FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1237

Date Filmed 12/21/82 Camera No. --- 2

Cameraman LPC

FEDERAL ELECTION COMMISSION

Internal memoranda, Investigative Sources, Conciliation material.

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):

___	(1) Classified Information	___	(6) Personal privacy
___	(2) Internal rules and practices	✓	(7) Investigatory files
✓	(3) Exempted by other statute	___	(8) Banking Information
___	(4) Trade secrets and commercial or financial information	___	(9) Well Information (geographic or geophysical)
✓	(5) Internal Documents		

Signed Michael A. Dezenzo

date November 17, 1985

FEC 9-21-77

8204036281 9

203596

RECEIVED BY THE FEC
Gcc# 9/23

82 DEC 15 P 2:27

J. REID POTTER
ATTORNEY AT LAW

2800 East Seventh Street
CHARLOTTE, NORTH CAROLINA 28204

Telephone
(704) 376-8452

82 DEC 15 P 4:23

December 13, 1982

Mr. Michael A. Dymersky
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1237
Claire R. Shaffner

Dear Michael:

Please send me a copy of the findings and ruling in Stanly Kaplan's case.

Hoping that you have a merry Christmas and that 1983 will be the best year you have ever had but not the best you will ever have, I am

Very truly yours,

J. Reid Potter

JRP/ms

6204076 2 8 2 0

J. REID POTTER
ATTORNEY AT LAW
2300 East Seventh Street
CHARLOTTE, NORTH CAROLINA 28204

Mr. Michael A. Dymersky
Federal Election Commission
Washington, D.C. 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

Michael S. Berman, Esquire
Hill, Christoper & Phillips, P.C.
1900 M Street, N.W.
Washington, D.C. 20036

Re: MUR 1237
(Joseph J. McCluskey
Ben F. Mann
Joseph Headen
Keith M. Beaty
Albert Manch
Kent Burkhart
Patricia Burkhart
Frank Atlass)

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 (202)523-4057.

Sincerely,

Charles N. Steele
General Counsel

8 2 0 4 0 7 5 2 8 2 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

John T. Allred, Esquire
Daniel G. Clodfelter, Esquire
Moore & Van Allen
3000 NCNB Plaza
Charlotte, North Carolina 28280

Re: MUR 1237
(Louis & Margaret Simon)

Dear Mr. Allred:

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

6204036282 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

Ray S. Farris, Esquire
Farris, Mallard & Underwood
1700 Southern National Center
200 South College Street
Charlotte, North Carolina 28202

RE: MUR 1237
(Randal Borough)

Dear Mr. Farris:

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

8 2 0 4 0 3 0 2 8 2 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

Carl Goldfarb, Esquire
2011 Randolph Road
Charlotte, North Carolina 28207

RE: MUR 1237
(Elwood Sebert)

Dear Mr. Goldfarb:

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

82040302825

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

Richard M. Lannen, Esquire
Akin, Gump, Straus, Hauer
& Feld
2800 Republic National Bank Building
Dallas, Texas 75201

RE: MUR 1237
(Jeffrey L. Poll)

Dear Mr. Lannen:

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

8204036282 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

Barry L. Zisser, Esquire
Zisser, Robinson, Spohrer, P.A.
303 Libert Street
Jacksonville, Florida 32202

RE: MUR 1237
(Melvin Jawitz)

Dear Mr. Zisser:

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

6204036282 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

John M. Bray, Esquire
Schwalk, Donnenfeld, Bray & Silbert
Suite 350
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1237
(Harold Ross)

Dear Mr. Bray:

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

6204036028

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

William Diehl, Jr., Esquire
James, McElroy & Diehl
700 Home Federal Building
139 S. Tryon Street
Charlotte, North Carolina 28202

RE: MUR 1237
(Harry Wolf)

Dear Mr. Diehl:

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

8204036282 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

Keith M. Deal, Esquire
101 Barnett Regency Tower
Regency Square
Jacksonville, Florida 32211

RE: MUR 1237
(Raymond McCreanor)

Dear Mr. Deal:

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

8204030283 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

Sandra Humphrey
c/o The Lamp Place
Factory Outlet
917 Pecan Avenue
Charlotte, North Carolina 28205

Re: MUR 1237
(Sandra Humphrey)

Dear Ms. Humphrey:

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

8204036283 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

J. Reid Potter, Esquire
2300 East Seventh Street
Charlotte, North Carolina 28204

Re: MUR 1237
(Claire Shaffner)

Dear Mr. Potter:

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

6204036283 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

Robert F. Bauer, Esquire
Perkins, Coie, Stone,
Olsen & Williams
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 1237
(Friends of Luther H.
Hodges, Jr.)

Dear Mr. Bauer:

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

6204036283 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1984

Robert B. Barnett, Esquire
Williams & Connolly
Hill Building
839 17th Street, N.W.
Washington, D.C. 20006

RE: MUR 1237
(Stanley N. Kaplan)

Dear Mr. Barnett:

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

6204030283 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 4, 1982

James P. Cinque, Esquire
Marshall, Morris et al.
130 West 57th Street
New York, New York 10019

Re: MUR 1237 (Jon J. Terrell)

Dear Mr. Cinque:

You were previously notified that on August 24, 1982, the Federal Election Commission found probable cause to believe that your client violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended in connection with the captioned matter.

As a result of our inability to settle this matter through conciliation within the allowable time period, the Commission has authorized the institution of a civil action for relief in the U.S. District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Lawrence M. Noble, Assistant General Counsel for litigation, at (202)523-4166 within 30 days of your receipt of this letter.

Sincerely,

Charles N. Steele
General Counsel

8204036283 5

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Jon J. Terrell)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on November 2, 1982, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in the above-captioned matter:

1. Authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against Jon J. Terrell.

2. Approve and authorize the letter to respondent's counsel, as submitted with the FEC General Counsel's report dated October 21, 1982.

3. Close the entire enforcement file in this matter.

4. Approve and authorize the sending of the notification letters to all respondents who have settled through the conciliation process, as recommended by the General Counsel's October 21, 1982 report.

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

Attest:

11-2-82
Date

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

82040362836

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

82 OCT 22 A10: 01

In the Matter of)
) MUR 1237 EXECUTIVE SESSION
Jon J. Terrell)

NOV 2 1982

GENERAL COUNSEL'S REPORT

I. BACKGROUND/PREVIOUS COMMISSION ACTION

On April 14, 1981, the Commission found reason to believe that Jon J. Terrell violated 2 U.S.C. § 441f by knowingly allowing his name to be used to effectuate a $2,000 contribution from Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr. On August 24, 1982, the Commission found probable cause to believe that Terrell violated Section 441f.

Accordingly, the General Counsel recommends that the Commission seek relief by filing a civil suit against Terrell.

The Commission has settled this matter with signed conciliation agreements from Stanley N. Kaplan, Friends of Luther H. Hodges, Jr., and nineteen of twenty conduits, including the following: Claire Shaffner; Sandra Humphrey; Raymond

8 2 0 4 0 3 6 2 8 3 7

McCreanor; Harry Wolf; Harold Ross; Melvin Jawitz; Jeffrey Poll; Elwood Sebert; Randal Borough; Louis and Margaret Simon; Joseph McCluskey; Ben Mann; Joseph Headen; Keith Beaty; Albert Manch; Kent and Patricia Burkhart; and, Frank Atlass. Therefore, the General Counsel recommends that the entire enforcement file be closed in this matter.

II. RECOMMENDATION

1. Authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against Jon J. Terrell.

2. Approve and authorize the attached letter to respondent's counsel.

3. Close the entire enforcement file in this matter.

4. Approve and authorize the sending of attached notification letters to all respondents who have settled through the conciliation process.

8 2 0 4 0 3 6 2 8 3 8

21 October 1983
Date

Charles N. Steele
General Counsel

Attachments
1. Respondent's letter dated September 14, 1982
2. Proposed letter to respondent's counsel (Terrell)
3. Proposed letters to all other respondents'
4.

(2)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James P. Cinque, Esquire
Marshall, Morris et al.
130 West 57th Street
New York, New York 10019

Re: MUR 1237 (Jon J. Terrell)

Dear Mr. Cinque:

You were previously notified that on August 24, 1982, the Federal Election Commission found probable cause to believe that your client violated 2 U.S.C. § 441f, a provision of the Federal Election Campaign Act of 1971, as amended in connection with the captioned matter.

As a result of our inability to settle this matter through conciliation within the allowable time period, the Commission has authorized the institution of a civil action for relief in the U.S. District Court.

Should you have any questions, or should you wish to settle this matter prior to suit, please contact Michael Dymersky at (202)523-4057 by October 15, 1982.

Sincerely,

Charles N. Steele
General Counsel

9 2 0 4 0 3 6 2 8 3 9

Attachment II - (1)

(3)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert B. Barnett, Esquire
Williams & Connolly
Hill Building
839 17th Street, N.W.
Washington, D.C. 20006

RE: MUR 1237
(Stanley N. Kaplan)

Dear Mr. Barnett:

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

8204036283 40

Attachment III - (1)

(4)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert F. Bauer, Esquire
Perkins, Coie, Stone,
Olsen & Williams
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

RE: MUR 1237
(Friends of Luther H.
Hodges, Jr.)

Dear Mr. Bauer:

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

8204030241

Attachment III-(2)

(5)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

J. Reid Potter, Esquire
2300 East Seventh Street
Charlotte, North Carolina 28204

Re: MUR 1237
(Claire Shaffner)

Dear Mr. Potter:

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

8204036284 2

Attachment III - (3)

(6)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Sandra Humphrey
c/o The Lamp Place
Factory Outlet
917 Pecan Avenue
Charlotte, North Carolina 28205

Re: MUR 1237
(Sandra Humphrey)

Dear Ms. Humphrey:

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

6204030283 43

Attachment III - (4)

(7)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Keith M. Deal, Esquire
101 Barnett Regency Tower
Regency Square
Jacksonville, Florida 32211

RE: MUR 1237
(Raymond McCreanor)

Dear Mr. Deal:

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

6204032844

Attachment III -(5)

(8)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

William Diehl, Jr., Esquire
James, McElroy & Diehl
700 Home Federal Building
139 S. Tryon Street
Charlotte, North Carolina 28202

RE: MUR 1237
(Harry Wolf)

Dear Mr. Diehl:

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

Attachment IV - (6)

6204036284 5

(9)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John M. Bray, Esquire
Schwalk, Donnenfeld, Bray & Silbert
Suite 350
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

RE: MUR 1237
(Harold Ross)

Dear Mr. Bray:

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

8204036284 6

Attachment III - (7)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

(10)

Barry L. Zisser, Esquire
Zisser, Robinson, Spohrer, P.A.
303 Libert Street
Jacksonville, Florida 32202

RE: MUR 1237
(Melvin Jawitz)

Dear Mr. Zisser:

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

8204030028 47

Attachment IV - (8)

(11)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Richard M. Lannen, Esquire
Akin, Gump, Straus, Hauer
& Feld
2800 Republic National Bank Building
Dallas, Texas 75201

RE: MUR 1237
(Jeffrey L. Poll)

Dear Mr. Lannen:

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

8 2 0 4 0 3 0 2 3 4 8

Attachment IV - (9)

(12)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Carl Goldfarb, Esquire
2011 Randolph Road
Charlotte, North Carolina 28207

RE: MUR 1237
(Elwood Sebert)

Dear Mr. Goldfarb:

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

9 2 0 4 0 3 0 2 8 4 9

Attachment IV -(10)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

(13)

Ray S. Farris, Esquire
Farris, Mallard & Underwood
1700 Southern National Center
200 South College Street
Charlotte, North Carolina 28202

RE: MUR 1237
(Randal Borough)

Dear Mr. Farris:

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

0 2 0 4 0 3 0 2 8 5 0

Attachment III - (11)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

(14)

John T. Allred, Esquire
Daniel G. Clodfelter, Esquire
Moore & Van Allen
3000 NCNB Plaza
Charlotte, North Carolina 28280

Re: MUR 1237
(Louis & Margaret Simon)

Dear Mr. Allred:

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

6204036285 1

Attachment III - (10)

15

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael S. Berman, Esquire
Hill, Christoper & Phillips, P.C.
1900 M Street, N.W.
Washington, D.C. 20036

Re: MUR 1237
(Joseph J. McCluskey
Ben F. Mann
Joseph Headen
Keith M. Beaty
Albert Manch
Kent Burkhart
Patricia Burkhart
Frank Atlass)

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 (202)523-4057.

Sincerely,

Charles N. Steele
General Counsel

Attachment III -(13)

8204030 2852

RECEIVED IN THE FEC
82 OCT 6 AM : 00

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Claire Shaffner	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Claire Shaffner ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting her name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

8204030253

make a $1,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $1,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($1,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted her name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the respondent, was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

8 2 0 4 0 3 5 2 8 5 4

GENERAL CONDITIONS

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

IX. 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.

14 October 1982
Date

Charles N. Steele
General Counsel

10-1-82
Date

Claire Shaffner
Claire Shaffner

8204035285 5

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Claire Shaffner)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 13, 1982, the Commission decided by a vote of 5-0 to take the following actions in MUR 1237:

1. Accept the conciliation agreement signed by Claire Shaffner as submitted with the October 8, 1982 Memorandum to the Commission.

2. Close the file as to Claire Shaffner.

3. Approve and authorize the sending of the letter to the respondent's counsel as attached to the Memorandum to the Commission dated October 8, 1982.

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

Attest:

10/13/82
Date

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

Received in Office of Commission Secretary: 10-8-82, 11:07
Circulated on 48 hour tally basis: 10-8-82, 2:00

82040362856

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 OCT 8 AM: 07

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

October 8, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1237; Signed Conciliation Agreement (Claire Shaffner)

Attached is a conciliation agreement which has been signed by respondent Claire Shaffner. The attached agreement contains no changes from the agreement previously approved by the Commission. The General Counsel recommends the acceptance of this agreement.

Recommendation

Accept the conciliation agreement signed by Claire Shaffner, close the file as to her, and approve and authorize the sending of the attached letter to respondent's counsel.

Attachments
1. Conciliation Agreement signed by Claire Shaffner
2. Proposed letter to respondent's counsel

82040352857

RECEIVED BY THE FEC

BEFORE THE FEDERAL ELECTION COMMISSION

82 OCT 6 A11:00

(1)

In the Matter of)
) MUR 1237
Claire Shaffner)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Claire Shaffner ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting her name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

8204036285 8

Attachment I - (1)

(2)

make a $1,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $1,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($1,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted her name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the respondent, was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

8204032859

Attachment I-(2)

(3)

GENERAL CONDITIONS

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

IX. 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	_____ Charles N. Steele General Counsel
10-1-82 Date	Claire Shaffner Claire Shaffner

8204036280 60

Attachment I - (3)

002959

RECEIVED AT THE FEC
Cert 8608
82 OCT 8 AM 11:08

J. REID POTTER
ATTORNEY AT LAW

2300 East Seventh Street
CHARLOTTE, NORTH CAROLINA 28204

Telephone
(704) 376-8452

82 OCT 6 P2:44

October 4, 1982

Mr. Michael A. Dymersky
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1237
Claire R. Shaffner

Dear Michael:

Please find enclosed the signed conciliation agreement.

Give me a buzz at 803-831-2768 when you receive this.

With best regards, I am

Very truly yours,

J. Reid Potter

JRP/ms
Enclosure: As per letter

6204035281

202 894

RECEIVED AT THE FEC
Ccc# 8565
82 SEP 30 P12: 12

sis radio, inc.

400 RADIO ROAD CHARLOTTE, N.C. 28216 PHONE 704/392-6191

82 SEP 30 P3: 03

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

September 29, 1982

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

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR 1237.

Sincerely,

Stanley N. Kaplan

6 2 0 4 0 3 6 2 9 8 6 2

WAYS, WROQ

The Weekly Newspapers, Inc., Continental Delivery

0 2 0 4 0 3 6 2 8 6 3

STANLEY N. KAPLAN
400 RADIO ROAD
CHARLOTTE, NC 28216

3650

9/29 19 82

05-19
530

PAY TO THE ORDER OF Federal Election Commission $ 11,000.00

Eleven Thousand & no/100---------- DOLLARS

NCNB North Carolina National Bank
Charlotte, NC 28255

FOR MUR1237

CLEARE CHECKS D

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 9, 1982

Robert F. Bauer
Perkins, Coie, Stone,
Olsen and Williams
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

Re: MUR 1237

Dear Mr. Bauer:

On September 8, 1982, the Commission accepted the conciliation agreement signed by Luther H. Hodges, Jr. and a civil penalty in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

02040352864

RECEIVED
Gen # 8366
82 AUG 31 PM 2: 14

BEFORE THE FEDERAL ELECTION COMMISSION

August 4, 1982

In the Matter of	)	
	)	MUR 1237
Friends of Luther H. Hodges, Jr.	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 432 et. seq.), and reason to believe having been found that the Friends of Luther H. Hodges, Jr., violated 2 U.S.C. § 441a(f) by accepting excessive contributions in the form of loans and 2 U.S.C. § 434(b) by failing to report loans as contributions while outstanding.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

6204036286 5

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

A. Friends of Luther H. Hodges, Jr. was the principal campaign committee of Luther Hodges in 1979.

B. On January 30, 1978, the Friends of Luther H. Hodges, Jr. entered into a contract with NTA National, Inc. ("NTA"), for telephone canvassing services.

C. When periodic payments under the contract came due, Respondent found that it had insufficient resources on hand to meet its contractual liabilities, and Respondent requested that Mr. Stanley N. Kaplan loan the sums necessary by making the necessary payments to NTA.

D. Mr. Kaplan agreed to lend the sums required and remitted those sums (totalling $38,305) directly to NTA on behalf of Respondent.

E. Respondent did not report Mr. Kaplan's payments to NTA either as contributions by Mr. Kaplan to the Committee or as expenditures.

F. At a later date, Respondent made the payments to NTA and Mr. Kaplan was fully reimbursed by NTA.

G. At the time of Mr. Kaplan's payments to NTA on behalf of Respondent, Mr. Kaplan had already contributed to Respondent the maximum permitted by 2 U.S.C. § 441a.

WHEREFORE, Respondent agrees:

V. A loan made on behalf of a political committee is a contribution while outstanding.

6 2 0 4 0 3 6 2 8 6 6

VI. By permitting Mr. Kaplan to make the loans to NTA on its behalf, when Mr. Kaplan had already contributed to Respondent the maximum contribution permitted, Respondent violated 2 U.S.C. § 441a(f).

VII. By failing to report Mr. Kaplan's loans as contributions while outstanding, Respondent violated 2 U.S.C. § 434(b).

VIII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one thousand dollars ($1,000) pursuant to 2 U.S.C. § 437g(a)(5).

IX. Respondent 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.).

X. 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.

GENERAL CONDITIONS

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

6 2 0 4 0 3 5 2 8 6 7

XII. 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.

9 September 1982
Date

Charles N. Steele
General Counsel

8-24-82
Date

for Respondent,
Friends of Luther H. Hodges, Jr.

6204035 2868

0 2 0 4 0 3 6 2 8 6 9

FRIENDS OF LUTHER HODGES
P. O. BOX 1978
CHARLOTTE, N.C. 28233

134

05-19/530

7-9 1982

PAY TO THE ORDER OF Federal Elections Commission $1,000.00

One Thousand + xx/100's DOLLARS

NCNB North Carolina National Bank
Charlotte, NC 28255

FOR

Luther Michael Jensen

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Friends of Luther H. Hodges, Jr.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 8, 1982, the Commission decided by a vote of 5-0 to take the following actions in MUR 1237:

1. Accept the conciliation agreement signed by Luther H. Hodges, Jr. as submitted with the Memorandum to the Commission dated September 2, 1982.

2. Close the file as to Friends of Luther H. Hodges, Jr.

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

Attest:

9-8-82
Date

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

Received in Office of Commission Secretary: 9-2-82, 5:12
Circulated on 48 hour tally basis: 9-3-82, 2:00

8 2 0 4 0 3 6 2 8 7 0

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 SEP 2 P5: 12

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 2, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1237 Conciliation Agreement

Attached is a conciliation agreement which has been signed by Luther H. Hodges, Jr.

The attached agreement contains no changes from the agreement approved by the Commission on August 16, 1982. A check for the civil penalty imposed by the Commission has been received.

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file as to the Friends of Luther H. Hodges, Jr.

