Corp. Sec.	09-24-79	250	" CC ... 7/09
			1250	"



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Re: MUR 1346

Dear [redacted]

On [redacted], 1980, the Federal Election Commission determined that there is reason to believe that you violated section 441f of the Federal Election Campaign Act of 1971, as amended ("the Act") by knowingly permitting your name to be used to effect a contribution in the name of another to the Prown for President Committee. The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. Please submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Additionally, please submit answers to the enclosed questions. Your response should be submitted within ten days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with formal conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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Letter to: [REDACTED]  
Page 2

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Michael Dymersky, the staff member assigned to this matter, at (202) 523-4039.

Sincerely,

Enclosures

General Counsel's Factual and Legal Analysis  
Interrogatories  
Procedures

82040355098

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE \_\_\_\_\_

MUR NO. 1346  
STAFF MEMBER(S) & TEL. NO.  
Michael Dymersky

RESPONDENT \_\_\_\_\_

(202) 523-4039

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

SUMMARY OF ALLEGATIONS

On November 20, 1980, the Commission voted unani-  
mously to open a MUR and investigate contributions to  
the Brown for President Committee ("the Committee") from  
six (6) reported Texas contributors. Implicit in this  
matter is the possible violation of 2 U.S.C. § 441f and  
11 C.F.R. § 110.4(b)(1)(ii) by one or more of the respon-  
dents.

FACTUAL BASIS AND LEGAL ANALYSIS

On January 23, 1980, the Audit Division referred  
selected data on the Committee's January 2, 1980, matching  
fund submission for further analysis by the Office of  
General Counsel. The referral raised questions as to the  
legitimacy of several contributions due to the fact that  
some contributors had the same place of business and the  
fact that some checks or money orders were numbered con-  
secutively.

On April 10, 1980, the Commission authorized the  
sending of confirmation letters to contributors to the  
Brown for President Committee. The Commission received  
a response from 25 of the 36 contributors notified. On  
June 11, 1980, the Commission sent another letter to the  
11 contributors who failed to respond to the April noti-  
fication. The Commission received responses from an  
additional three contributors.

6615310101



Six of the foregoing confirmation letters were sent to Texas contributors listing the same principal place of business (or whose spouse listed the same principal place of business.) Five of these contributions were made for the same amount on the same date by consecutively numbered certified checks. Of the six letters sent, the Commission received three responses which state that the individuals made contributions to the Brown for President Committee with their personal funds. Two of the letters were returned to this Office as unclaimed, at which time they were resent by first-class mail. No responses were forthcoming, however. This Office received no response from the individual who received the confirmation letter by certified mail. On November 20, 1980, the Commission decided by unanimous vote to "investigate further, in the context of a MUR, the contributions from Texas which are at issue." Thus, MUR 1346 was opened.

It is the opinion of this Office that the Commission should proceed with a further investigation into these contributions. The poor response rate coupled with the evidence of consecutively numbered cashiers checks raise questions as to the source of the contributions. Therefore, this Office recommends that the Commission find reason to believe that the six (6) named respondents each violated 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by permitting his or her name to be used to effect a contribution in the name of another. At this time there does not appear to be any involvement by the Committee, so no recommendation regarding the Committee is made at this time.

## RECOMMENDATION

1. Find reason to believe that \_\_\_\_\_ violated 2 U.S.C. § 441f and 11 C.F.R. § 110.4(b)(1)(ii) by knowingly permitting \_\_\_\_\_ name to be used to effect a contribution in the name of another.
2. Approve the attached letters with interrogatories:

8204055100

Attachment 4



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

AUTHORIZATION TO ISSUE ORDER

The Commission hereby authorizes the issuance of an order  
to the following in connection with MUR 1346:

Karen Tucker  
3131 Timmons Lane #502  
Houston, Texas 77027

Bob Tucker  
3131 Timmons Lane #502  
Houston, Texas 77027

Jim Engstrom  
12114 Sugar Springs Dr.  
Houston, Texas 77077

Louis E. Law  
311 Biscayne  
Seabrook, Texas 77586

Patricia P. Freel  
11135 North Country  
Squire  
Houston, Texas 77024

Radford H. Freel  
11135 North Country  
Squire  
Houston, Texas 77024

\_\_\_\_\_  
Max L. Friedersdorf  
Chairman

\_\_\_\_\_  
Thomas E. Harris  
Commissioner

\_\_\_\_\_  
John W. McGarry  
Vice Chairman

\_\_\_\_\_  
Robert O. Tiernan  
Commissioner

\_\_\_\_\_  
Joan D. Aikens  
Commissioner

\_\_\_\_\_  
Frank P. Reiche  
Commissioner

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Attachment 5

UNITED STATES OF AMERICA  
FEDERAL ELECTION COMMISSION

SUBPOENA AND ORDER

TO:

MUR 1346

The Federal Election Commission, pursuant to its powers set forth in 2 U.S.C. § 437d(a)(1) and (a)(3), hereby orders the interrogatories to be answered, under oath, as set out on the attached sheets, and requires that this information be sent by pre-paid certified mail, addressed to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. 20463, Attention: Michael Dymersky within ten days after your receipt of this subpoena and order.

WHEREAS, the Chairman of the Federal Election Commission has hereunto set his hand at the Office of the Commission, 1325 K Street, N.W., Washington, D.C. 20463, this        day of                    1980.

Max L. Friedersdorf  
Chairman

ATTEST:

Marjorie W. Edmonds  
Secretary to the Commission

B 2040355102

FEDERAL ELECTION COMMISSION

TO:

INTERROGATORIES

For the purpose of these interrogatories, the term "contribution" refers to all of the contributions ostensibly made by you to the Brown for President Committee's 1980 Presidential campaign. If more than one contribution was made, your answers should refer to each contribution so made.

1. Did you make a contribution to the Brown for President Committee?
2. What was the amount of the contribution?
3. What was the date of the contribution?
4. Did you make a contribution using a cashier's check?

If so, please explain the circumstances surrounding the contribution, including how the cashier's check was purchased (e.g., by check from your personal checking account, by cash from your personal savings account, etc.), where it was purchased (e.g., what bank or institution), when it was purchased, and how the contribution was solicited and delivered.

5. Did any other person purchase a cashier's check for you to enable you to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was.

6. Did you purchase a cashier's check for anyone else to enable them to make a contribution? If so, please explain the circumstances, including how the check was purchased and who the other person was.

82040355103

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Analysis of Threshold Submission )  
 for Edmund G. Brown, Jr. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, do hereby certify that on November 20, 1980, the Commission decided by a vote of 6-0 to take the following actions regarding the above-captioned matter:

- 2. Investigate further, in the context of a MUR, the contributions from Texas which are at issue.

Commissioners Aikens, Friedersdorf, Harris, McGarry, Reiche, and Tiernan voted affirmatively on this matter.

Attest:

11-20-80

Date

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary to the Commission

Received in Office of the Commission Secretary: 11-17-80, 5:03  
Circulated on 48 hour vote basis: 11-18-80, 11:00

82040355101



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 17, 1980

80 NOV 17 P 5: 04

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele *CNS*  
General Counsel

SUBJECT: Analysis of Threshold Submission for Edmund  
G. Brown, Jr.

On April 10, 1980, the Commission authorized the sending of confirmation letters to contributors to the Brown for President Committee. The Commission received a response from 25 of the 36 contributors notified. On June 11, 1980, the Commission sent another letter to the 11 contributors who failed to respond to the April notification. The Commission received responses from an additional three contributors. The following is a state by state analysis of the confirmation process.

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Memorandum to the Commission

Page Two

Analysis of Threshold Submission for Edward G. Prown, Jr.

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Texas

Six confirmation letters were sent to contributors listing the same principal place of business (or whose spouse listed the

Memorandum to the Commission  
Page Three  
Analysis of Threshold Submission for Edmund G. Frown, Jr.

same principal place of business.) Five of these contributions were made for the same amount on the same date by consecutively numbered money orders. Of the six letters sent, the Commission has received three responses which confirm that the individuals made contributions to the Frown for President Committee with their personal funds. Two of the letters were returned to this Office as unclaimed, at which time they were resent by first-class mail. No responses were forthcoming, nor has this Office received a response from the individual who received the confirmation letter by certified mail. It is the opinion of this Office that the Commission should proceed with a further investigation into these contributions. The poor response rate coupled with the large number of consecutively numbered money orders raise questions as to the source of the contributions. However, before proceeding further the Commission should open a matter under review pursuant to 2 U.S.C. § 437g(a)(2). See Celman v. FFC, Civil Action No. 80-2471 (D.D.C. October 24, 1980).

Recommendation

2. Investigate further, in the context of a MUP, the contributions from Texas which are at issue.

82040753107





FEDERAL ELECTION COMMISSION

1125 K STREET N.W.  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1346

Date Filmed 10/25/82 Camera No. ---

Cameraman J. A. D.

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