Attachments
1. Conciliation Agreement
2. Letter to Respondent

0 2 0 4 0 3 0 2 8 7 1

Agenda CCH 8366

RECEIVED

BEFORE THE FEDERAL ELECTION COMMISSION 82 AUG 31 P12: 14

August 4, 1982

ATTACHMENT I

In the Matter of	)	
	)	MUR 1237
Friends of Luther H. Hodges, Jr.	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 432 et. seq.), and reason to believe having been found that the Friends of Luther H. Hodges, Jr., violated 2 U.S.C. § 441a(f) by accepting excessive contributions in the form of loans and 2 U.S.C. § 434(b) by failing to report loans as contributions while outstanding.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

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

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

6204036287 2

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

A. Friends of Luther H. Hodges, Jr. was the principal campaign committee of Luther Hodges in 1979.

B. On January 30, 1978, the Friends of Luther H. Hodges, Jr. entered into a contract with NTA National, Inc. ("NTA"), for telephone canvassing services.

C. When periodic payments under the contract came due, Respondent found that it had insufficient resources on hand to meet its contractual liabilities, and Respondent requested that Mr. Stanley N. Kaplan loan the sums necessary by making the necessary payments to NTA.

D. Mr. Kaplan agreed to lend the sums required and remitted those sums (totalling $38,305) directly to NTA on behalf of Respondent.

E. Respondent did not report Mr. Kaplan's payments to NTA either as contributions by Mr. Kaplan to the Committee or as expenditures.

F. At a later date, Respondent made the payments to NTA and Mr. Kaplan was fully reimbursed by NTA.

G. At the time of Mr. Kaplan's payments to NTA on behalf of Respondent, Mr. Kaplan had already contributed to Respondent the maximum permitted by 2 U.S.C. § 441a.

WHEREFORE, Respondent agrees:

V. A loan made on behalf of a political committee is a contribution while outstanding.

8 2 0 4 0 3 6 2 8 7 3

VI. By permitting Mr. Kaplan to make the loans to NTA on its behalf, when Mr. Kaplan had already contributed to Respondent the maximum contribution permitted, Respondent violated 2 U.S.C. § 441a(f).

VII. By failing to report Mr. Kaplan's loans as contributions while outstanding, Respondent violated 2 U.S.C. § 434(b).

VIII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of one thousand dollars ($1,000) pursuant to 2 U.S.C. § 437g(a)(5).

IX. Respondent 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.).

X. 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.

GENERAL CONDITIONS

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

6 2 0 4 0 3 5 2 8 7 4

XII. 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	Charles N. Steele General Counsel
8-24-82 Date	for Respondent, Friends of Luther H. Hodges, Jr.

82040302875

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 25, 1982

James P. Cinque
Marshall, Morris et al.
130 West 57th Street
New York, New York 10019

Re: MUR 1237 (Jon J. Terrell)

Dear Mr. Cinque:

On August 24, 1982, the Commission determined that there is probable cause to believe that your client, Jon J. Terrell committed a violation of Section 441f of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431 et seq., by knowingly permitting his name to be used to effect a contribution to the Friends of Luther H. Hodges, Jr. from Stanley N. Kaplan.

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.

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Michael Dymersky, at (202)523-4057.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreeement

8 2 0 4 0 3 5 2 8 7 6

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Jon J. Terrell)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on August 24, 1982, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1237:

1. find probable cause to believe that Jon J. Terrell violated 2 U.S.C. §441f by knowingly permitting his name to be used to effect a contribution to the Friends of Luther H. Hodges, Jr. from Stanly N. Kaplan;

2. approve the conciliation agreement attached to the General Counsel's August 11, 1982 report in this matter.

3. approve and authorize the sending of the notification letter attached to the General Counsel's August 11, 1982 report.

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

Attest:

8-24-82
Date

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

6204032877

20195

GCC#8049

sis radio, inc.

400 RADIO ROAD CHARLOTTE, N.C. 28210 PHONE 704/392-6191

RECEIVED
FEDERAL ELECTION COMMISSION
GENERAL COUNSEL
82 JUL 2 P1:53

July 1, 1982

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

Dear Mr. Steele:

Enclosed is the first installment of $11,000 pursuant to my Conciliation Agreement MUR 1237.

Sincerely,

Stanley N. Kaplan

8204030 2978

WAYS, WROQ

The Weekly Newspapers, Inc., Continental Delivery

8 2 0 4 0 3 6 2 8 7 9

STANLEY N. KAPLAN
400 RADIO ROAD
CHARLOTTE, NC 28216

3583

June 30 19 82

PAY TO THE ORDER OF Federal Election Commission $ 11,000.00

Eleven Thousand & no/100---------- DOLLARS

NCNB North Carolina National Bank
Charlotte, NC 28255

FOR

Stanley N. Kaplan

CLARK CHECKS - 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

July 13, 1982

Sandra Humphrey
c/o The Lamp Place
Factory Outlet
917 Pecan Avenue
Charlotte, North Carolina 28205

Re: MUR 1237 (Sandra Humphrey)

Dear Ms. Humphrey:

On July 9, 1982, the Commission accepted the conciliation agreement signed by you 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 as it pertains to you and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

8 2 0 4 0 3 0 2 8 8 0

2019 4

RECEIVED
GCC # 8027
82 JUN 29 P12:23

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Sandra Humphreys	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Sandra Humphreys ("Respondent") violated 2 U.S.C. § 441(f) by knowingly permitting her name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. Sometime in February or March, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6 2 0 4 0 7 0 2 8 8 1

make a $500 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Ben F. Mann supplied $500 (derived from Stanley N. Kaplan) to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. Sometime in February or March, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($500) (through Ben F. Mann).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted her name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which, unknown to Respondent, was in violation of 2 U.S.C. § 441(f).

VI. Respondent 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.).

VII. 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.

6 2 0 4 0 3 0 2 8 8 2

GENERAL CONDITIONS

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

IX. 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.

July 12, 1982
Date

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

June 23, 1982
Date

Sandra Humphreys

8 2 0 4 0 7 0 2 8 8 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Sandra Humphrey)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 9, 1982, the Commission decided by a vote of 5-1 to take the following actions in MUR 1237:

1. Accept the conciliation agreement signed by Sandra Humphrey as submitted with the Memorandum to the Commission dated July 7, 1982.

2. Close the file as to Sandra Humphrey.

3. Approve and authorize the sending of the letter as attached to the July 7, 1982 Memorandum to the Commission.

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

Attest:

7-12-82
Date

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

Received in Office of Commission Secretary: 7-7-82, 9:59
Circulated on 48 hour tally basis: 7-7-82, 4:00

6204030284

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

82 JUL 7 A9:59

July 7, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

SUBJECT: MUR 1237; Signed Conciliation Agreement
(Sandra Humphrey)

Attached is a conciliation agreement which has been signed by respondent Sandra Humphrey. The attached agreement contains no changes from other agreements approved by the Commission in this matter. The General Counsel recommends the acceptance of this agreement.

Recommendation

Accept the conciliation agreement signed by Sandra Humphrey, close the file as to her, and approve and authorize the sending of the attached letter.

Attachments
1. Conciliation Agreement signed by Sandra Humphrey
2. Letter to Respondent

6204036285

20194

Vaynerchuk
GCC # 8027

BEFORE THE FEDERAL ELECTION COMMISSION

82 JUN 28 P12:23

(1)

In the Matter of)
) MUR 1237
Sandra Humphrey)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Sandra Humphrey ("Respondent") violated 2 U.S.C. § 441(f) by knowingly permitting her name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. Sometime in February or March, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

Attachment I - (1)

6 2 0 4 0 3 0 2 8 8 6

make a $500 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Ben F. Mann supplied $500 (derived from Stanley N. Kaplan) to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. Sometime in February or March, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($500) (through Ben F. Mann).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted her name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which, unknown to Respondent, was in violation of 2 U.S.C. § 441(f).

VI. Respondent 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.).

VII. 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.

6204032987

Attachment I-(2)

3

GENERAL CONDITIONS

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

IX. 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.

8204030288

Date	Charles N. Steele General Counsel
June 23 1982 Date	Sandra E Humphrey Sandra Humphrey

Attachment I - (3)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 15, 1982

Ms. Sandra Humphreys
c/o The Lamp Place
Factory Outlet
917 Pecan Avenue
Charlotte, North Carolina 28205

Re: MUR 1237 (Sandra Humphreys)

Dear Ms. Humphreys:

In excess of one year now, Office of General Counsel staff from the Federal Election Commission have made repeated attempts to contact you by letter and telephone. All have been unsuccessful. However, we recently learned that you could be reached at the above business address.

Enclosed is a photocopy of a letter dated May 5, 1981, notifying you of a determination by the Federal Election Commission that there is reason to believe that you have violated Section 441f of Title 2, United States Code (the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq)). Please note that a photocopy of a summary of the possible violation is also enclosed. The enclosed letter, summary of the possible violation, and outline of Commission procedures should answer most of your questions concerning this matter.

As you probably are aware, a number of other individuals such as yourself have been investigated by the Commission for allowing their names to be used by Stanley Kaplan for the purpose of making a contribution to the Friends of Luther H. Hodges, Jr. In your case you accepted $500 from Ben F. Mann who received the money from Mr. Kaplan and then gave Mr. Mann a personal check in that same amount payable to the Friends of Luther H. Hodges, Jr. As the enclosed summary discloses, such activity constitutes a violation of 2 U.S.C. § 441f.

6 2 0 4 0 7 6 2 8 8 9

We have been successful in entering into conciliation agreements with other respondents (individuals in a situation similar to yourself) which typically have included an admission of a violation of Section 441f, but have not required the payment of any civil penalty. If you wish to conclude this matter as quickly as possible, please note that the procedures allow a respondent to request to enter into conciliation prior to a finding of probable cause to believe that a violation has occurred. Should you wish to do so, you, or your attorney, should you retain one, may make such a request in writing to this office. In this regard, we are enclosing a conciliation agreement for your review. The signing of the conciliation agreement would close the case as it applies to you. Otherwise, please respond within 15 days of your receipt of this letter, and demonstrate that no further action should be taken against you.

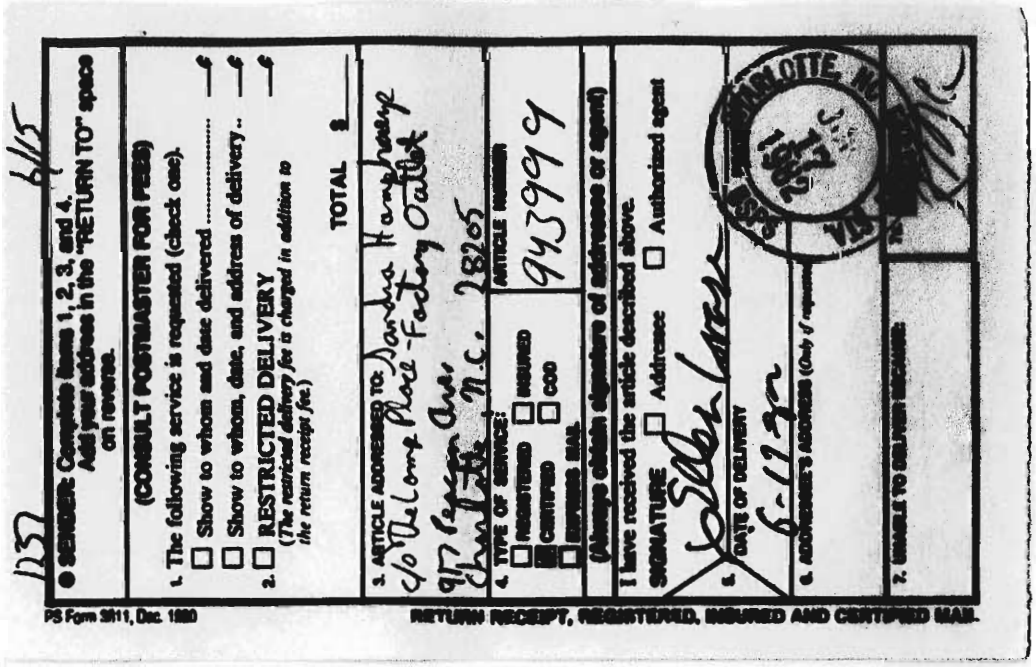
Please note that 2 U.S.C. § 437g(a)(4)(B) requires that this matter not be made public until the Commission concludes its investigation and closes the file.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosures



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sandra Humphreys
3030 Studley Road
Charlotte, North Carolina 28212

Re: MUR 1237

Dear Ms. Humphreys:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

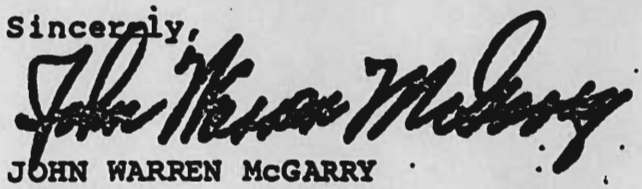
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

82040302891

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,



JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures
Statement of Designation of Counsel

8204036289 2

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael A. Dymersky
202/523-4039

RESPONDENT Sandra Humphreys

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

9 2 0 4 0 3 0 2 8 9 3

DESCRIPTION OF PRELIMINARY PROCEDURES FOR PROCESSING POSSIBLE VIOLATIONS DISCOVERED BY THE FEDERAL ELECTION COMMISSION

Possible violations discovered during the normal course of the Commission's supervisory responsibilities shall be referred to the Enforcement Division of the Office of General Counsel where they are assigned a MUR (Matter Under Review) number, and assigned to a staff member.

Following review of the information which generated the MUR, a recommendation on how to proceed on the matter, which shall include preliminary legal and factual analysis, and any information compiled from materials available to the Commission shall be submitted to the Commission. This initial report shall recommend either: (a) that the Commission find reason to believe that a possible violation of the Federal Election Campaign Act (FECA) may have occurred or is about to occur and that the Commission conduct an investigation of the matter; or (b) that the Commission find no reason to believe that a possible violation of the FECA has occurred and that the Commission close the file on the matter.

Thereafter, if the Commission decides by an affirmative vote of four (4) Commissioners that there is reason to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed, the Office of the General Counsel shall open an investigation into the matter. Upon notification of the Commission's finding(s), within 15 days a respondent(s) may submit any factual or legal materials relevant to the allegations. During the investigation, the Commission shall have the power to subpoena documents, to subpoena individuals to appear for depositions, and to order answers to interrogatories. The respondent(s) may be contacted more than once by the Commission in its investigation.

9 2 0 4 0 3 0 2 8 9 4

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL:

ADDRESS:

TELEPHONE:

The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

Date _____ Signature _____

NAME:

ADDRESS:

HOME PHONE:

BUSINESS PHONE:

9204036.2805

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 15, 1982

Ray S. Farris, Esquire
Farris, Mallard & Underwood
1700 Southern National Center
200 South College Street
Charlotte, North Carolina 28202

Re: MUR 1237 (Randal Borough)

Dear Mr. Farris:

On June 11, 1982, the Commission accepted the conciliation agreement signed by your client 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 as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

6204036289 6

RECEIVED
82 MAY 24 P2:18

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Randal Borough)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Randal Borough ("Respondent") violated 2 U.S.C. § 441(f) by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. Sometime in February or March, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204035289 7

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Ben F. Mann supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. Sometime in February or March, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which, unknown to Respondent, was in violation of 2 U.S.C. § 441(f).

VI. Respondent 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.).

VII. 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.

6204036298

GENERAL CONDITIONS

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

IX. 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.

14 June 1982
Date

Charles N. Steele
General Counsel

5/18/82
Date

Randal Borough

6204036289 9

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Randal Borough)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 11, 1982, the Commission decided by a vote of 5-1 to take the following actions in MUR 1237:

1. Accept the conciliation agreement signed by Randal Borough as submitted with the Memorandum to the Commission dated June 9, 1982.

2. Close the file as to him.

3. Approve and authorize the sending of the letter to the respondent's counsel, as attached to the June 9, 1982 Memorandum to the Commission.

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

Attest:

6-14-82
Date

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

Received in the Office of the Commission Secretary: 6-9-82, 11:36
Circulated on 48 hour tally basis: 6-9-82, 4:00

6204036290 0

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 JUN 9 A11:36

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 9, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1237; Signed Conciliation Agreement (Randal Borough)

Attached is a conciliation agreement which has been signed by respondent Randal Borough. The attached agreement contains no changes from the agreement approved by the Commission on May 6, 1982. The General Counsel recommends the acceptance of this agreement.

Recommendation

Accept the conciliation agreement signed by Randal Borough, close the file as to him, and approve and authorize the sending of the attached letter to respondent's counsel.

Attachments
1. Conciliation Agreement signed by Randal Borough
2. Letter to respondent's counsel

82040329001

RECEIVED

BEFORE THE FEDERAL ELECTION COMMISSION

82 MAY 24 P2:18

(1)

In the Matter of	)	
	)	MUR 1237
Randal Borough	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Randal Borough ("Respondent") violated 2 U.S.C. § 441(f) by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. Sometime in February or March, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

8 2 0 4 0 3 5 2 9 0 2

Attachment I - (1)

(2)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Ben F. Mann supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. Sometime in February or March, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which, unknown to Respondent, was in violation of 2 U.S.C. § 441(f).

VI. Respondent 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.).

VII. 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.

9 2 0 4 0 3 5 2 9 0 3

Attachment I-(2)

(3)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
5/18/5r Date	Randal Borough

6204036290 4

Attachment I - (3)

(4)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ray S. Farris, Esquire
Farris, Mallard & Underwood
1700 Southern National Center
200 South College Street
Charlotte, North Carolina 28202

Re: MUR 1237 (Randal Borough)

Dear Mr. Farris:

On June , 1982, the Commission accepted the conciliation agreement signed by your client 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 as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

6204036290 5

Attachment II - (1)

RECEIVED
82 MAY 24 P 2:18

FARRIS, MALLARD & UNDERWOOD
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
1700 SOUTHERN NATIONAL CENTER
200 SOUTH COLLEGE STREET
CHARLOTTE, NORTH CAROLINA
28202

RAY S. FARRIS
E. LYNWOOD MALLARD
DAVID B. HAMILTON
MEG D. GOLDSTEIN
BRUCE A. BUCKLEY

DAVID P. UNDERWOOD
1941-1982

AREA CODE 704
372-9110

82 MAY 24 P 4:11

May 20, 1982

Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1237

Dear Mr. Steele:

Responding to your letter of May 7, 1982, after review and approval by our client, Mr. Randal Borough, we enclose herewith duplicate originals of the proposed Conciliation Agreement executed by Mr. Borough. We have discussed the Conciliation Agreement with Michael Dymersky of your staff and have approved it as counsel for Mr. Borough.

We understand that you will forward to us a fully executed duplicate original in accordance with your governing procedure.

Sincerely,

FARRIS, MALLARD & UNDERWOOD, P.A.

Ray S. Farris

Ray S. Farris

RSF/vka

cc: Mr. Randal Borough

2040302906

R. B. BOROUGH
2633 RICHARDSON DRIVE
CHARLOTTE, N. C. 28211

RECEIVED
82 APR 23 A9:16
82 APR 23 P12:45
CLERK OF THE

April 21, 1982

Federal Election Commission
Washington, DC 20463

Attention: Michael Allen Dymersky

Re: MUR
No. 1237

Gentlemen:

This letter will confirm that I have retained as my attorney Ray S. Ferris, a member of the law firm of Ferris, Mallard & Underwood, P.A. He is authorized to handle entirely all negotiations between the Federal Election Commission and me involving all matters set forth in the file number identified above.

Mr. Ferris' address is:

1700 Southern National Center
200 S. College Street
Charlotte, North Carolina 28202
(704) 372-9110

Mr. Ferris will be in touch with you within five days regarding your forwarding to him a Conciliation Agreement, and hopefully a resolution of this matter.

Sincerely,

Reuben B. Borough

RBB:ed

CC:Mr. Ray S. Ferris

82040362907

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Stanley N. Kaplan	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 6, 1982, the Commission decided by a vote of 6-0 to close the file as to Stanley N. Kaplan.

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

Attest:

7-6-82
Date

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

6204036290 8

Received in Office of Commission Secretary: 6-30-82, 2:53
Circulated on 48 hour tally basis: 7-1-82, 11:00

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

82 JUN 30 P2: 50

June 30, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

SUBJECT: MUR 1237; Stanley N. Kaplan

On June 24, 1982, a fully executed promissory note was received by the Office of General Counsel. By signing the note, Stanley N. Kaplan has complied with all of the requirements of the conciliation agreement approved by the Commission on May 11, 1982. The schedule of payments which Mr. Kaplan is obliged to adhere to is now implemented, with the first quarterly payment being due on July 1, 1982. Accordingly, the General Counsel recommends that the Commission close the file as to Stanley Kaplan.

Recommendation

Close the file as to Stanley N. Kaplan.

6204036290 9

82 JUN 24 P 3: 44

NOTE

U.S. $132,000 Washington, District of Columbia

June 24 , 1982

Pursuant to a duly executed Conciliation Agreement effective June 14, 1982, Stanley N. Kaplan ("Obligor") promises to pay the TREASURER OF THE UNITED STATES or the FEDERAL ELECTION COMMISSION ("Note holder") the principal sum of ONE HUNDRED AND THIRTY TWO THOUSAND AND NO/100 DOLLARS. No interest shall be payable on this note. Principal shall be payable at 1325 K Street, N.W., Washington, D.C. 20463, or such other place as the Note holder may designate, in consecutive quarterly installments of ELEVEN THOUSAND AND NO/100 DOLLARS on the 1st day of January, April, July and October beginning the 1st day of July, 1982. Such quarterly installments shall continue until the entire indebtedness evinced by this Note is fully paid, except that any remaining indebtedness, if not sooner paid, shall be due and payable on April 1st, 1985.

If any quarterly installment under this Note is not paid when due and remains unpaid after a date specified by notice to Obligor the entire principal amount outstanding shall at once

6 2 0 4 0 3 0 2 9 1 0

become due and payable at the option of the Note holder. The date specified shall not be less than thirty days from the date such notice is mailed. The Note holder may exercise this option to accelerate during any default by Obligor regardless of any prior forbearance. If suit is brought to collect this Note, the Note holder shall be entitled to collect all reasonable costs and expenses of suit, including, but not limited to, reasonable attorney's fees and court costs.

Obligor may prepay the principal amount outstanding in whole or in part. The Note holder may require that any partial prepayments (i) be made on the date quarterly installments are due and (ii) be in the amount of that part of one or more quarterly installments which would be applicable to principal. Any partial prepayment shall be applied against the principal amount outstanding and shall not postpone the due date of any subsequent quarterly installments or change the minimum amount ($11,000) of such installments.

Any notice to Obligor provided for in this Note shall be given by mailing such notice by certified mail addressed to Obligor's attorney of record, Robert B. Barnett, at the business address stated below, or to such other address as Obligor may designate by notice to the Note holder. Any notice to the Note holder shall be given by mailing such notice by certified mail

6204035291 1

to the Note holder at the address stated in the first paragraph of this Note, or at such other address as may have been designated by notice to Obligor.

Williams & Connolly
Hill Building
839 Seventeenth Street, N.W.
Washington, D.C. 20006

Stanley N. Kaplan (Seal)

Address of Attorney of Record
(Robert B. Barnett)

6204036291 2

LAW OFFICES
WILLIAMS & CONNOLLY
HILL BUILDING
839 SEVENTEENTH STREET, N. W.
WASHINGTON, D. C. 20006
AREA CODE 202
331-5000

EDWARD BENNETT WILLIAMS
PAUL R. CONNOLLY (1922-1978)
ROBERT A. SCHULMAN
VINCENT J. FULLER
RAYMOND W. BERGAN
STUART E. SEIGEL
JEREMIAH C. COLLINS
ROBERT L. WEINBERG
IRVING YOUNGER
DAVID POVICH
STEVEN H. UMIN
JOHN W. VARDAMAN, JR.
PAUL MARTIN WOLFF
J. ALAN GALBRAITH
CHARLES H. WILSON
JOHN G. KESTER
WILLIAM E. McDANIELS
BRENDAN V. SULLIVAN, JR.
AUBREY M. DANIEL, III
RICHARD M. COOPER
ROBERT A. WHITING
JERRY L. SHULMAN
GREGORY B. CRAIG
LAWRENCE LUCCHINO
LEWIS H. FERGUSON, III
ROBERT B. BARNETT
DAVID E. KENDALL
JOHN J. BUCKLEY, JR.
BERNARD J. CARL
TERRENCE O'DONNELL
DOUGLAS R. MARVIN
JOHN K. VILLA
BARRY S. SIMON
KEVIN T. BAINE
KENDRA E. HEYMANN
JOHN M. MASON
ELLEN SEGAL HUVELLE
STEPHEN L. URBANCZYK
PHILIP J. WARD
JAMES T. FULLER, III
PETER J. KAHN
JUDITH A. MILLER
STANLEY L. LANGBEIN
LON S. BABBY
SCOTT BLAKE HARRIS
FREDERICK WHITTEN PETERS
MICHAEL S. SUNDERMEYER
CYNTHIA C. CANNADY
DAVID D. AUFHAUSER
BRUCE R. GENDERSON
WILLIAM ALDEN McDANIEL, JR.
ROBERT C. POST
CAROLYN P. WILLIAMS
STEPHEN M. KRISTOVICH
F. LANE HEARD
WILLIAM J. MURPHY
STEVEN R. KUNEY
ROBERT N. CHATIGNY
SERGIO A. ZWEIFACH
SARAH H. DUGGIN
SCOTT M. MATHESON, JR.
DANIELA WINKLER
JO CAROLE RECHT *
G. DAVID FENSTERHEIM
COUNSEL
HAROLD UNGAR
LYMAN G. FRIEDMAN
DONALD E. SCHWARTZ
*MEMBER NY BAR ONLY

June 24, 1982

82 JUN 24 P 3: 43

82040329913

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

Dear Charlie:

Enclosed is the note signed by my client, Stanley N. Kaplan.

Once again, thanks for your courtesy and cooperation.

Sincerely,

Robert B. Barnett

RBB/jls
Enclosure

BY HAND

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 14, 1982

Robert B. Barnett, Esquire
Williams & Connolly
Hill Building
839 Seventeenth Street, N.W.
Washington, D.C. 20006

Re: MUR 1237

Dear Mr. Barnett:

Enclosed, please find a proposed Note prepared to secure the payment of the balance of the civil penalty ($132,000). Please have Mr. Kaplan execute the note pursuant to clause VIII of the conciliation agreement, and return it to us at your earliest convenience.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Note

8204030291 4

NOTE

U.S. $132,000 Washington, District of Columbia

June , 1982

Pursuant to a duly executed Conciliation Agreement effective June , 1982, Stanley N. Kaplan ("Obligor") promises to pay the TREASURER OF THE UNITED STATES or the FEDERAL ELECTION COMMISSION ("Note holder") the principal sum of ONE HUNDRED AND THIRTY TWO THOUSAND AND NO/100 DOLLARS. No interest shall be payable on this note. Principal shall be payable at 1325 K Street, N.W., Washington, D.C. 20463, or such other place as the Note holder may designate, in consecutive quarterly installments of ELEVEN THOUSAND AND NO/100 DOLLARS on the 1st day of January, April, July and October beginning the 1st day of July, 1982. Such quarterly installments shall continue until the entire indebtedness evinced by this Note is fully paid, except that any remaining indebtedness, if not sooner paid, shall be due and payable on April 1st, 1985.

If any quarterly installment under this Note is not paid when due and remains unpaid after a date specified by notice to Obligor the entire principal amount outstanding shall at once

6204036291 5

become due and payable at the option of the Note holder. The date specified shall not be less than thirty days from the date such notice is mailed. The Note holder may exercise this option to accelerate during any default by Obligor regardless of any prior forbearance. If suit is brought to collect this Note, the Note holder shall be entitled to collect all reasonable costs and expenses of suit, including, but not limited to, reasonable attorney's fees and court costs.

Obligor may prepay the principal amount outstanding in whole or in part. The Note holder may require that any partial prepayments (i) be made on the date quarterly installments are due and (ii) be in the amount of that part of one or more quarterly installments which would be applicable to principal. Any partial prepayment shall be applied against the principal amount outstanding and shall not postpone the due date of any subsequent quarterly installments or change the minimum amount ($11,000) of such installments.

Any notice to Obligor provided for in this Note shall be given by mailing such notice by certified mail addressed to Obligor's attorney of record, Robert B. Barnett, at the business address stated below, or to such other address as Obligor may designate by notice to the Note holder. Any notice to the Note holder shall be given by mailing such notice by certified mail

6204036291 6

to the Note holder at the address stated in the first paragraph of this Note, or at such other address as may have been designated by notice to Obligor.

Williams & Connolly
Hill Building
839 Seventeenth Street, N.W.
Washington, D.C. 20006

_____ (Seal)
Stanley N. Kaplan

Address of Attorney of Record
(Robert B. Barnett)

8204036291 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 14, 1982

Robert B. Barnett, Esquire
Williams & Connolly
Hill Building
839 17th Street, N.W.
Washington, D.C. 20006

Re: MUR 1237
(Stanley N. Kaplan)

Dear Mr. Barnett:

On May 11, 1982, the Commission accepted the conciliation agreement signed by your client in settlement of violations of 2 U.S.C. §§ 441f, 441a(a)(1)(A) and 441a(a)(3), provisions of the Federal Election Campaign Act of 1971, as amended. The Commission also accepted your client's personal check for $58,000 in partial fulfillment of the terms of that agreement. Accordingly, the file has been closed in this matter, as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

6204035291 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Stanley N. Kaplan	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et. seq.), and reason to believe having been found that Stanley N. Kaplan ("Respondent") violated 2 U.S.C. § 441f by making contributions in the name of others, 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of $1,000 per election, and 2 U.S.C. § 441a(a)(3) by making contributions to federal elections aggregating in excess of $25,000 in any calendar year. Respondent waived his right to a "reason to believe" and "probable cause to believe" finding under 2 U.S.C. § 437g(a)(2) and (3), has cooperated with the Commission, and has promptly conciliated with the Commission under 2 U.S.C. § 437g(a)(4)(A)(i).

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

6204036291 9

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On May 12, 1977, Respondent contributed $2,000 to the Friends of Luther H. Hodges, Jr. Committee.

B. During a period of approximately six weeks in 1978 (from February through March), Respondent made contributions totalling approximately $32,100 to Friends of Luther H. Hodges, Jr. Committee through other individuals, as follows:

. Elwood Sebert	$2,000
. Joseph Headen	1,000
. Keith M. Beaty	2,000
. Harold G. Ross	2,000
. Joseph J. McCluskey	2,000
. Randall Borough	2,000
. Kent Burkhart	2,000
. Patricia Burkhart	2,000
. Sandra Humphries	500
. Ben F. Mann	1,000
. Claire Shaffner	1,000
. Raymond McCreanor	2,000
. Jeffrey L. Poll	2,000
. Melvin Jawitz	1,000
. Lewis S. Simon	2,000
. Margaret C. Simon	2,000
. Albert Manch	2,000
. Mathew Ross	100
. Frank Atlass	1,000
. Harry Wolf	500
. Jon J. Terrell	2,000

C. Between February 1 and May 2, 1978, Respondent advanced deposits totalling $38,305, as loans, to NTA National, Inc., a telephone canvassing firm employed by the campaign, on

8 2 0 4 0 3 5 2 9 2 0

behalf of the Friends of Luther H. Hodges, Jr. Respondent states that he did not know that the making of this deposit was considered a contribution under the Federal Election Campaign Act of 1971, as amended. When the Friends of Luther H. Hodges, Jr. itself paid the deposits to NTA, Respondent was reimbursed in full.

D. The Commission has no evidence that the respondent used other than personal funds in carrying out the above described conduct.

WHEREFORE, Respondent:

V. Respondent violated 2 U.S.C. § 441f by making contributions through other individuals to the Friends of Luther H. Hodges, Jr. Committee.

VI. Respondent violated 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of $1,000 per election to the 1978 campaign of Luther H. Hodges, Jr.

VII. Respondent violated 2 U.S.C. § 441a(a)(3) by making contributions to federal elections aggregating in excess of $25,000 for the 1978 calendar year.

VIII. Respondent shall pay a civil penalty to the Treasurer of the United States in the amount of one hundred and ninety thousand dollars ($190,000) pursuant to 2 U.S.C. § 437g(a)(5). Respondent shall pay $58,000 within 30 days from the date this agreement becomes effective. Respondent shall make

8204036292 1

quarterly payments of $11,000 on January 1, April 1, July 1 and October 1 until the balance of the $190,000 is paid in full. Respondent's first quarterly payment shall commence on July 1, 1982. Respondent shall sign a note payable to the United States of America to secure payment of the civil penalty.

IX. Respondent 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.).

X. 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 the 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.

GENERAL CONDITIONS

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

XII. 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.

8 2 0 4 0 3 6 2 9 2 2

XIII. This agreement is entered into an accordance with 2 U.S.C. § 437g(a)(4). Except as provided in paragraph X above, this agreement shall constitute a complete bar to any further action by the Commission with regard to any matters set forth in this agreement.

14 June 1982
Date

Charles N. Steele
General Counsel

Date

Stanley N. Kaplan

6204036229 23

STANLEY N. KAPLAN
400 RADISON ROAD
CHARLOTTE, NC 28210

⑆ 0 4 1 3 6 2 9 2 4 ⑈

3537

4/21 19 82 60-19/530

PAY TO THE ORDER OF U. S. Federal Elections Commission $58,000.00

Fifty Eight Thousand & no/100 DOLLARS

NCNB North Carolina National Bank
Charlotte, NC 28255

FOR

CLARK CHECKS - D

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Stanley N. Kaplan)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on May 11, 1982, do hereby certify that the Commission took the following actions in the above-captioned matter:

1. Decided by a vote of 6-0 to direct the Office of General Counsel to obtain a note from the respondent, pursuant to Section VIII of the conciliation agreement, said note to be non-interest bearing, but to contain a provision that in the event of the default of any of the payment terms, that the balance would become immediately due and owing.

2. Decided by a vote of 6-0 to

   a) Accept the counter-proposed, signed conciliation agreement from Stanley N. Kaplan, identified as Attachment 1 of the General Counsel's April 30, 1982 report.

   b) Approve and authorize the sending of the notification letter identified as Attachment 4 of the General Counsel's April 30, 1982 report.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry, and Reiche voted affirmatively for these decisions.

Attest:

5-11-82
Date

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

6 2 0 4 0 3 6 2 9 2 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY RANSOM

DATE: MAY 4, 1982

SUBJECT: OBJECTION - MUR 1237 (Kaplan) Memorandum to the Commission dated 4-30-82; Received in OCS, 4-30-82, 4:46

8204036292 6

The above-named document was circulated to the Commission on May 3, 1982 at 11:00.

Commissioner Reiche submitted an objection to this matter at 9:36, May 4, 1982.

This matter will be placed on the agenda for the Executive Session of Tuesday, May 11, 1982. A copy of Commissioner Reiche's vote sheet with comments is attached.

Attachment

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 APR 30 P 4: 46

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 30, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1237; Stanley N. Kaplan (
Proposed Conciliation Agreement)

On April 28, 1982, the General Counsel received the attached conciliation agreement signed by Stanley Kaplan which was accompanied by his personal check for $58,000. As it is not legally due, Kaplan's counsel has requested that the check for the civil penalty not be cashed until counsel is notified of the Commission's action.

82040362927

8204035292 8

Recommendation

1. Accept the signed conciliation agreement from Stanley N. Kaplan.

2. Approve and authorize the sending of the attached notification letter.

Attachments

1 signed conciliation agreement (5 pages)
2.
3. Copy of Stanley Kaplan's personal check for $58,000 (1 page)
4. Proposed letter to Robert B. Barnett (1 page)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Stanley N. Kaplan	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et. seq.), and reason to believe having been found that Stanley N. Kaplan ("Respondent") violated 2 U.S.C. § 441f by making contributions in the name of others, 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of $1,000 per election, and 2 U.S.C. § 441a(a)(3) by making contributions to federal elections aggregating in excess of $25,000 in any calendar year. Respondent waived his right to a "reason to believe" and "probable cause to believe" finding under 2 U.S.C. § 437g(a)(2) and (3), has cooperated with the Commission, and has promptly conciliated with the Commission under 2 U.S.C. § 437g(a)(4)(A)(i).

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

8 2 0 4 0 3 5 2 9 2 9

Attachment I-(1)

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On May 12, 1977, Respondent contributed $2,000 to the Friends of Luther H. Hodges, Jr. Committee.

B. During a period of approximately six weeks in 1978 (from February through March), Respondent made contributions totalling approximately $32,100 to Friends of Luther H. Hodges, Jr. Committee through other individuals, as follows:

Elwood Sebert	$2,000
Joseph Headen	1,000
Keith M. Beaty	2,000
Harold G. Ross	2,000
Joseph J. McCluskey	2,000
Randall Borough	2,000
Kent Burkhart	2,000
Patricia Burkhart	2,000
Sandra Humphries	500
Ben F. Mann	1,000
Claire Shaffner	1,000
Raymond McCreanor	2,000
Jeffrey L. Poll	2,000
Melvin Jawitz	1,000
Lewis S. Simon	2,000
Margaret C. Simon	2,000
Albert Manch	2,000
Mathew Ross	100
Frank Atlass	1,000
Harry Wolf	500
Jon J. Terrell	2,000

C. Between February 1 and May 2, 1978, Respondent advanced deposits totalling $38,305, as loans, to NTA National, Inc., a telephone canvassing firm employed by the campaign, on

8204036293 0

Attachment I-(2)

behalf of the Friends of Luther H. Hodges, Jr. Respondent states that he did not know that the making of this deposit was considered a contribution under the Federal Election Campaign Act of 1971, as amended. When the Friends of Luther H. Hodges, Jr. itself paid the deposits to NTA, Respondent was reimbursed in full.

D. The Commission has no evidence that the respondent used other than personal funds in carrying out the above described conduct.

WHEREFORE, Respondent:

V. Respondent violated 2 U.S.C. § 441f by making contributions through other individuals to the Friends of Luther H. Hodges, Jr. Committee.

VI. Respondent violated 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of $1,000 per election to the 1978 campaign of Luther H. Hodges, Jr.

VII. Respondent violated 2 U.S.C. § 441a(a)(3) by making contributions to federal elections aggregating in excess of $25,000 for the 1978 calendar year.

VIII. Respondent shall pay a civil penalty to the Treasurer of the United States in the amount of one hundred and ninety thousand dollars ($190,000) pursuant to 2 U.S.C. § 437g(a)(5). Respondent shall pay $58,000 within 30 days from the date this agreement becomes effective. Respondent shall make

6204036293 1

Attachment I -(3)

(4)

quarterly payments of $11,000 on January 1, April 1, July 1 and October 1 until the balance of the $190,000 is paid in full. Respondent's first quarterly payment shall commence on July 1, 1982. Respondent shall sign a note payable to the United States of America to secure payment of the civil penalty.

IX. Respondent 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.).

X. 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 the 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.

GENERAL CONDITIONS

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

XII. 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.

8 2 0 4 0 3 0 2 9 3 2

Attachment I - (4)

XIII. This agreement is entered into an accordance with 2 U.S.C. § 437g(a)(4). Except as provided in paragraph X above, this agreement shall constitute a complete bar to any further action by the Commission with regard to any matters set forth in this agreement.

Date	Charles N. Steele General Counsel
Date	Stanley N. Kaplan

82040362933

STANLEY N. KAPLAN
400 RADIO ROAD
CHARLOTTE, NC 28210

⑆0403629⑈4

3537

4/21 19 82 66-10/530

PAY TO THE ORDER OF U. S. Federal Elections Commission $58,000.00

Fifty-Eight Thousand & no/100 DOLLARS

NCNB North Carolina National Bank
Charlotte, NC 28255

FOR

CLARKE CHECKS

Attachment III - (1)

Symmerby (7)

LAW OFFICES
WILLIAMS & CONNOLLY
HILL BUILDING
839 SEVENTEENTH STREET, N. W.
WASHINGTON, D. C. 20006
AREA CODE 202
331-5000

EDWARD BENNETT WILLIAMS
PAUL R. CONNOLLY (1922-1978)
ROBERT A. SCHULMAN
VINCENT J. FULLER
RAYMOND W. BERGAN
STUART E. SEIGEL
JEREMIAH C. COLLINS
ROBERT L. WEINBERG
IRVING YOUNGER
DAVID POVICH
STEVEN M. UMIN
JOHN W. VARDAMAN, JR.
PAUL MARTIN WOLFF
J. ALAN GALBRAITH
CHARLES H. WILSON
JOHN G. KESTER
WILLIAM E. McDANIELS
BRENDAN V. SULLIVAN, JR.
AUBREY M. DANIEL, III
RICHARD M. COOPER
ROBERT P. WATKINS
JERRY L. SHULMAN
GREGORY B. CRAIG
LAWRENCE LUCSHING
LEWIS H. FERGUSON, III
ROBERT B. BARNETT
DAVID E. KENDALL
JOHN J. BUCKLEY, JR.
BERNARD J. CARL
KENDRA E. NEYMANN
TERRENCE O'BRINNELL
DOUGLAS R. MARVIN
JOHN H. MASON
JOHN R. VILLA
BARRY S. SIMON
KEVIN T. BAINE
ELLEN SEGAL HUVELLE
STEPHEN L. URBANCZYK
PHILIP J. WARD
JAMES T. FULLER, III
PETER J. KAHN
DANIEL J. MELTZER
JUDITH A. MILLER
STANLEY I. LANGBEIN
LON S. BABBY
JANE E. GENSTER
SCOTT BLAKE HARRIS
FREDERICK WHITTEN PETERS
MICHAEL S. GUNDERMEYER
CYNTHIA C. CANNADY
DAVID D. HUFFHAUSER
BRUCE R. GENDERSON
WILLIAM ALDEN McDANIEL, JR.
ROBERT C. POST
CAROLYN N. WILLIAMS
STEPHEN M. KRISTOVICH
F. LANE HEARD
WILLIAM J. MURPHY
STEVEN R. KUNEY
SCOTT M. MATHESON, JR.
COUNSEL
HAROLD UNGAR
LYMAN G. FRIEDMAN
DONALD E. SCHWARTZ

April 27, 1982

82040362935

Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Commissioners:

Enclosed please find a signed conciliation agreement from my client, Stanley N. Kaplan. With this letter I am also transmitting a check for $58,000 on behalf of Mr. Kaplan to serve as the first payment of the fine specified in the conciliation agreement.

It is the sincere hope of Mr. Kaplan and his attorney that you will find this conciliation agreement acceptable and give it your approval.

Thank you for your consideration.

Sincerely,

Robert B. Barnett

RBB/jls
Enclosures

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Ben F. Mann	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 9, 1982, the Commission accepted by a vote of 6-0 Ben F. Mann's personal check for $500 made payable to the United States Treasury and closed the file as to him.

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

Attest:

6-9-82
Date

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

8204036293 6

Received in Office of Commission Secretary: 6-4-82, 5:09
Circulated on 48 hour tally basis: 6-7-82, 11:00

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 JUN 4 P5: 09

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 4, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1237; Ben F. Mann

On April 29, 1982, the Commission voted to accept a conciliation agreement signed by Ben F. Mann, but to keep the file open as to him pending the payment of the civil penalty. On May 26, 1982, OGC staff received Mann's personal check in the amount of $500 made payable to the United States Treasury in full satisfaction of the required civil penalty. See attachment. Accordingly, the General Counsel recommends that the Commission close the file as to Mr. Mann.

Recommendation

Accept Ben F. Mann's personal check for $500 made payable to the United States Treasury, and close the file as to him.

Attachment
Photocopy of Respondent's personal check for $500

6 2 0 4 0 7 0 2 9 3 7

(1)

Attachment I - (1)

1269

B. F. Mann
Ph 364-7072
4516 Randolph Rd Apt 82
Charlotte, NC 28211

5/17 1982

66-19/530

$500.00

Pay to the order of U. S. Treasury Dollars

Five hundred

NCNB North Carolina National Bank
Charlotte, NC 28255

B. F. Mann

for 500.00 1st Qtr F.H.C.

301605, Ccc# 7834

KIRKPATRICK, LOCKHART, HILL, CHRISTOPHER & PHILLIPS

A PARTNERSHIP INCLUDING A PROFESSIONAL CORPORATION

1900 M STREET, N. W.

WASHINGTON, D. C. 20036

TELEPHONE (202) 452-7000
CABLE: KIPHI
TELEX 440200 KIPH UI
WRITER'S DIRECT DIAL NUMBER
(202) 452-8387

IN PITTSBURGH
KIRKPATRICK, LOCKHART, JOHNSON & HUTCHISON
1500 OLIVER BUILDING
PITTSBURGH, PENNSYLVANIA 15222
(412) 355-6500

May 24, 1982

Mr. Michael Dymersky
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: FEC MUR 1237 - Ben F. Mann

Dear Mike:

I am enclosing Ben F. Mann's check in the amount of $500 payable to the United States Treasury in full payment of the civil penalty set out in the Conciliation Agreement between him and the Federal Election Commission.

I very much appreciate your cooperation and consideration as well as that of the other members of the Office of the General Counsel during the pendency of this matter.

With best wishes.

Sincerely,

Michael S. Berman

MSB:rv
Enclosure
cc: Gary Johansen

82 MAY 28 P3:55

92040362939

RECEIVED
82 APR 20 A 9: 36

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Albert Manch)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Albert Manch ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 31, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6 2 0 4 0 3 0 2 9 4 0

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. Sometime in February or March, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

02040362941

GENERAL CONDITIONS

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

IX. 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.

3 ~~April~~ May 1982
Date

Charles N. Steele
General Counsel

3-24-82
Date

Albert Manch

6204036294 2

RECEIVED
82 APR 20 A 9:36

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Joseph J. McCluskey)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Joseph J. McCluskey ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 1, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

02040362943

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

6204036294 4

GENERAL CONDITIONS

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

IX. 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.

3 May 1982
Date

Charles N. Steele
General Counsel

April 8, 1982
Date

Joseph J. McCluskey
Joseph J. McCluskey

8204036294 5

RECEIVED
82 APR 20 A 9:36

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Joseph Headon)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Joseph Headon ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 1, 1978, Respondent was approached by Ben F. Mann with a request that Respondent

6204036 2946

make a $1,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Ben F. Mann supplied $1,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 1, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Ben F. Mann ($1,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan (through Ben F. Mann) to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

8204030297

GENERAL CONDITIONS

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

IX. 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.

3 May 1982
Date

Charles N. Steele
General Counsel

3-29-82
Date

Joseph Headon
Joseph Headon

8204030294 8

RECEIVED
82 APR 20 A 9:36

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Keith M. Beaty)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Keith M. Beaty ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. Sometime in February or March, 1978, Respondent was approached by Ben F. Mann with a request that Respondent

6204036 2949

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Ben F. Mann supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 1, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Ben F. Mann ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan (through Ben F. Mann) to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

6 2 0 4 0 3 0 2 9 5 0

GENERAL CONDITIONS

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

IX. 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.

3 May 1982
Date

Charles N. Steele
General Counsel

3-24-82
Date

Keith M. Beaty
Keith M. Beaty

6204036295 1

RECEIVED
82 APR 20 A 9:36

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Kent Burkhart	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Kent Burkhart ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204036295 2

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

9 2 0 4 0 3 6 2 9 5 3

GENERAL CONDITIONS

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

IX. 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.

3 May 1982
Date

Charles N. Steele
General Counsel

March 29, 1982
Date

Kent Burkhart

6204030295 4

RECEIVED
82 APR 20 A 9: 36

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Patricia Burkhart)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Patricia Burkhart ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting her name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6 2 0 4 0 3 6 2 9 5 5

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 31, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted her name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

6 2 0 4 0 3 0 2 9 5 6

GENERAL CONDITIONS

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

IX. 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.

3 May 1982
Date

Charles N. Steele
General Counsel

March 29, 1982
Date

Patty Sue Burkhart
Patricia Burkhart

6204030295 7

RECEIVED
82 APR 20 A 9:36

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Ben F. Mann)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Ben F. Mann ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204030295 8

make a $1,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $8,500 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($1,000).

D. Respondent acted as Stanley N. Kaplan's agent or "go-between" by soliciting and reimbursing the following individuals for contributions to the Friends of Luther H. Hodges, Jr. on behalf of Stanley H. Kaplan:

Elwood J. Sebert ($2,000)

Joseph Headon ($1,000)

Keith M. Beaty ($2,000)

Randall Borough ($2,000)

Sandra Humphries ($500)

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan (through Ben F. Mann) to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

6204032959

VI. Respondent knowingly accepted contributions actually made by Mr. Kaplan, in the names of other people, and caused said contributions to be accepted by the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VII. 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).

VIII. Respondent 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.).

IX. 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.

GENERAL CONDITIONS

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

XI. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and

0 2 0 4 0 3 0 2 9 5 0

implement the requirements contained in this agreement and to so notify the Commission.

3 May 1982
Date

Charles N. Steele
General Counsel

3/29/82
Date

Ben F. Mann
Ben F. Mann

8204030296 1

1269

66-19/530

B. F. Mann
Ph 364-7072
4516 Randolph Rd Apt 82
Charlotte, NC 28211

5/17 1952

Pay to the order of U. S. Treasury $500.00 Dollars

for bonds of

NCNB North Carolina National Bank Charlotte, NC 28255

B. F. Mann

for 500.00 1st of Y.H.C.

RECEIVED
82 APR 20 A 9:36

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Frank Atlass	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Frank Atlass ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. Sometime in February or March, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

82040302963

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. Sometime in February or March, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

6 2 0 4 0 3 0 2 9 6 4

GENERAL CONDITIONS

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

IX. 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.

3 May 1982
Date

Charles N. Steele
General Counsel

4-2-82
Date

Frank Atlass

8204030296 5

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Conciliation Agreements	)	
(Albert Manch, Joseph	)	
McCluskey, Joseph	)	
Headen, Keith M.	)	MUR 1237
Beaty, Kent Burkhart,	)	
Patricia Burkhart,	)	
Ben F. Mann and	)	
Frank Atlass	)	

CERTIFICATION

I, Marjorie W. Emmons, do hereby certify that on April 29, 1982, the Commission decided in a vote of 4-1 to take the following actions with regard to MUR 1237:

1. Accept the conciliation agreements signed by Albert Manch, Joseph McCluskey, Joseph Headen, Keith Beaty, Kent Burkhart, Patricia Burkhart, Ben Mann, and Frank Atlass.

2. Close the file as to each respondent, with the exception of Ben Mann pending his payment of the civil penalty.

3. Approve and authorize sending the letter, submitted with General Counsel's Memorandum dated April 26, 1982, to respondents' counsel.

Commissioners Elliott, McDonald, McGarry, and Reiche voted affirmatively. Commissioner Harris dissented. Commissioner Aikens did not cast a vote.

Attest:

4-29-82
Date

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

6204036296 6

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

82 APR 26 P4: 31

April 26, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1237; Conciliation Agreements (Albert Manch, Joseph McCluskey, Joseph Headen, Keith M. Beaty, Kent Burkhart, Patricia Burkhart, Ben F. Mann and Frank Atlass)

Attached are conciliation agreements which have been signed by Respondents Manch, McCluskey, Headen, Beaty, Mr. and Mrs. Burkhart, Mann and Atlass. The attached agreements contain no changes from agreements approved by the Commission on March 16, 1982, except that Manch's name does not contain an "e," and his signed agreement has been corrected by his counsel. The General Counsel recommends the acceptance of these agreements.

Recommendations:

1. accept the conciliation agreements signed by Albert Manch, Joseph McCluskey, Joseph Headen, Keith Beaty, Kent Burkhart, Patricia Burkhart, Ben Mann and Frank Atlass;

2. close the file as to each respondent, with the exception of Ben Mann pending his payment of the civil penalty; and

3. approve and authorize the sending of the attached letter to respondents' counsel.

Attachments
1. Conciliation Agreements signed by the eight (8) respondents
2. Letter to respondents' counsel

6204036 29957

RECEIVED

(1)

BEFORE THE FEDERAL ELECTION COMMISSION

82 APR 20 A 9: 36

In the Matter of	)	
	)	MUR 1237
Albert Manch	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Albert Manch ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 31, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

8 2 0 4 0 3 0 2 9 6 8

Attachment I - (1)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. Sometime in February or March, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

6204036 2969

Attachment I - (2)

(3)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
3-24-82 Date	Albert Manch Albert Manch

8204036297 0

Attachment I -(3)

RECEIVED

(4)

BEFORE THE FEDERAL ELECTION COMMISSION

82 APR 20 A 9:36

In the Matter of)
) MUR 1237
Joseph J. McCluskey)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Joseph J. McCluskey ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 1, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204035297 1

Attachment I -(4)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

8204035297 2

Attachment I -(5)

(6)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
April 8, 1982 Date	Joseph J. McCluskey Joseph J. McCluskey

6204036297 3

Attachment I - (6)

RECEIVED

BEFORE THE FEDERAL ELECTION COMMISSION

82 APR 20 A9:36

(7)

In the Matter of)
) MUR 1237
Joseph Headon)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Joseph Headon ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 1, 1978, Respondent was approached by Ben F. Mann with a request that Respondent

6204035297.4

Attachment I -(7)

(8)

make a $1,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Ben F. Mann supplied $1,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 1, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Ben F. Mann ($1,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan (through Ben F. Mann) to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

9204036297 5

Attachment I-(8)

(9)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
3-29-82 Date	Joseph Headon ✓ Joseph Headon

6204036297.6

Attachment I - (9)

BEFORE THE FEDERAL ELECTION COMMISSION

82 APR 20 A 9: 38

(10)

In the Matter of	)	
	)	MUR 1237
Keith M. Beaty	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Keith M. Beaty ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. Sometime in February or March, 1978, Respondent was approached by Ben F. Mann with a request that Respondent

8 2 0 4 0 3 0 2 9 7 7

Attachment I -(10)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Ben F. Mann supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 1, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Ben F. Mann ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan (through Ben F. Mann) to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

8 2 0 4 0 7 6 2 9 7 8

Attachment I - (11)

(12)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
3-29-82 Date	Keith M. Beaty Keith M. Beaty

8204036279

Attachment I - (12)

RECEIVED
82 APR 20 A 9:36

(13)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Kent Burkhart)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Kent Burkhart ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

0 2 0 4 0 3 0 2 9 8 0

Attachment I-(13)

(14)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

9 2 0 4 0 3 0 2 9 8 1

Attachment I-(14)

(15)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
March 29, 1982 Date	Kent Burkhart

6204036298 2

Attachment I - (15)

BEFORE THE FEDERAL ELECTION COMMISSION

82 APR 20 A 9:36

(16)

In the Matter of	)	
	)	MUR 1237
Patricia Burkhart	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Patricia Burkhart ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting her name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

Attachment I-(16)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 31, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted her name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

8204035298 4

(18)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
March 29, 1982 Date	Patty Sue Burkhart Patricia Burkhart

8204030298 5

Attachment I -(18)

RECEIVED (19)

BEFORE THE FEDERAL ELECTION COMMISSION

82 APR 20 A 9:36

In the Matter of)
) MUR 1237
Ben F. Mann)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Ben F. Mann ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

82040329806

Attachment I - (19)

make a $1,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $8,500 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($1,000).

D. Respondent acted as Stanley N. Kaplan's agent or "go-between" by soliciting and reimbursing the following individuals for contributions to the Friends of Luther H. Hodges, Jr. on behalf of Stanley H. Kaplan:

Elwood J. Sebert ($2,000)

Joseph Headon ($1,000)

Keith M. Beaty ($2,000)

Randall Borough ($2,000)

Sandra Humphries ($500)

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan (through Ben F. Mann) to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

8 2 0 4 0 3 0 2 9 8 7

Attachment I - (20)

(21)

VI. Respondent knowingly accepted contributions actually made by Mr. Kaplan, in the names of other people, and caused said contributions to be accepted by the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VII. 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).

VIII. Respondent 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.).

IX. 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.

GENERAL CONDITIONS

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

XI. Respondent shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and

6 2 0 4 0 3 0 2 9 8 8

Attachment I - (21

(22)

implement the requirements contained in this agreement and to so notify the Commission.

Date	Charles N. Steele General Counsel
3/29/82 Date	Ben F Mann Ben F. Mann

8204036299 89

Attachment I-(22)

RECEIVED

BEFORE THE FEDERAL ELECTION COMMISSION

82 APR 20 A 9:38

23

In the Matter of	)	
	)	MUR 1237
Frank Atlass	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Frank Atlass ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. Sometime in February or March, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204030290

Attachment I - (23)

(24)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. Sometime in February or March, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to the Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

0 2 0 4 0 3 0 2 9 9 1

Attachment I -(24)

(25)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
4-2-82 Date	Frank Atlass

8204073029 92

Attachment I-(25)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 15, 1982

William K. Diehl, Jr., Esquire
James, McElroy & Diehl
700 Home Federal Building
139 South Tryon Street
Charlotte, North Carolina 28202

Re: MUR 1237
(Harry Wolf)

Dear Mr. Diehl:

On April 14, 1982, the Commission accepted the conciliation agreement signed by your client 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, as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

82040352993

RECEIVED
GCC#7440
82 MAR 29 P1:45

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Harry Wolf	)	

82 MAR 29 P5:10

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Harry Wolf ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. Sometime in February or March, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

82040029994

make a $500 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $500 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. Sometime in February or March, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($500).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

8 2 0 4 0 3 6 2 9 9 5

GENERAL CONDITIONS

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

IX. 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.

15 April 1982
Date

Charles N. Steele
General Counsel

23 Mar 82
Date

Barry Wolf

8204030299 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 15, 1982

John M. Bray, Esquire
Schwalb, Donnenfeld, Bray & Silbert
Suite 350
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1237
(Harold G. Ross)

Dear Mr. Bray:

On April 14, 1982, the Commission accepted the conciliation agreement signed by your client and the civil penalty check for $500 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, as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

0 2 0 4 0 3 0 2 9 9 7

BEFORE THE FEDERAL ELECTION COMMISSION

In The Matter Of	)	
	)	MUR 1237
HAROLD ROSS	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. §431 et seq.), and reason to believe having been found that Harold Ross ("Respondent") may have violated 2 U.S.C. §441(f) by permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. §437g(a)(4)(A)(i).

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

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

5204036298

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

A. On or about February 23, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. On or about February 23, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in an amount requested by Stanley N. Kaplan ($2,000).

C. Stanley N. Kaplan reimbursed Respondent for the $2,000 contribution Respondent made on February 23, 1978 to the Friends of Luther Hodges.

D. Respondent, at the request of Stanley N. Kaplan, sent $2,000 to Jon J. Terrell to reimburse Terrell for a contribution made or to be made by Terrell to the Friends of Luther Hodges. Stanley N. Kaplan later reimbursed Respondent for the amount sent to Mr. Terrell.

WHEREFORE, Respondent agrees, without admitting or denying violating 2 U.S.C. §441(f), that

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which, unknown to Respondent, would violate 2 U.S.C. §441(f).

9 2 0 4 0 3 0 2 9 9 9

VI. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of Five Hundred Dollars ($500.00), pursuant to 2 U.S.C. §437g(a)(5)(A).

VII. Respondent 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.).

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. §437g(a)(1) concerning the matters 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.

GENERAL CONDITIONS

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

X. Respondent shall have 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.

15 April 1982
Date

Charles N. Steele
General Counsel

January 5, 1982
Date

Harold Ross

8204030300

b204030001

HAROLD G. ROSS
211 EAST 70TH STREET
NEW YORK, NY 10021

Jan. 5 1932 1-8/210 284

PAY TO THE ORDER OF Treasurer of the United States $ 500.00

Five Hundred and 00/100 DOLLARS

Citibank, N.A.
399 Park Avenue
New York, N.Y.
10043

Private Banking Division

CITIBANK

MEMO

Harold G. Ross

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

82 MAR 17 P12: 19

STATEMENT OF REASONS

OF

COMMISSIONER THOMAS E. HARRIS

TO THE COUNTER-OFFER FROM HARRY C. WOLF, III et al.

IN MUR 1237

I cannot approve the proposed conciliation's agreement alternative language which reads, "respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther Hodges, Jr., which unknown to respondent was in violation of 2 U.S.C. §441f" (The proposed alternative language is underscored.)

The Commission does not know whether or not the respondent knew that his actions were in violation of the FECA. I will not approve any conciliation agreement containing this kind of self-serving exculpatory language, except, of course, in the unusual case, where the Commission has some basis for agreeing that the respondent did not know the law. I would be amenable, however, to the addition of language which would read, "which respondent asserts he did not know was in violation of 2 U.S.C. Section 441f." (Emphasis added.)

3-17-82
DATE

Thomas E. Harris
Thomas E. Harris

6204030392

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Harry Wolf	)	
Harold Ross	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 14, 1982, the Commission decided by a vote of 4-1 to take the following actions in MUR 1237:

1. Accept the conciliation agreement signed by Harry Wolf.

2. Accept the conciliation agreement signed by, and civil penalty payment made by Harold Ross.

3. Close the file as to each respondent.

4. Approve and authorize the sending of the letters to counsel for each respondent as attached to the General Counsel's Memorandum to the Commission dated April 9, 1982.

(Continued)

82040763003

MUR 1237
Memorandum to the Commission
Dated April 9, 1982

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

Attest:

4/14/82
Date

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

8204030304

Received in Office of Commission Secretary: 4-9-82, 2:47
Circulated on 48 hour tally basis: 4-12-82,11:00

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY
82 APR 9 P2:47

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 9, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1237; Conciliation Agreements (Harry Wolf and Harold Ross)

Attached are conciliation agreements which have been signed by Respondents Harry Wolf and Harold Ross. The attached agreements contain no changes from agreements approved by the Commission on March 16, 1982, and February 17, 1982, respectively. In addition, Mr. Ross paid the $500 civil penalty by personal check on January 12, 1982. The General Counsel recommends the acceptance of these agreements.

Recommendations:

1. accept the conciliation agreement signed by Harry Wolf;
2. accept the conciliation agreement signed by, and civil penalty payment made by Harold Ross;
3. close the file as to each respondent; and
4. approve and authorize the sending of the attached letters to counsel for each respondent.

Attachments
1. Conciliation Agreement signed by Harry Wolf
2. Conciliation Agreement signed by Harold Ross
3. Letter to Mr. Wolf's attorney
4. Letter to Mr. Ross' attorney

82040603005

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
GCC#7446
82 MAR 29 P1:45

(1)

In the Matter of)
) MUR 1237
Harry Wolf)

82 MAR 29 P5:10

RECEIVED
GENERAL COUNSEL

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Harry Wolf ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. Sometime in February or March, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

0204036306

Attachment I - (1)

(2)

make a $500 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $500 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. Sometime in February or March, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($500).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which unknown to Respondent was in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

0 2 0 4 0 3 0 3 0 0 7

Attachment I - (2)

(3)

GENERAL CONDITIONS

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

IX. 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

Charles N. Steele
General Counsel

23 Mar 82
Date

Barry Wolf

8204030308

Attachment I -(3)

RECEIVED (4)

BEFORE THE FEDERAL ELECTION COMMISSION 82 APR 5 A11:10

In the Matter of)
) MUR 1237
Harold Ross)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Harold Ross ("Respondent") may have violated 2 U.S.C. § 441(f) by permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

a. On or about February 23, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204036309

Attachment II - (1)

(5)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. On or about February 23, 1978, Respondent made a contribuiton to the Friends of Luther H. Hodges, Jr., in an amount requested by Stanley N. Kaplan ($2,000).

C. Stanley N. Kaplan reimbursed Respondent for the $2,000 contribution Respondent made on February 23, 1978 to the Friends of Luther Hodges.

D. Respondent, at the request of Stanley N. Kaplan, sent $2,000 to Jon J. Terrell to reimburse Terrell for a contribution made or to be made by Terrell to the Friends of Luther H. Hodges, Jr. Stanley N. Kaplan later reimbursed Respondent for the amount sent to Terrell.

WHEREFORE, Respondent agrees that:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., which, unknown to Respondent, was in violation of 2 U.S.C. § 441(f).

VI. 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).

VII. Respondent 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.).

8204035010

Attachment II-(2)

(6)

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters 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.

GENERAL CONDITIONS

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

X. Respondent shall have 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.

6204035011

Date	Charles N. Steele General Counsel
Date 3/1/82	Harold Ross

Attachment II-(3)

(7)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

William K. Diehl, Jr., Esquire
James, McElroy & Diehl
700 Home Federal Building
139 South Tryon Street
Charlotte, North Carolina 28202

Re: MUR 1237
(Harry Wolf)

Dear Mr. Diehl:

On April , 1982, the Commission accepted the conciliation agreement signed by your client 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, as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

Attachment III - (1)

92040303012

(8)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John M. Bray, Esquire
Schwalb, Donnenfeld, Bray & Silbert
Suite 350
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1237
(Harold G. Ross)

Dear Mr. Bray:

On April , 1982, the Commission accepted the conciliation agreement signed by your client and the civil penalty check for $500 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, as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

Attachment IV -(1)

6204036013

20 045 RECEIVED
Ca # 7485
82 APR 5 AM 11:18

LAW OFFICES
SCHWALB, DONNENFELD, BRAY & SILBERT
A PROFESSIONAL CORPORATION

BURTON A. SCHWALB
CHARLES R. DONNENFELD
JOHN M. BRAY
EARL J. SILBERT
JAMES K. STEWART
PHILIP D. GREEN
DAVID J. CURTIN
JEROME NELSON
ALLEN V. FARBER
CRAIG H. MOORE
CHARLES B. WAYNE
STEVEN SARFATTI
LAURA A. KUMIN
TIMOTHY P. McCOLLUM
STUART H. NEWBERGER

SUITE 350
1333 NEW HAMPSHIRE AVENUE, N. W.
WASHINGTON, D. C. 20036
AREA CODE 202
887-0870

JEROME FINK
OF COUNSEL

82 APR 5 P3:28
RECEIVED
GENERAL COUNSEL

March 31, 1982

Mr. Gary Johansen
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20006

Re: MUR 1237

Dear Mr. Johansen:

Enclosed is the Conciliation Agreement signed by Harold G. Ross. Please advise me when the agreement has been approved by the Commission and please send me a fully executed copy.

Sincerely,

John M. Bray

John M. Bray

encl.
JMB:lb

82040330014

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 18, 1982

Keith M. Deal, Esquire
101 Barnett Regency Tower
Regency Square
Jacksonville, Florida 32211

Re: MUR 1237
(Raymond McCreanor)

Dear Mr. Deal:

On March 16, 1982, the Commission accepted the conciliation agreements signed by your client 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 as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

6204030015

RECEIVED

82 FEB 17 PM 2:27

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Raymond McCreanor	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Raymond McCreanor ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 21, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent make a $2,000 contribution to the Friends of Luther H. Hodges,

6204030016

Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 21, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

GENERAL CONDITIONS

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

6 2 0 4 0 3 3 0 1 7

IX. 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.

18 March 1982
Date

Charles N. Steele
General Counsel

2/12/82
Date

Raymond McCreanor

6204036018

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Raymond McCreanor)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on March 16, 1982, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1237:

1. accept the conciliation agreement signed by Raymond McCreanor, and close the file as to him;

2. approve and authorize the sending of the letter attached to the General Counsel's March 4, 1982 report to the attorney representing Mr. McCreanor.

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

Attest:

3/16/82
Date

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

8204036301 9

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 MAR 4 P4: 10

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 4, 1982

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1237; Conciliation Agreement
(Raymond McCreanor)

Attached is a conciliation agreement which has been signed by Raymond McCreanor. The attached agreement contains no changes from the agreement approved by the Commission. The Office of General Counsel recommends the acceptance of this agreement.

Recommendations:

The Office of General Counsel recommends that the Commission:

1. accept the conciliation agreement signed by Raymond McCreanor, and close the file as to him; and

2. approve and authorize the sending of the attached letter to the attorney representing Mr. McCreanor.

Attachments

1. Conciliation Agreement signed by Raymond McCreanor (3 pages)
2. Letter from MCreanor's attorney dated February 15, 1982 (1 page)
3. Letter to McCreanor's attorney (1 page)

8 2 0 4 0 3 0 3 0 2 0

RECEIVED
82 FEB 17 P12:27

(1)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Raymond McCreanor)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Raymond McCreanor ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 21, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent make a $2,000 contribution to the Friends of Luther H. Hodges,

8204030021

Attachment I - (1)

Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 21, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

GENERAL CONDITIONS

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

8 2 0 4 0 3 5 3 0 2 2

Attachment I - (2)

(3)

IX. 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	Charles N. Steele General Counsel
2/12/82 Date	Raymond McCreanor

6204030023

Attachment I-(3)

KEITH M. DEAL
ATTORNEY AND COUNSELOR AT LAW

REGISTERED GENERAL PRACTICE
CORPORATION AND BUSINESS LAW
TRIAL PRACTICE GENERAL

101 BARNETT BANK TOWER
REGENCY SQUARE
JACKSONVILLE, FLORIDA 32211
TELEPHONE [illegible]

RECEIVED
82 FEB 17 P12:27
GENERAL COUNSEL

February 15, 1982

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

Re: MUR 1237

Dear Mr. Steele:

Mr. Raymond McCreanor has signed the Conciliation Agreement which you sent me and which I am returning. I sincerely appreciate your consideration in this matter and if there is any problems please advise.

Yours truly,

KEITH M. DEAL

KMD/js
Enc.

8204030024

Attachment II - (1)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 10, 1982

Daniel G. Clodfelter, Esq.
Moore and Van Allen
3000 NCNB Plaza
Charlotte, North Carolina 28280

Re: MUR 1237
(Lewis S. Simon and
Margaret Simon)

Dear Mr. Clodfelter:

On February 8, 1982, the Commission accepted the conciliation agreements signed by your clients 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, as it pertains to your clients and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

6204036025

RECEIVED
82 JAN 22 P2:29

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Margaret Simon	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Margaret Simon ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting her name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204036 3026

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted her name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

6 2 0 4 0 3 3 0 2 7

GENERAL CONDITIONS

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

IX. 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.

Feb. 9, 1982
Date

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Date

Margaret Simon

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Lewis Simon	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Lewis Simon ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

9 2 0 4 0 3 6 3 0 2 9

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

0 2 0 4 0 3 0 3 0 3 0

GENERAL CONDITIONS

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

IX. 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.

Feb. 9, 1982
Date

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Date

Lewis Simon

6204036031

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Lewis Simon	)	
Margaret Simon	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 8, 1982, the Commission decided by a vote of 5-0 to take the following actions in MUR 1237:

1. Accept the conciliation agreements signed by Lewis S. Simon and Margaret Simon as submitted with the General Counsel's February 3, 1982 Memorandum to the Commission, and close the file as to them.

2. Approve and authorize the sending of the letters to the attorneys representing the Simons as submitted with the February 3, 1982 Memorandum to the Commission.

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

Attest:

2/8/82
Date

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

Received in Office of Commission Secretary: 2-3-82, 4:30
Circulated on 48 hour tally basis: 2-4-82, 11:00

6204035032

SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 FEB 3 P4:30

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 3, 1982

MEMORANDUM

TO : The Commission

FROM : Charles N. Steele
General Counsel

SUBJECT: MUR 1237; Conciliation Agreements

Attached are conciliation agreements which have been signed by Lewis S. Simon and Margaret Simon.

The attached agreements contain no changes from the agreements approved by the Commission. The Office of General Counsel recommends the acceptance of these agreements.

Recommendations:

The Office of General Counsel recommends that the Commission:

1. accept the conciliation agreements signed by Lewis S. Simon and Margaret Simon, and close the file as to them; and

2. approve and authorize the sending of the attached letters to the attorneys representing the Simons.

Attachments

1. Conciliation agreements signed by Lewis S. and Margaret Simon (6 pages)

2. Letter from the Simons' attorney dated January 18, 1982 (1 page)

3. Letters to the Simons' attorney (1 page)

6 2 0 4 0 7 6 3 0 3 3

(1)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Lewis Simon	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Lewis Simon ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

0 2 0 4 0 3 5 0 3 4

Attachment I - (1)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

6 2 0 4 0 3 5 3 0 3 5

Attachment I - (2)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
Date	Lewis Simon

0204036030036

Attachment I - (3)

RECEIVED

BEFORE THE FEDERAL ELECTION COMMISSION

82 JAN 22 P2:29

(4)

In the Matter of)
) MUR 1237
Margaret Simon)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Margaret Simon ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting her name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 2, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204036 3037

Attachment I - (4)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 2, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted her name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

0204035038

(6)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
Date	Margaret Simon Margaret Simon

6204036039

Attachment I – (6)

Doc # 7013
82 JAN 22 P2:29
Dymersky
(7)

MOORE AND VAN ALLEN
ATTORNEYS AT LAW
2000 HONS PLAZA
CHARLOTTE, N. C. 28280

JAMES G. MOORE
WILLIAM H. VAN ALLEN
ROBERT W. KING, JR.
JOHN T. ALLRED
R. BEVERLY R. WEBB
HARRY J. GRIM
GRAHAM B. HOLDING, JR.
R. MICHAEL CHILDS
BARNEY STEWART, III
GEORGE V. HANNA, III
GEORGE R. HODGES
JOHN C. FENNEBRESQUE
ROBERT D. DEARBORN
W. B. HAWFIELD, JR.
STEPHEN D. HOPE
JEFFREY J. DAVIS
CHRISTY EVE REID
JOSEPH W. McGIRT, JR.
DANIEL G. CLODFELTER
T. EDMUND RAST
JAMES H. CLARKE
JULIA V. JONES
CHRISTOPHER C. KUPEC
JAMES W. HOVIS
RANDEL E. PHILLIPS
STEVEN C. GARLAND

AREA CODE 704
374-1300

TELEX 579112
TELECOPIER 704-374-1300
CABLE: MORVAN

82 JAN 22 P4:05

January 18, 1982

Mr. Michael Dymersky
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1237

Dear Mr. Dymersky:

My apologies for the delay. We have received from the Simons the signed conciliation agreements proposed by your office. I am sending them to you with this letter. You may note that the Simons neglected to date their signatures. If this is a problem, please let me know, and we will attempt to have them re-executed. If not, I would suggest that they simply be dated as of the same date they are signed on behalf of the Commission.

With best regards.

Sincerely,

MOORE AND VAN ALLEN

Daniel G. Clodfelter

Daniel G. Clodfelter

DGC:jm
Enclosures

82040303040

Attachment II-(1)

(8)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Daniel G. Clodfelter, Esq.
Moore and Van Allen
3000 NCNB Plaza
Charlotte, North Carolina 28280

RE: MUR 1237
(Lewis S. Simon and Margaret Simon)

Dear Mr. Clodfelter:

On February , 1982, the Commission accepted the conciliation agreements signed by your clients 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 as it pertains to your clients and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

82040363041

Attachment III - (1)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 28, 1982

Richard M. Lannen, Esquire
Akin, Gump et al.
2800 Republic National Bank Building
Dallas, Texas 75201

Re: MUR 1237

Dear Mr. Lannen:

On January 27, 1982, the Commission accepted the conciliation agreement signed by your client 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 as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

6204035042

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 28, 1982

Carl Goldfarb, Esquire
2011 Randolph Road
Charlotte, North Carolina 28207

Re: MUR 1237

Dear Mr. Goldbarb:

On January 27, 1982, the Commission accepted the conciliation agreement signed by your client 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 as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

82040353043

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 28, 1982

Barry L. Zisser, Esquire
Zisser, Robison, et al.
303 Liberty Street
Jacksonville, Florida 32202

Re: MUR 1237

Dear Mr. Zisser:

On January 27, 1982, the Commission accepted the conciliation agreement signed by your client 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 as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

6204036044

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Elwood J. Sebert	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Elwood J. Sebert ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 1, 1978, Respondent was approached by Ben F. Mann with a request that Respondent

8 2 0 4 0 3 6 3 0 4 5

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Ben F. Mann supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 1, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Ben F. Mann ($2,000).

D. Respondent made the contribution from a corporate account.

E. Thereafter, Respondent's wife made a contribution from her personal checking account ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan (through Ben F. Mann) to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

8204036046

VII. 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.

GENERAL CONDITIONS

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

IX. 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.

8204036047

28 January 1982
Date

Charles N. Steele
General Counsel

December 20, 1981
Date

Elwood J. Sebert
Elwood J. Sebert

RECEIVED
81 DEC 22 P2:51

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Melvin Jawitz)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Melvin Jawitz ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 23, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204030048

make a $1,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $1,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 23, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($1,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

6 2 0 4 0 7 3 0 4 9

GENERAL CONDITIONS

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

IX. 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.

28 January 1982
Date

Charles N. Steele
General Counsel

Dec 16, 1981
Date

Melvin Jawitz

6204035050

RECEIVED

BEFORE THE FEDERAL ELECTION COMMISSION

81 DEC22 P2:53

In the Matter of)
) MUR 1237
Jeffrey L. Poll)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Jeffrey L. Poll ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 21, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204030051

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 21, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

6 2 0 4 0 3 6 3 0 5 2

GENERAL CONDITIONS

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

IX. 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.

28 January 1982
Date

Charles N. Steele
General Counsel

12/16/81
Date

Jeffrey B. Poll

8204030530 53

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Elwood J. Sebert	)	
Melvin Jawitz	)	
Jeffrey L. Poll	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 27, 1982, the Commission decided by a vote of 6-0 to take the following actions regarding MUR 1237:

1. Accept the conciliation agreements signed by Elwood J. Sebert, Melvin Jawitz and Jeffrey L. Poll, and close the file as to them.

2. Approve and authorize the sending of the letters to the attorneys representing Elwood J. Sebert, Melvin Jawitz and Jeffrey L. Poll as submitted with the General Counsel's January 22, 1982 Memorandum to the Commission.

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

Attest:

1-27-82
Date

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

Received in Office of Commission Secretary: 1-22-82, 11:38
Circulated on 48 hour tally basis: 1-25-82, 11:00

82040365054

SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 22, 1982

82 JAN 22 A11:38

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1237; Conciliation Agreements

Attached are conciliation agreements which have been signed by Elwood J. Sebert, Melvin Jawitz and Jeffrey L. Poll.

The attached agreements contain no changes from the agreements approved by the Commission. The Office of General Counsel recommends the acceptance of these agreements.

Recommendation:

The Office of General Counsel recommends that the Commission:

1. accept the conciliation agreements signed by Elwood J. Sebert, Melvin Jawitz and Jeffrey L. Poll, and close the file as to them; and

2. approve and authorize the sending of the attached letters to the attorneys representing Elwood J. Sebert, Melvin Jawitz and Jeffrey L. Poll.

Attachments
1. Conciliation Agreements signed by Elwood J. Sebert, Melvin Jawitz and Jeffrey L. Poll (nine pages).
2. Letters to the attorneys representing Elwood J. Sebert, Melvin Jawitz and Jeffrey L. Poll (three pages).

82040363055

(1)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Elwood J. Sebert	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Elwood J. Sebert ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 1, 1978, Respondent was approached by Ben F. Mann with a request that Respondent

0 2 0 4 0 3 6 3 0 5 6

Attachment I-(1)

(2)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Ben F. Mann supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 1, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Ben F. Mann ($2,000).

D. Respondent made the contribution from a corporate account.

E. Thereafter, Respondent's wife made a contribution from her personal checking account ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan (through Ben F. Mann) to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

8 2 0 4 0 3 6 3 0 5 7

Attachment I-(2)

(3)

VII. 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.

GENERAL CONDITIONS

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

IX. 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.

6 2 0 4 0 3 6 3 0 5 8

Date	Charles N. Steele General Counsel
December 20, 1981 Date	Elwood J. Sebert Elwood J. Sebert

Attachment I -(3)

RECEIVED
81 DEC22 P2:51

(4)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Melvin Jawitz)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Melvin Jawitz ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 23, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204036059

Attachment I-(4)

make a $1,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $1,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 23, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($1,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

6204036360

(6)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
Dec 16, 1981 Date	Melvin Jawitz

6204036361

Attachment I - (6)

RECEIVED
81 DEC 22 P 2:53

(7)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Jeffrey L. Poll)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission") on the basis of information ascertained in the course of carrying out its responsibilities under the Federal Election Campaign Act of 1971, as amended (2 U.S.C. § 431 et seq.), and reason to believe having been found that Jeffrey L. Poll ("Respondent") violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a contribution by another person.

NOW THEREFORE, the Commission and Respondent, having entered into conciliation do hereby agree as follows:

I. The Commission has jurisdiction over the Respondent, and the subject matter of this proceeding, and this agreement has the effect of an agreement under 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondent has had a reasonable opportunity to demonstrate that no further 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:

A. On or about March 21, 1978, Respondent was approached by Stanley N. Kaplan with a request that Respondent

6204036062

Attachment I - (7)

make a $2,000 contribution to the Friends of Luther H. Hodges, Jr., Luther H. Hodges, Jr.'s 1978 senatorial campaign committee in North Carolina.

B. Stanley N. Kaplan supplied $2,000 to Respondent with which to make the contribution to the Friends of Luther H. Hodges, Jr.

C. On or about March 21, 1978, Respondent made a contribution to the Friends of Luther H. Hodges, Jr., in the amount requested and supplied by Stanley N. Kaplan ($2,000).

WHEREFORE, Respondent agrees:

V. Respondent knowingly permitted his name to be used to effectuate a contribution by Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr., in violation of 2 U.S.C. § 441f.

VI. Respondent 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.).

VII. 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.

9204036063

Attachment I - (8)

GENERAL CONDITIONS

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

IX. 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	Charles N. Steele General Counsel
12/16/81 Date	Jeffrey B. Poll

6204036306 4

(10)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Barry L. Zisser, Esquire
Zisser, Robison, et al.
303 Liberty Street
Jacksonville, Florida 32202

Re: MUR 1237

Dear Mr. Zisser:

On January , 1982, the Commission accepted the conciliation agreement signed by your client 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 as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

8204036065

ATTACHMENT II - (10)

(11)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Carl Goldfarb, Esquire
2011 Randolph Road
Charlotte, North Carolina 28207

Re: MUR 1237

Dear Mr. Goldbarb:

On January , 1982, the Commission accepted the conciliation agreement signed by your client 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 as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

6204035066

ATTACHMENT II — (11)

(12)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Richard M. Lannen, Esquire
Akin, Gump et al.
2800 Republic National Bank Building
Dallas, Texas 75201

Re: MUR 1237

Dear Mr. Lannen:

On January , 1982, the Commission accepted the conciliation agreement signed by your client 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 as it pertains to your client and it will become part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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. 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.

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

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

6204036306 7

ATTACHMENT II - (12)

20[illegible]432 RECEIVED
Gcc# 7186
82 FEB 17 PM: 27

KEITH M. DEAL
ATTORNEY AND COUNSELOR AT LAW

REGISTERED GENERAL PRACTICE
CORPORATION AND BUSINESS LAW
TRIAL PRACTICE GENERAL

101 BARNETT BANK TOWER
RESIDENCY SQUARE
JACKSONVILLE, FLORIDA 32211

TELEPHONE (904) [illegible]-4000

RECEIVED
GENERAL COUNSEL
82 FEB 17 PM: 27

February 15, 1982

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

Re: MUR 1237

Dear Mr. Steele:

Mr. Raymond McCreanor has signed the Conciliation Agreement which you sent me and which I am returning. I sincerely appreciate your consideration in this matter and if there is any problems please advise.

Yours truly,

KEITH M. DEAL

KMD/js
Enc.

6204035058

RECEIVED
81 DEC22 P2:53
Acc#5966

AKIN, GUMP, STRAUSS, HAUER & FELD
ATTORNEYS AT LAW
2800 REPUBLIC NATIONAL BANK BUILDING
DALLAS, TEXAS 75201
(214) 655-2500
TELEX 73-2324 CABLE AGSH&F DALLAS

WASHINGTON OFFICE
SUITE 400
1333 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, D.C. 20036
(202) 887-4000

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

WRITER'S DIRECT DIAL NUMBER 655-2725

December 17, 1981

81 DEC22 P4:34
GENERAL COUNSEL

Mr. Gary Johansen
General Counsel
Federal Election Commission
7th Floor, 1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1237 -- Jeffrey L. Poll

Dear Mr. Johansen:

My client, Jeffrey L. Poll, has agreed to the proposed Conciliation Agreement and I enclose an executed copy. Please furnish me a fully executed original when it is available.

If there is anything further my client needs to do, please let me know.

Thank you for your courtesy.

Yours sincerely,

Richard M. Lannen

RML:sj
Enc.

6204035 30069

6cc#6011

CARL GOLDFARB
ATTORNEY AT LAW
2011 RANDOLPH ROAD
CHARLOTTE, N.C. 28207
(704) 373-0625

December 29, 1981

Mr. Charles N. Steele
General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1237

Dear Mr. Steele:

Please find enclosed executed Conciliation Agreement concerning the above-referenced and my client, Elwood J. Sebert. As you can see, the Agreement was executed on December 20, 1981. Thank you very much for your cooperation.

Very truly yours,

Carl Goldfarb

Carl Goldfarb

CG/kdp

Encl.

1981 DEC 31 P3:02

8204036307 0

RECEIVED
Doc# 5965
81 DEC22 P2:51

Law Offices
ZISSER, ROBISON, SPOHRER, WILNER & HARRIS, P. A.
BARRY L. ZISSER
ELLIOT ZISSER
W. L. BUD ROBISON (1938-1980)
ROBERT F. SPOHRER
NORWOOD S. WILNER
ROBERT M. HARRIS

303 LIBERTY STREET
JACKSONVILLE, FLORIDA 32202
TELEPHONE (904) 354-8455

December 18, 1981

81 DEC22 P4:33

Charles N. Steele, Esquire
General Counsel
Federal Election Commission
Washington, DC 20463

Re: MUR 1237

Dear Mr. Steele:

I am enclosing herewith an executed original of the voluntary Conciliation Agreement entered into by my client with the Federal Election Commission.

Would you kindly sign the document, date it and return a copy to me. Upon my receipt of it I will consider that this matter has been closed and sincerely believe that this will be the last experience that the Federal Elections Commission will have with my client, and hopefully vice versa.

Thank you for your cooperation and assistance.

Very truly yours,

BARRY L. ZISSER

BLZ/sms

CC: Melvin Jawitz

82040030071

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Stanley Kaplan	)	MUR 1237
Friends of Luther H. Hodges, Jr.,	)	
et al.	)	

CERTIFICATION

I, Lena L. Stafford, Recording Secretary for the Federal Election Commission's Executive Session of December 1, 1981, do hereby certify that the Commission decided in a vote of 6-0 to take the following actions with regard to MUR 1237:

1. Approve and authorize the sending of the letter and conciliation agreement as attached to the General Counsel's Report dated November 2, 1981, to each of the following "conduits":

   a. Lewis S. Simon;
   b. Margaret C. Simon;
   c. Joseph J. McCluskey;
   d. Joseph Headen;
   e. Keith M. Beaty;
   f. Albert Manch;
   g. Kent Burkhart;
   h. Patricia Burkhart;
   i. Harry Wolf;
   j. Frank Atlass;
   k. Jeffrey L. Poll;
   l. Melvin Jawitz;
   m. Elwood J. Sebert;
   n. Claire Shaffner;
   o. Ben F. Mann; and,
   p. Harold G. Ross;

(continued)

8 2 0 4 0 3 6 3 0 7 2

2. Approve and authorize the sending of the letter and conciliation agreement as attached to the General Counsel's Report dated November 2, 1981, to the Friends of Luther H. Hodges, Jr.

3. Approve and authorize the sending of the letter and conciliation agreement as attached to the General Counsel's Report dated November 2, 1981, to Stanley N. Kaplan.

Commissioners Aikens, Harris, McGarry, Reiche, Thomson, and Tiernan voted affirmatively.

Attest:

12-4-81

Date

Lena L. Stafford

Lena L. Stafford
Recording Secretary

8204036307 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/JODY CUSTER JC
OFFICE OF THE SECRETARY TO THE COMMISSION

DATE: NOVEMBER 27, 1981

SUBJECT: ADDITIONAL OBJECTION - MUR 1237 General Counsel's Report dated November 2, 1981

You were notified previously of an objection by Commissioners Thomson, Harris and Reiche.

Commissioner Aikens submitted an additional objection at 4:55, November 25, 1981.

This matter will be discussed in executive session on Tuesday, December 1, 1981.

8204036307 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/JODY CUSTER Jc
OFFICE OF THE SECRETARY TO THE COMMISSION

DATE: NOVEMBER 25, 1981

SUBJECT: ADDITIONAL OBJECTIONS - MUR 1237 General Counsel's Report dated November 2, 1981; Received in OCS, 11-20-81, 2:51

You were notified previously of an objection by Commissioner Thomson.

Commissioners Harris and Reiche submitted additional objections at 10:47 and 11:21 respectively this date.

This matter will be discussed in executive session on Tuesday, December 1, 1981. Copies of the vote sheets with comments are attached.

Attachments:
vote sheets

8204030075

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE, GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY CUSTER JC

DATE: NOVEMBER 25, 1981

SUBJECT: OBJECTION - MUR 1237 General Counsel's Report dated November 2, 1981; Received in OCS, 11-20-81, 2:51

The above-named document was circulated to the Commission on November 24, 1981 at 11:00.

Commissioner Thomson submitted an objection at 3:21, November 24, 1981.

This matter will be placed on the agenda for the Executive Session of Tuesday, December 1, 1981.

6204036307 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 20, 1981

MEMORANDUM TO: Marjorie W. Emmons

FROM: Phyllis A. Kayson PAK

SUBJECT: MUR 1237

Please have the attached General Counsel's Report distributed to the Commission on a 48 hour tally basis. Thank you.

Attachment

6204036077

81 NOV 20 P2: 51

BEFORE THE FEDERAL ELECTION COMMISSION

November 2, 1981

81 NOV 20 P2:51

SENSITIVE

In the Matter of)
) MUR 1237
Stanley Kaplan)
Friends of Luther H. Hodges, Jr.,)
et al.)

GENERAL COUNSEL'S REPORT

I. Background

Stanley Kaplan, through numerous "conduits," made contributions in the names of others to Luther Hodges' principal campaign committee, Friends of Luther H. Hodges, Jr. (the "Committee"). Additionally, Kaplan made in-kind contributions by paying deposits owed by the Committee.

On April 14, 1981, the Commission determined that there was reason to believe that Stanley N. Kaplan violated 2 U.S.C. § 441a (a)(1)(A), §441a(a)(3) and §441f, that the Friends of Luther H. Hodges, Jr. violated 2 U.S.C. §441a(f) and §433(b),[1/] and that twenty (20) named individuals as "conduits" violated 2 U.S.C. § 441f.

On June 23, 1981, the Commission directed the Office of General Counsel to proceed with regard to the alleged violations of all of the "conduits," the Committee, and Stanley Kaplan,

---

1/ The Commission's finding of reason to believe that the Friends of Luther H. Hodges, Jr. violated 2 U.S.C. § 433(b) was incorrect. The proper finding is a violation of 2 U.S.C. § 434(b).

6204030078

8204036307 9

The General Counsel has succeeded in serving notice of the reason to believe finding on nineteen of the so-called "conduits." One "conduit," Ms. Sandra Humphries, has not been served with the reason to believe notification. The reason to believe notification letter sent to Ms. Humphries was returned "Moved Not Forwardable." The Office of General Counsel is currently attempting to locate Ms. Humphries so that she can be served. Sixteen of the twenty "conduits" have requested pre-probable cause conciliation (Attachment II). They are: Lewis S. Simon, Margaret C. Simon, Joseph J. McCluskey, Ben F. Mann, Harold G. Ross, Joseph Headen, Keith M. Beaty, Albert Manch, Kent Burkhart, Patricia Burkhart, Harry Wolf, Frank Atlass, Jeffrey L. Poll, Melvin Jawitz, Elwood J. Sebert and Claire Shaffner. The General

Counsel's staff is currently drafting probable cause to believe briefs on three conduits. They are: Jon J. Terrell, Raymond McCreaner, and Randall Borough.

Previous to the April 14, 1981, reason to believe determination by the Commission, Robert F. Bauer, counsel for the Committee requested conciliation by letter on September 3, 1980,

. Similarly Robert B. Barnett, counsel for Stanley Kaplan, sought conciliation by letter dated May 13, 1980. Accordingly, the General Counsel believes that the Commission may at this time enter into pre-probable cause conciliation with these two respondents.

II. Legal Analysis and Discussion of Civil Penalties

A. "Conduits"

2 U.S.C. § 441f provides that no person shall knowingly permit his or her name to be used so that a contribution can be made by another. Evidence adduced by the independent investigation of the Office of General Counsel establishes that a number of individuals or "conduits" made contributions to the Committee for which they were totally or partially reimbursed by Mr. Kaplan. Each conduit, thereby, knowingly allowed his or her name to be used to effect a contribution in violation of 2 U.S.C. § 441f. A list of the conduits and the amounts of the illegal contributions follows:

. Elwood Sebert	$2,000
. Joseph Headen	1,000
. Keith M. Beaty	2,000

8204030980

. Harold G. Ross	2,000
. Joseph J. McCluskey	2,000
. Randall Borough	2,000
. Kent Burkhart	2,000
. Patricia Burkhart	2,000
. Sandra Humphries	500
. Ben F. Mann	1,000
. Claire Shaffner	1,000
. Raymond McCreanor	2,000
. Jeffrey L. Poll	2,000
. Melvin Jawitz	1,000
. Lewis S. Simon	2,000
. Margaret C. Simon	2,000
. Albert Manch	2,000
. Mathew Ross	100
. Frank Atlass	1,000
. Harry Wolf	500
. Jon J. Terrell	2,000

Additionally, two of the "conduits," Ben F. Mann and Harold G. Ross, acted as agents or "go-betweens" for Stanley Kaplan. Mr. Mann reimbursed the following individuals for their "contributions" on behalf of Mr. Kaplan: Elwood Sebert, Joseph Headen, Keith M. Beaty, Randall Borough, and, Sandra Humphries. Mr. Ross reimbursed Jon J. Terrell for his "contribution" with money supplied by Mr. Kaplan.

6204030081

6 2 0 4 0 3 6 3 0 8 2

B. Friends of Luther H. Hodges, Jr.

The evidence indicates that Mr. Kaplan made deposits of $38,305 to NTA National, Inc., on the Committee's behalf. These deposits or "loans" to the Committee were made by Mr. Kaplan with the knowledge of the Committee. The Committee subsequently paid NTA National, Inc. which in turn reimbursed Mr. Kaplan in full. Thus, the Committee is in violation of 2 U.S.C. § 441a(f) for knowingly accepting a contribution in excess of the statutory limits. Moreover, by failing to report Mr. Kaplan's loans as contributions while outstanding, the Committee violated 2 U.S.C. § 434(b).

As for the $32,100 in contributions made by Mr. Kaplan in the names of others, there is no evidence to indicate that either Luther Hodges or the Committee knew that these contributions were made by Mr. Kaplan through the use of "conduits." A review of past Commission action indicates that the Commission has often taken the position that illegal contributions should be returned, i.e. the parties should be placed in the same position as if the illegal act had never occurred.

For instance, In MUR 970, In Re James Dennis, the Peck Committee was required to and in fact did return the illegal contributions to Dennis. In MUR 850, In Re Mastorelli for Congress, the proposed conciliation agreement contained a provision requiring that the illegal contributions be returned. However, the Mastorelli Committee had no money with which to make the repayments. The issue has never been resolved as the Mastorelli Committee never conciliated and the case has been approved for litigation.

With regard to the Hodges Committee, the Office of General Counsel recommends that the Committee not be required to refund the $32,100 in illegal contributions. The effect of having the

6204036083

Committee refund the money would cause a hardship on the Committee. There is no evidence that the Committee knew of the illegal nature of the contributions when they were accepted. The funds have since been spent. Though the Hodges Committee still reports to the Commission, it appears from their reports that they currently do not have $32,100 in their treasury to be able to refund Mr. Kaplan. Further, the practical effect of refunding the contributions would be to grant a windfall to Mr. Kaplan. Thus, under the circumstances, a refund seems inappropriate.

A. Stanley N. Kaplan

2 U.S.C. § 441f provides that no person shall make a contribution in the name of another person. The evidence establishes that Stanley Kaplan violated 2 U.S.C. § 441f by making $32,100 in contributions to the Committee in the names of others. Moreover, Mr. Kaplan thereby violated 2 U.S.C. § 441a(a)(1)(A) by making contributions in excess of $1,000 per election to the Committee. Additionally, Mr. Kaplan violated 2 U.S.C. § 441a(a)(3) by making contributions to federal candidates aggregating in excess of $25,000 for the 1978 calendar year as a result of the contribution of $32,100 through the twenty "conduits," and as a result of the advanced deposits, as "loans," of $38,305 to NTA National, Inc. on behalf of the Committee.

6204030084

Recommendations

The Office of General Counsel recommends that the Commission:

6204036085

19 November 1981
Date

Charles N. Steele
General Counsel

Attachments:

1.
2.

3.
4.

5.

6.

6204036086

September 14, 1981

acct. 5541

Mr. Dymersky,

page 237

As per our telephone conversation of this a.m., I have retained Counsel to represent me in the Luther Hodges Campaign matter. His name, address and telephone number are as follows:

Mr. Carl Goldfarb
Attorney at Law
2011 Randolph Road
Charlotte, N.C. 28207
Phone - AC 704 - 373-0625

I authorize Mr. Goldfarb to receive any notification and other communications from the Commission.

Sincerely,
Elwood L. Sebest.

Enclosed are copies of the two checks, front and back.

8204037030087

DATE		AMOUNT	
3-1-78		2000	00
TOTAL OF INVOICES			
LESS ___ % DISCOUNT			
LESS			
TOTAL DEDUCTIONS			
AMOUNT OF CHECK		2,000	00

IF INCORRECT PLEASE RETURN
NO RECEIPT NECESSARY

DEBERT'S CARPET-SHOP, INC.
PH. 847-4418
P.O. Box 357
MATTHEWS, N. C. 28105

5603

3-1 19 78 56-1044 / 530

PAY TO THE ORDER OF Lathi Hodges Campaign $2,000 00

THE SUM 2000 DOLLARS 00 CTS DOLLARS

First-Citizens. The Can Do Bank.
First Citizens Bank & Trust Company
Charlotte, N. C. 28202

Edward L. Debert Jr.

820403630 88

6 MAR 14

BANK RANK 6 MAR 14

2000 00

MARCH 3/78

1685

FOR DEPOSIT ONLY
to the credit of
HODGES CAMPAIGN

OCA 5541

ELWOOD J. OR CONNIE SEBERT
4309 BELLWOOD LANE
MATTHEWS, NC 28105

1884

March 16 19 78 56-21 / 530 11

PAY TO THE ORDER OF: Friends of Luther Hodges $2000.00

Two thousand no/100 DOLLARS

First Union National Bank of North Carolina

First Union

FOR Political Donation Connie Sebert

820403089

SEP 30 P2:15

FOR DEPOSIT ONLY
to the Credit of
HODGES CAMPAIGN

PAY ANY BANK
FRB CHARLOTTE
0530-0020-6

MAR 20

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Stanley Kaplan, et al.)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission's Executive Session on June 23, 1981, do hereby certify that the Commission decided by a vote of 5-0 to direct the Office of General Counsel to proceed expeditiously to act as follows in MUR 1237:

1. To prosecute the alleged violations of Stanley N. Kaplan, the Friends for Luther Hodges Committee, and all of the conduits; and

Commissioners Aikens, Harris, McGarry, Reiche, and Thomson voted affirmatively for the decision; Commissioner Tiernan was not present at the time of the vote.

Attest:

June 24, 1981

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

6204030390

RECEIVED
GCC #5132
81 JUL 24 P12:19

2800 Republic Bank Bldg.
Dallas, Texas 75201

Federal Election Commission
Washington, D.C. 20463

Re: MUR 1237

Gentlemen:

I received your letter of May 5, 1981 on approximately July 7, 1981.

I wish to be represented by counsel in this matter. His name and address are:

Richard M. Lannen
Akin, Gump, Strauss, Hauer & Feld
2800 Republic National Bank Bldg.
Dallas, Texas 75201

I authorize him to receive any notification or any other communication from the Commission in this matter.

Sincerely,

Jeffrey L. Poll

JLP:sj

81 JUL 24 P3:15
GENERAL COUNSEL

6204030091

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Headen
200 Townsend Avenue
Charlotte, North Carolina 28205

Re: MUR 1237

Dear Mr. Headen:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6204036092

Gcc# 4991

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

81 JUL 1 P2:28

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures

9204035093

Mr. McGarry

I have retained Michael S Berman attorney of Washington, D.C. To handle this Matter for me - His address 1900 M St 8th Floor Phone 452-7000 with Law Firm of Hill, Christopher and Phillips

Thanking you

Joseph P Meadow

100976
GCC# 4987

HILL, CHRISTOPHER AND PHILLIPS, P. C.
1900 M STREET, N. W.
WASHINGTON, D. C. 20036

DUMOND PECK HILL
RICHARD M. PHILLIPS
ALAN ROY DYNNER
ALAN J. BERKELEY
CHARLES LEE EISEN
ROBERT A. WITTIE
HERBERT H. BROWN
STEPHEN W. GRAFMAN
CLIFFORD J. ALEXANDER
ROBERT R. BELAIR
CHRISTOPHER B. HANBACK
PATRICIA HECKMANN WITTIE
DONALD W. SMITH
DIANA L. POWELL

GEORGE L. CHRISTOPHER
GARRY E. BROWN
JOSEPH J. BRIGATI
JAMES G. VAUGHTER
CHERIF BEDRY
THEODORE L. PRESS
RONALD W. STEVENS
LAWRENCE COE LANPHER
JAMES RICHARD O'NEILL
KARLA J. LETSCHE
PAUL C. HURDLE, III
THOMAS F. COONEY, III
MICHAEL S. MILLER
JONATHAN N. EISENBERG

FRANCIS THORNTON GREENE
STEWART L. UDALL
COUNSEL

TELEPHONE (202) 452-7000
CABLE: HIPHI
TELEX 440300 HIPH UI
WRITER'S DIRECT DIAL NUMBER
(202) 452-8387

June 26, 1981

Mr. Michael Dymersky
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20036

Re: MUR 1237

Dear Michael:

This will confirm our recent telephone conversation, in which I indicated that I am proceeding to discuss with the several individuals whom I represent in the above-referenced matter.

As I indicated, I am proceeding to obtain all of the facts from the individuals and will shortly be in touch with you in writing.

You should have received letters of authorization of my representation from all of those individuals with the exception of Ben F. Mann; he has been on vacation and has just forwarded the appropriate letter.

Those individuals who I am currently representing are Keith Beaty, Ben F. Mann, Joseph McCluskey, Albert Manch-Kent and Pat Burkhart and Frank Atlass.

Thank you for your consideration.

Sincerely,

Mike

Michael S. Berman

MSB:rv

RECEIVED
GENERAL COUNSEL
'81 JUN 29 P 1

6204036309 4

Gcc # 4981

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

81 JUN 29 P 2: 09

June 26, 1981

Mr. John McGarry
Federal Elections Committee
1325 K Street, NW
Washington, D.C. 20463

RE: MR-1237

Dear Mr. McGarry:

This letter will authorize Michael Berman to act as my attorney in the above-referenced MR-1237, and to represent me in this matter.

Sincerely,

Ben Mann

Ben F. Mann
4516 Randolph Road, Apt. #82
Charlotte, N.C. 28209

82040303095

GCC 4919

MARSHALL MORRIS POWELL & SILPEN
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
COUNSELLORS AT LAW
130 WEST 57th STREET
NEW YORK, NEW YORK 10019
212 582-1122

PAUL G. MARSHALL P.C.
MONTE L. MORRIS P.C.
LOUIS H. POWELL
STUART SILPEN P.C.
HOWARD L. WATTENBERG
MICHAEL J. PERLSTEIN P.C.

SHELDON PLATT
JAMES P. CINQUE*
MARGARET ZELICKSON**

*ALSO MEMBER OF CALIFORNIA BAR
**ALSO MEMBER OF MASSACHUSETTS BAR

COUNSEL
ROBERT W. CINQUE P.C.
PAUL M. WOLSK
PHILIP B. WATTENBERG

CABLE ADDRESSES
MARSHALLAW NEW YORK
ELEX PARIS
TELEX NEW YORK 421067

June 15, 1981

RECEIVED
OFFICE OF
GENERAL COUNSEL
81 JUN 22 A10:50

Mr. Michael Dymersky
Federal Election Commission
Washington, D.C. 20463

RE: JON J. TERRELL (MUR #1237)

Dear Mr. Dymersky:

As you know, we are the attorneys for Mr. Jon J. Terrell, who received a letter from your office dated May 5, 1981 concerning his alleged violation of the Federal Election Campaigns Act.

6204036309 6

In light of the foregoing, we request that the Federal Election Commission close its file on Mr. Terrell and confirm this action in writing. If you require any additional information, please contact the undersigned.

Very truly yours,

MARSHALL MORRIS POWELL & SILFEN

James P. Cinque

JAMES P. CINQUE

JPC:mg
Enc.
CERTIFIED MAIL, RET. REC. REQ.

cc: Mr. Jon J. Terrell

6204036309 7

100815 0004871

MARSHALL MORRIS POWELL & SILFEN
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
COUNSELLORS AT LAW
150 WEST 57th STREET
NEW YORK, NEW YORK 10019
212 582-1122

PAUL G. MARSHALL P.C.
MONTE L. MORRIS P.C.
LOUIS H. POWELL
STUART SILFEN P.C.
HOWARD L. WATTENBERG
MICHAEL J. FIRESTEIN P.C.

SHELDON PLATT
JAMES P. CINQUE*
MARGARET ZELICKSON**

*ALSO MEMBER OF CALIFORNIA BAR
**ALSO MEMBER OF MASSACHUSETTS BAR

COUNSEL
ROBERT W. CINQUE P.C.
PAUL M. TOLSK
CHERYL WATTENBERG

CABLE ADDRESSES
MARSHALLAW NEW YORK
ELEX PARIS
TELEX NEW YORK 421067

81 JUN 12 A11:

June 10, 1981

1 JUN 12 P2:04
GENERAL COUNSEL

Mr. Michael Dymersky
Federal Election Commission
Washington, D.C. 20463

RE: JON J. TERRELL (MUR #1237)

Dear Mr. Dymersky:

We are the attorneys for Mr. Jon J. Terrell, who received your May 5, 1981 letter on June 5, 1981, as it was originally mailed to a former address.

This will confirm your conversation with our client that his time to respond to your May 5 letter is extended for a period of 15 days from his receipt of it: i.e., until June 20, 1981.

If you have any questions, please contact the undersigned. Thank you for your cooperation.

Very truly yours,

MARSHALL MORRIS POWELL & SILFEN

James P. Cinque

JAMES P. CINQUE

JPC:mg

cc: Mr. Jon J. Terrell

8204036098

FLCE 4777

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY
81 JUN 1 PM 12:3

news radio 1280
mutual radio

MR. JOHN WARREN McGARRY

MAY 26,1981.

FEDERAL ELECTION COMM.

WASHINGTON,D.C.

DEAR SIR,

I RECEIVED YOUR LETTER TODAY. IT HAD BEEN SENT TO MY FORMER ADDRESS IN ORANGE PARK, FLORIDA.

I HAVE RETAINED MICHAEL S. BERMAN ESQ.

SUITE 601

1015 18ST N. W.

WASHINGTON D.C. 20036

TO REPRESENT ME IN THIS MATTER.

81 JUN 2 A9:30
RECEIVED
GENERAL COUNSEL

THANK YOU.

Joseph J. McCluskey

JOSEPH J. MC CLUSKEY

3600 UNIVERSITY BLVD.N.

APT. 2601

JACKSONVILLE, FLORIDA.32211

ENCLOSED COPY OF ENVELOPE

82040303099

WEXI
5621 Commerce Street • Jacksonville, Florida 32211 • (904) 744-1280

GCC # 4770

PERKINS, COIE, STONE, OLSEN & WILLIAMS

ANCHORAGE OFFICE
420 "L" STREET
ANCHORAGE, ALASKA 99501
TELEPHONE: 907-279-5561
TELECOPIER: 907-276-3108

1020 N. STREET N.W.
SUITE 403
WASHINGTON, D.C. 20036
TELEPHONE: 202-887-0030

PLEASE REPLY TO WASHINGTON, D.C. OFFICE

SEATTLE OFFICE
1900 WASHINGTON BUILDING
SEATTLE, WASHINGTON 98101
TELEPHONE: 206-682-8770
TELECOPIER: 206-682-8784
CABLE "PERKINS SEATTLE"
TELEX: 32-0319

May 26, 1981

81 MAY 26 P5:06

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

RE: MUR 1237

Dear Sir:

Accordingly, the Committee will respond to the Commission's questions seriatim below. It will also reiterate the position taken in its offer of settlement, namely, that it concedes an unknowing and inadvertant violation of the Federal Election Campaign Act in connection with Stanley Kaplan's "deposits" or "loans" to the Committee in the form of various payments of Committee obligations owing to NTA National, Inc. As the Committee has stated previously, it wishes to conclude this matter at the earliest opportunity through informal conciliation pursuant to § 437g(a)(4) of the FECA.

1. Response to Commission's Questions.

(1)(a) The finance committee consisted of approximately 30 individuals, who were invited to participate by the candidate and/or others working with the Committee.

8204031100

(b) The finance committee had a Chairman, Mr. Richard Spangler, but no other officers or formal structure.

(c) To the best of the Committee's knowledge, no more than two to three meetings were held over the entire course of the campaign.

(d) Although the Committee is unable to identify a specific date upon which the finance committee was established, it is estimated that it was organized shortly after the opening of the campaign.

(e) The finance committee was a purely honorary committee whose members were requested to assist in raising contributions for the Committee's use in advancing the candidacy of Luther Hodges. The members had no formal or informal authority or responsibility to conduct Committee business.

(f) Individuals were invited to become members on the recommendation of the candidate and/or others who worked with him on the campaign.

(g) Answer same as (e) above.

(h) Answer same as (e) above.

(i) The members of the finance committee were expected to lend their prestige, and perhaps some time and effort, to the Committee's fund-raising efforts. Beyond this, their responsibilities were not clearly defined. In fact, as the minimum number of meetings held by the committee suggest, the committee did not function actively.

(2) Stanley Kaplan was not an officer of the Friends for Luther Hodges Committee.

(3) (a) Stanley Kaplan was a member of the finance committee but he did not occupy an official position on that committee.

(b) To the best of the Committee's ability to reconstruct events concerning the finance committee, Stanley Kaplan may have attended one of the two or three finance committee meetings but probably no more than one of them.

(c) Stanley Kaplan performed the same service as any other member of the finance committee, namely, in being available to lend his name, and when possible his time and effort, to the fund-raising efforts of the Committee.

8 2 0 4 0 3 6 3 1 0 1

(4) To the best of the Committee's ability to reconstruct events from its records, it answers "no."

(5) The Committee's records do not shed definitive light on the contributions made to Harry Wolfe which appeared to exceed $2,000 contribution limitation applicable to the primary and run-off campaigns in North Carolina in 1978. It is the Committee's impression that Harry Wolfe may have intended to make these contributions, in whatever proportion, on behalf of both himself and his wife. It was commonly understood by the Committee and many contributors that a husband and wife could contribute $1,000 a piece to any election. It is impossible at this date, so long after the election in 1978, to determine whether this was Mr. and Mrs. Wolfe's intention, whether they made this intention clear, and if so, whether the Committee failed to properly report the contributions allocable to each.

In any event, it is the Committee' view that, whatever infraction may be involved here, it is de minimus and should not be a factor in this matter. Errors occur in the course of any campaign; this would be no less true in the United States Senate campaign in North Carolina in 1978. Commission concern with this issue, a violation involving no more than $700, appears unwarranted and unworthy of any further expenditure of time or money by either the Commission or the Friends of Luther Hodges Committee.

2. Additional Materials Submitted by the Committee for the Commission's Consideration.

The heart of this matter involves loans by Stanley M. Kaplan, which were made to the Committee in the form of payments of outstanding obligations due and owing NTA National, Inc. for services rendered to the Committee. As the Committee stated in its offer of conciliation in September 3, 1980, it recognizes and concedes that its acceptance of these "loans" violated the Act, and specifically §§ 441a(a)(1), 441a(f), 433(b). As the Committee also stated at that time, the violation addressed by the proposed conciliation agreement represents an isolated instance of Committee misconduct, an instance which stands in stark contrast to the overall record of compliance by the Committee with the Act.

Moreover, the error made by the Committee in accepting these "loans," an error rising out of the Committee's failure to understand that any such "loan" constituted a "contribution" to the extent unpaid, is not uncommon among political committees. In fact, in recognition of the widespread confusion over the relationship between a "contribution" and a "loan," the FEC sought in the

0 2 0 4 0 3 0 3 1 0 2

1980 amendments to add additional regulatory language to "clarify" further that relationship. See the explanation and justification to the new § 100.7(a)(1)(i) added in the 1980 amendments. Thus, while the Committee erred, and while it is prepared to conciliate over this conceded violation of the Act, it wishes to place the matter in an overall perspective, and certainly in the perspective of generally full compliance by the Committee with all the restrictions and requirements of the FECA as they affected United States Senate campaigns in North Carolina in 1978.

Very truly yours,

Robert F. Bauer

Robert F. Bauer
Counsel for
Friends of Luther
Hodges Committee

RFB:peg

8204036310 3

OCS # 4771

Gentlemen:

CO... ...ARY

81 MAY 26 P 2: 13

This letter is in response to your letter dated May 5, 1981. I received your letter May 9, 1981.

Refer to MUR NO. 1237
Staff Member - Michael Dymersky
Phone # 523-4039

RECEIVED
GENERAL COUNSEL
81 MAY 27 A 9: 29

To begin, I was approached by Mr. "Puny" Mann who told me that Stan Kaplan had given a fund raising dinner for the Luther Hodges Campaign. He said that they had received an excess amount of monies and to legally give it to Luther Hodges Campaign they had to disperse it in $2,000 amounts to be given by individuals. I immediately asked Mr. Mann if there was anything illegal about doing this. He told me that there was nothing illegal about it. I have known Mr. Mann for years by doing business with Big Ways. To my knowledge he had never lied or mislead me in any way. Thereupon I gave him my Company check for $2,000. A week or so later, to the best of my recollection, I received a phone call from Mr. Mann

8 2 0 4 0 3 6 3 1 0 4

saying he had made a mistake by taking my Company check. That the Campaign Couldn't accept my Company check and that I had to give them a personal check. So I told him I would get a personal check made out and that he could bring my Company check back to me and I would give him a personal check at that time. When he came down to my Store to pick up the personal check he did not have the Company check with him. He told me not to worry about the Company check, that he had forgotten it, and that he would mail it to me or bring it back. That I could trust him. I had no reason to think otherwise. This matter slipped my mind until April of 1981

Since my accountant opens my Cancelled checks and my secretary opens my mail, I never realized that Mr. Mann had never returned the Company check. To my amazement! Therefore, I called

8204031105

So I called Mr. Mann and told him that my Company check had been cashed by the Hodges Campaign. He said that this was "impossible". That he thought he had sent the Company check back so I could void it. I told him to come down to the Store and I would show him both cancelled checks. When he came down to the Store he said he couldn't believe that they had cashed my Company check. So I told him I wanted my $2,000 returned to me. Mr. Mann told me that he would talk to Stan Kaplan and he thought that I could get my money back by trading it out in advertising. I did not hear anything back from Mr. Mann so I called Stan Kaplan. Stan Kaplan told me that Mr. Mann had never told him about this matter. So I told Mr. Kaplan that

6204035310 6

I wanted my money back. He told me that he couldn't get the money back for me and that I should call Dick Spangler. And that he was sorry it had happened. So I called Dick Spangler and he informed me that there was no way that I could get my money back. Needless to say, it hit me with startling clarity that I had been lied to, deceived and made a fool of!

I have explained everything to the best of my knowledge and recollections. If I had ever thought that I was violating any law I would never have been involved in this whole affair. I am truly sorry that this has happened.

Very Sincerely,

Elwood J. Sibert.

P.O. Box 337

MATTHEWS, N.C. 28105

0 2 0 4 0 3 6 3 1 0 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 22, 1981

HAND DELIVERED

Robert F. Bauer, Esq.
Perkins Coie, et al.
1920 N. Street, N.W.
Suite 403
Washington, D.C. 20036

Re: MUR 1237

Dear Mr. Bauer:

Since you will necessarily have to seek information from outside the Washington, D.C. metropolitan area in order to be responsive to the allegations set-forth in the reason to believe notification letter in the above-captioned matter, you are hereby granted an extension of time to Tuesday, May 26, 1981, per your request.

If you have any questions as regards this matter, please contact Michael Dymersky, the staff member assigned to this matter, at 202-523-4039.

Sincerely,

Charles N. Steele
General Counsel

6204036 3108

Gen# 4733 RECEIVED
81 MAY 21 4:06

PERKINS, COIE, STONE, OLSEN & WILLIAMS

ANCHORAGE OFFICE
420 "L" STREET
ANCHORAGE, ALASKA 99501
TELEPHONE: 907-276-6561
TELECOPIER: 907-276-3108

1920 N. STREET N.W.
SUITE 403
WASHINGTON, D.C. 20036
TELEPHONE: 202-887-9030

PLEASE REPLY TO WASHINGTON, D.C. OFFICE

SEATTLE OFFICE
1900 WASHINGTON BUILDING
SEATTLE, WASHINGTON 98101
TELEPHONE: 206-682-8770
TELECOPIER: 206-682-8784
CABLE "PERKINS SEATTLE"
TELEX 32-0310

May 21, 1981

Mr. Michael Dymersky
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: MUR 1237

Dear Mr. Dymersky:

As I informed you this morning, I am requesting an extension of the period for the Friends of Luther Hodges Committee's response to your reason to believe notification in the above-captioned matter. Under the initial 10 day response period, our answer would be due today, Thursday, May 21; I seek an extension to Tuesday the 26th.

This extension is necessary to complete the collection of information needed for this response from individuals located outside Washington, D.C.

I would appreciate a response at your earliest convenience.

Very truly yours,

Robert F. Bauer
Counsel for the
Friends of Luther
Hodges Committee

RFB/peg

81 MAY 21 P 1:04
GENERAL COUNSEL
6204036310 9

81 MAY 21 P12:17

MOORE AND VAN ALLEN
ATTORNEYS AT LAW
2000 NCNB PLAZA
CHARLOTTE, N. C. 28280

AREA CODE 704
374-1300

JAMES O. MOORE
WILLIAM K. VAN ALLEN
ROBERT W. KING, JR.
JOHN T. ALLRED
R. BEVERLY R. WEBB
HARRY J. GRIM
GRAHAM D. HOLDING, JR.
R. MICHAEL CHILDS
BARNEY STEWART, III
GEORGE V. HANNA, III
GEORGE R. HODGES
JOHN C. FENNEBRESQUE
ROBERT D. DEARBORN
W. BENJAMINE HAWFIELD, JR.
STEPHEN D. HOPE
JEFFREY J. DAVIS
CHRISTY EVE REID
JOSEPH W. McGIRT, JR.
DANIEL G. CLODFELTER
T. EDMUND RAST
JAMES H. CLARKE
JULIA V. JONES
CHRISTOPHER C. KUPEC
JAMES W. HOVIS
RANDEL E. PHILLIPS

May 19, 1981

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

Re: MUR 1237

Dear Mr. Dymersky:

As you have been advised by our clients, we represent Mr. and Mrs. Lewis S. Simon in connection with the Commission's investigation. We have reviewed the information contained in the Commission's letter of May 5, 1981, to the Simons and have discussed it with them. With their consent we are making request pursuant to 11 C.F.R. §111.18(d) that the staff enter into informal conciliation efforts prior to any finding of probable cause.

In approaching conciliation we believe it is highly significant that the Simons did not in any way benefit financially from the transactions which are the subject of the Commission's investigation

We are prepared to provide any further information you may need in connection with a conciliation effort. Please direct all communications to me or to Mr. Daniel G. Clodfelter, also of our firm.

With best regards.

Sincerely,

MOORE AND VAN ALLEN

John T. Allred

John T. Allred

:lw

cc: Mr. and Mrs. Lewis S. Simon
Mr. Michael Dymersky (Certified Mail)

9204031 10

81 MAY 21 P1:0
GENERAL COUNSEL

J. REID POTTER
ATTORNEY AT LAW

2300 East Seventh Street
CHARLOTTE, NORTH CAROLINA 28204

Telephone
(704) 376-8452

81 MAY 21 P12:17

May 19, 1981

Mr. Michael Dymersky
Office of the General Counsel
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1237

Dear Mr. Dymersky:

My client, Claire Shaffner, has forwarded a letter received by her, dated May 5, 1981, from Chairman John McGarry.

Since the incident in question, Ms. Shaffner lost her job with Mr. Kaplan, been forced to relocate, and has suffered untold personal hardship since that time. As it is evident that Ms. Shaffner was an innocent party used by Mr. Kaplan and that she had no prior knowledge of any wrongdoing, I would hope that the Federal Election Commission would deem it appropriate, under the circumstances, not to take any further action against her.

With best regards, I am

Sincerely yours,

J. Reid Potter

JRP/ms
cc: Claire Shaffner

82040363111

GCC # 4927

81 MAY 20 AM 1:08

3201 Parkside Drive
Charlotte, N. C. 28206
May 18, 1981

81 MAY 20 PM 3:53

GENERAL COUNSEL

Mr. Michael A. Dymersky
1325 K Street, N.W.
Washington, D. C. 20463

Dear Mr. Dymersky:

Complying with your request by telephone this morning, I have employed Mr. Michael Berman, Attorney, to represent me in the matter of your letter dated May 5, 1981, which I did not receive until May 12 or May 14.

Referring to your letter RE: MUR 1237, Mr. Berman's address is Suite 601, 1015 Eighteenth Street, N.W., Washington, D. C. 20036.

Very truly yours,

Keith Beaty

Keith Beaty

KB:lh

8204036312

RECEIVED
81 MAY 20 A11:08

4840 Drakestone Court
Charlotte, North Carolina
May 18, 1981

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

Re: MUR 1237

Dear Mr. Dymersky:

We have received Mr. McGarry's May 5 letter on behalf of the Commission regarding this investigation. Please be advised that we will be represented by the firm of Moore and Van Allen, 3000 NCNB Plaza, Charlotte, North Carolina 28280, telephone (704) 374-1300. Any communication with us regarding the investigation should be directed to Mr. John T. Allred or Mr. Daniel G. Clodfelter of Moore and Van Allen. They are authorized to receive on our behalf any notification or other communication from the Commission.

With best regards.

Sincerely,

Lewis S. Simon

Lewis S. Simon

Margaret Simon

Margaret Simon

cc: Mr. Michael Dymersky (via Express Mail)

82040363113
81 MAY 20 P12:55
GENERAL COUNSEL

GCC # 4695

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARY

81 MAY 18 A10: 05

3731 Barclay Downs Drive
Charlotte, N. C. 28209

May 13, 1981

RECEIVED
OFFICE OF
GENERAL COUNSEL

81 MAY 18 P3: 07

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

Dear Mr. McGarry:

I am in receipt of your letter of May 5, 1981. Because of the seriousness of this matter, I have retained Attorney J. Reid Potter, 901 Elizabeth Avenue, Charlotte, N. C. (704) 376-8452. All further correspondence from you should go to Mr. Potter.

Thank you.

Claire Russell Shaffner

Claire Russell Shaffner

P.S. My address until June 1, 1981 will be:
P. O. Box 31089
Charleston, S. C. 29407

8204035311 4

GCC # 4697

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

JAMES, MCELROY & DIEHL
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
700 HOME FEDERAL BUILDING
139 SOUTH TRYON STREET
CHARLOTTE, NORTH CAROLINA 28202

HENRY JAMES, JR.
PENDER R. McELROY
WILLIAM K. DIEHL, JR.
GARY S. HEMRIC
ALLEN J. PETERSON
DAVID M. KERN
ROBERT H. SHEPPARD

TELEPHONE
704/372-9870

81 MAY 18 A10: 05

May 14, 1981

81 MAY 18 P3: 06

RECEIVED
GENERAL COUNSEL

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

Re: MUR1237
Harry Wolf

Dear Mr. McGarry:

This firm represents Harry Wolf, the recepient of your letter of May 5, 1981. By his signature also set forth below, you are notified of my representation of Mr. Wolf and you are further authorized to furnish me notification and other communications from the Commission.

I, upon delivery of your correspondence, have begun an immediate investigation into the allegations contained on the factual and legal analysis sheet attached to your letter. Mr. Wolf will attempt to respond timely to those allegations and he has also requested that an immediate attempt be undertaken to engage in conciliation with a view toward resolution of all issues.

I have already spoken by phone with Mr. Dymersky so that he will be aware of my involvement as well as Mr. Wolf's interest in bringing the matter to a prompt conclusion.

My thanks for your courtesy and attention.

Most sincerely,

Harry C. Wolf

William K. Diehl, Jr.

9 2 0 4 0 3 6 3 1 1 5

GCC #4717

JAMES, McELROY & DIEHL
PROFESSIONAL ASSOCIATION
ATTORNEYS AT LAW
700 HOME FEDERAL BUILDING
139 SOUTH TRYON STREET
CHARLOTTE, NORTH CAROLINA 28202

HENRY JAMES, JR.
PENDER R. McELROY
WILLIAM K. DIEHL, JR.
GARY S. HEMRIC
ALLEN J. PETERSON
DAVID M. KERN
ROBERT H. SHEPPARD

TELEPHONE
704/372-9870

RECEIVED
OFFICE OF THE SECRETARY
COMMISSION
81 MAY 1 P 1:05

May 15, 1981

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

Re: Harry C. Wolf, III
MUR-1237

Dear Mr. McGarry:

In accordance with the request specified in your letter of May 5, I am delivering to you Mr. Wolf's sworn response.

I believe his statement to be a candid acknowledgement as to the events which transpired in February or March of 1978 and they are submitted to you with the respectful request that the Commission consider taking no action in this matter.

From a vantage point in 1981 and from a recent awareness as to the express federal statutory requirements regarding campaign contributions in a federal election, it is clear that Mr. Wolf should not have accepted Mr. Kaplan's funds. It is his belief that had there been any mention that Mr. Kaplan was trying to avoid a federal law, that there would have been no acceptance of the monies. Sometimes people do strange things regarding political campaigns, as I am sure you are aware, and it is not a particularly unusual thing for someone to not want their name to be associated with a contribution. That may be done for good and valid reasons and unfortunately the friendship between Mr. Kaplan and Mr. Wolf blinded Mr. Wolf to inquire further, either of Kaplan or of legal counsel as to whether or not such a contribution could properly be made. There was no intent on Mr. Wolf's part to violate the federal law. He simply thought that there was for himself and his wife a maximum contribution that he could make and that that limit had not been reached.

He has made a mistake for which he is embarrassed and for which he apologizes. I would hope the Commission would see fit to conclude the matter at this level, as I am certain you will never again have occasion to make inquiry as to any alleged impropriety involving Mr. Wolf and federal election laws.

My thanks on his behalf for your thoughtful consideration.

8204031116

Most sincerely

William K. Diehl, Jr.

WKDjr:dtk
Enclosure
cc: Harry C. Wolf, III

6204031117

STATE OF NORTH CAROLINA)
)
COUNTY OF MECKLENBURG)

AFFIDAVIT

HARRY C. WOLF, III, being first duly sworn, deposes and says that:

1. I am a citizen and resident of Charlotte, Mecklenburg County, North Carolina.

2. I am 46 years of age, under no disability, and make this Affidavit upon my personal knowledge.

3. I am a lifelong resident of Charlotte, North Carolina. I attended Georgia Institute of Technology, graduating with a degree in Architecture (BS) June, 1958. I am an architect by profession and for 15 years, have practiced under the name and style of Wolf Associates, a firm which I started in 1966. I am a Fellow of the American Institute of Architects.

4. I have been and continue to be a close personal friend of Luther Hodges. We have known each other for 19 years.

5. When Mr. Hodges decided to run for the United States Senate, it was my wish to support him fully and to assist him as I could economically. I, myself, have never run for political office, nor am I familiar with local, state or federal rules and regulations regarding political campaigns. I was informed in connection with Mr. Hodges' election that campaign contributions were limited to $1,000 per person as to each election.

6. In late 1977, my wife, Jan Wolf, and I determined to assist Mr. Hodges in the Democratic primary in his run for the United States Senate. My first contribution to his campaign was on January 3, 1978 when I wrote a check in the amount of $1,000 to his campaign fund. Subsequently, on February 15, 1978 and on March 28, 1978, I issued checks payable to his campaign fund in the amount of $100 and $900, respectively. The contributions which were made were on behalf of myself and my wife, Jan. Funds utilized in this regard were taken from our joint savings account.

7. The first primary regarding Mr. Hodges' election effort occurred on May 2, 1978. At that time, my wife and I had each contributed $1,000 to the campaign.

8. I am also a close friend, or felt that I was, of Stan Kaplan, the owner, with his wife, of radio station WAYS-WROQ here in Charlotte.

5 2 0 4 0 3 0 3 1 1 8

Mr. and Mrs. Kaplan have a daughter the approximate same age as my daughter and there has been over the years a great deal of family activity between the Kaplans and the Wolfs. We live quite close to each other. I have also had a business relationship with Mr. Kaplan in that my architecture firm designed a significant addition to the studios for Mr. Kaplan's radio station here in Charlotte, in 1977/78.

9. I do not have an exact recollection of the facts and circumstances regarding Mr. Kaplan approaching me, I believe in February, or it might have been March of 1978, with regard to making a contribution to the Hodges campaign. I knew that Mr. Kaplan was an active supporter of Mr. Hodges. Because it has now become pertinent to focus on exactly what transpired, I have tried to recall the events of more than three years ago and I do recall him coming to me on some occasion and indicating that he had additional funds he wanted to contribute to Mr. Hodges' campaign, but that he did not want to do so in his own name for reasons at that time I simply do not recall. It is my best recollection that I had already made contributions for myself and my wife, that I intended to assist further insofar as my wife and I could each contribute $1,000 and thus when he indicated he wanted to assist Mr. Hodges further without being visible, and whereas I was entitled to contribute additional monies and in fact intended to do so on my own account, I did not place any particular importance on his statement to me about his wanting to give additional funds. I do not know the exact amount he gave me except I am certain it was between $300 and $500, and as noted above, I believe it occurred in February or March of 1978. I have called Mr. Kaplan in an effort to obtain from him a recollection as to when these things took place and he too tells me he believes it was February of 1978 although he is not certain as to the exact amount either. I am told by his counsel that he has reported to the Federal Election Commission that the amount he gave me was $500. That may well be the exact figure. I do not believe it was any more than that and I know that it occurred on only one occasion. I am also certain that the monies which Mr. Kaplan gave to me were delivered before the first primary. I had absolutely no awareness that there was a prohibition of any type on Mr. Kaplan giving me the money to be contributed to Mr. Hodges' campaign. As indicated above, I had been told by someone on Hodges' campaign staff that I was limited to a $1,000 contribution and Jan, my wife, was

6 2 0 4 0 3 6 3 1 1 9

limited to a $1,000 contribution. We had not met those limits when Mr. Kaplan approached me. It simply did not occur to me that Mr. Kaplan had any intention to avoid federal or any other law with respect to campaign contributions when he made the request of me. Hindsight and awareness now of the law makes clear that I should have declined his suggestion. However, I accepted the monies which he gave me, although I now have absolutely no recollection about depositing them in any specific account or otherwise, and it is correct that I made, on behalf of myself and my wife, total contributions as noted above of $2,000 before the May 2, 1978 primary.

10. As this Commission is aware, Mr. Hodges was involved in a run-off with John Ingram which occurred in late May of 1978. I did not make any additional contributions that I can recall or that I can locate by examinations of my records between the first of May and the end of May. However, following Mr. Hodges' loss in the run-off, I was advised by someone on his campaign staff (I have absolutely no idea who) that he had rather significant campaign debts and requests were made for assistance from friends and supporters to help liquidate some of those debts. On August 31, 1978, I made an additional contribution of $500 to assist Mr. Hodges in paying off campaign debts related to the run-off election. Because of the amount of the August contribution, to wit $500, and the information I believe Mr. Kaplan has furnished the Commission that his cash payment to me could possibly have been $500, I have checked again with him to make sure that that payment to me did not occur in August, and he confirms that in fact it did not because at that time he was not involved, he said, with making contributions to the Hodges campaign. I am satisfied that he is correct in that respect and that in fact the money he gave to me was given sometime, as I noted above, in either February or March of 1978.

11. I am personally very distressed about what has been shown to me as an impropriety that I participated in in connection with my support for my friend Luther Hodges. While I am now aware that the contribution should not have been accepted by me when Mr. Kaplan suggested it, I foolishly assumed that he must have had some valid reason for not wanting his name attached to further contributions to Mr. Hodges' campaign and I acquiesced in his suggestion. To the best of my knowledge, Mr. Hodges

5 2 0 4 0 3 6 3 1 2 0

certainly from my standpoint, had no awareness of this transaction. It simply never crossed my mind that Mr. Kaplan had either contributed too much or too little, or for that matter, I had no idea how much he had contributed at the time he approached me. I was not aware that he approached any other person. I simply gave little thought to the matter except that for some reason he didn't want his name attached to that particular contribution and I accommodated his wish. Insofar as I can apologize to this body for my conduct, I hereby do so. I can assure you there will be no further violation on my part of any provision of local, state or federal law regarding future campaigns.

This 15 day of May, 1981.

Harry O. Wolf, III

Sworn to and subscribed before me this 15 day of May, 1981.

Donna J. Kissinger
Notary Public

My Commission Expires: 9-25-83

0204036312

GCC 4710

81 MAY 19 A8:39

LAW OFFICES
WILLIAMS & CONNOLLY
HILL BUILDING
839 SEVENTEENTH STREET, N.W.
WASHINGTON, D.C. 20006

AREA CODE 202
331-5000

EDWARD BENNETT WILLIAMS
PAUL R. CONNOLLY (1922-1978)
ROBERT A. SCHULMAN
HAROLD UNGAR
VINCENT J. FULLER
RAYMOND W. BERGAN
STUART E. SEIGEL
JEREMIAH C. COLLINS
DAVID N. WEBSTER
ROBERT L. WEINBERG
IRVING YOUNGER*
LYMAN G. FRIEDMAN
DONALD E. SCHWARTZ
DAVID POVICH
STEVEN M. UMIN
JOHN W. VARDAMAN, JR.
PAUL MARTIN WOLFF
J. ALAN GALBRAITH
CHARLES H. WILSON
JOHN G. KESTER
WILLIAM E. McDANIELS
BRENDAN V. SULLIVAN, JR.
AUBREY M. DANIEL, III
RICHARD M. COOPER
ROBERT P. WATKINS
JERRY L. SHULMAN
JOHN B. KUHNS
GREGORY B. CRAIG
LAWRENCE LUCCHINO
LEWIS H. FERGUSON, III
ROBERT B. BARNETT
DAVID E. KENDALL
JOHN J. BUCKLEY, JR.
BERNARD J. CARL

KENDRA E. HEYMANN
TERRENCE O'DONNELL
DOUGLAS B. MARVIN
JOHN M. MASON
JOHN K. VILLA
BARRY S. SIMON
KEVIN T. BAINE
ELLEN SEGAL HUVELLE
STEPHEN L. URBANCZYK
PHILIP J. WARD
JAMES T. FULLER, III**
PETER J. KAHN
DANIEL J. MELTZER
JUDITH A. MILLER
STANLEY I. LANGBEIN
LON S. BABBY
JANE E. GENSTER
SCOTT BLAKE HARRIS
FREDERICK WHITTEN PETERS
MICHAEL S. SUNDERMEYER
CYNTHIA C. CANNADY
DAVID D. AUFHAUSER
BRUCE R. GENDERSON
WILLIAM ALDEN McDANIEL, JR.
ROBERT C. POST
CAROLYN H. WILLIAMS
STEPHEN M. KRISTOVICH
F. LANE HEARD
WILLIAM J. MURPHY***
STEVEN R. KUNEY

*MEMBER NY BAR ONLY
**MEMBER VA AND WA BARS ONLY
***MEMBER PA BAR ONLY

81 MAY 19 P1:41

6204035312

The Honorable John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Dear Chairman McGarry:

We have your letter of May 5, 1981 regarding my client, Stanley N. Kaplan. Mr. Kaplan is the subject of MUR No. 1237.

Mr. Kaplan is extremely contrite about the conduct which led to this matter being before you. He has instructed me to cooperate fully with the Commission in its efforts to promptly resolve this matter. I write this letter in furtherance of that cooperation.

Attached you will find answers to the questions which you posed to Mr. Kaplan in your May 5, 1981 letter. Mr. Kaplan has signed these answers and had his signature notarized.

Your letter invites us to submit any other material which we believe relevant to the Commission's consideration of this matter. As you know, I have met with and spoken with the General Counsel of the Commission and various staff attorneys on numerous occasions. We have also supplied various documents and information to your attorneys.

If you desire any additional information from us, please do not hesitate to contact us. We will be pleased to comply with any request in an expeditious manner.

It is my understanding that this letter and attachment, as well as all other communications during the investigatory process, will be held private and confidential in accordance with previous discussions between myself and your attorneys.

Sincerely,

Robert B. Barnett

RBB/jls
Attachment

8 2 0 4 0 3 6 3 1 2 3

RECEIVED

81 MAY 19 A8:46

RESPONSES OF STANLEY N. KAPLAN
TO MAY 5, 1981 QUESTIONS
OF THE FEDERAL ELECTION COMMISSION

(1) Describe your relationship to Friends of Luther Hodges Committee ("Committee"), including any formal or informal position.

I was a member of the Finance Committee of the Friends of Luther Hodges Committee. I am a long-time personal friend of Luther Hodges and a personal friend of many of the other members of the Finance Committee.

(2) Describe, to the best of your knowledge, Friends of Luther Hodges Committee's finance committee including its role and function in the 1978 campaign of Luther Hodges.

The Finance Committee consisted of a number of members, including many business men and local politicians. I believe Dick Spangler was the Chairman. The Finance Committee had occasional meetings. The role of the Finance Committee was to raise money to support the campaign activities of the Friends of Luther Hodges Committee.

81 MAY 19 P1:51

(3) Describe your assignment as a member of the finance committee.

I was assigned to raise money to support the campaign activities.

(4) Describe how, as a finance committee member, you were asked to function.

I was given a list of potential contributors. I was to solicit contributions from these individuals. I was also to solicit contributions from anyone else I desired. I was assigned a fundraising quota of $100,000.

(5) Who [sic] with the Committee did you discuss your fundraising efforts?

Dick Spangler.

6204035312 4

(6) Describe how money you raised was given to the Committee, e.g., did the donors forward contributions to the Committee, did you collect them and forward or deliver them to the Committee.

Sometimes the donors sent their contributions directly to the Committee. Sometimes I collected the contributions for delivery or forwarding to the Committee.

(7) Did you ever advise or otherwise inform any officer or employee of the Committee that contributions from other individuals were actually contributions from you?

No.

(8) Was any officer or employee of the Committee aware that contributions allegedly from other individuals were actually contributions from you?

To the best of my knowledge, no.

Stanley N. Kaplan

Subscribed and sworn to before me

this 13 day of May, 1981

Betty G. Vanbeet
Notary Public
My Commission Expires May 6, 1984

6204035312 5

GCC # 4693

MICHAEL S. BERMAN

May 18, 1981

Mr. Kenneth Gross
Associate General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20460

RECEIVED
GENERAL COUNSEL
81 MAY 18 P12:58

Dear Mr. Gross:

I have been retained to represent Mr. Albert Manche, Mr. Kent Burkhart, Mrs. Patricia Burkhart, Mr. Frank Atlas and Mr. K. M. Beaty relative to your letter to them dated May 5, 1981 concerning MUR 1237. I believe that letters authorizing my representation have been received from Mr. Manche, the Burkharts and Atlas. A similar letter is being forwarded by Mr. Beaty.

Pursuant to our telephone conversation of May 15, 1981, I am requesting an extension of the fifteen day time for response noted in letters to each of the above in order that I might have an opportunity to familiarize myself with this matter. It was my understanding from our conversation that such an extension would be granted.

I will contact Mr. Johansen to discuss this matter early next week.

Thank you for your consideration.

Sincerely,

Michael S. Berman

Michael S. Berman

cc: Mr. Gary Johansen
Mr. Michael Demersky

8204036126

100

GCC#4675

JOHN G. ALDEN
OF FLORIDA

TEL: (305) 525-0502
TWX: 510 955 9788
(Yacht Ship Ftl)

YACHT BROKERAGE • DESIGN • NEW CONSTRUCTION • CHARTERS
2182 S. E. 17th STREET FORT LAUDERDALE, FLORIDA 33316

FRANK ATLASS, President

May 13, 1981

Mr. Michael A. Dymersky
Federal Election Commission
Washington, D.C. 20463

81 MAY 15 P3:47

FILED
GENERAL COUNSEL

Re: MUR 1237

Dear Mr. Dymersky:

I am in receipt of your correspondence dated May 5, regarding possible violations of the Federal Election Campaign Act of 1971.

In regard to the above, I have retained as counsel Michael S. Berman, Esq., Suite 601, 1015 18th Street N.W., Washington 20036; telephone number (202) 638 6617.

I have forwarded to him the complete correspondence received from you, and would appreciate it if any future communication could be directed to Mr. Berman.

Very truly yours,

Frank Atlass
FA/pw

c.c. Mr. Michael S. Berman

6204035127

MEMBER OF SOUTHERN YACHT BROKERS ASSOCIATION
MEMBER—YACHT ARCHITECTS & BROKERS ASSOCIATION
FOUNDING MEMBER—SOCIETY OF AMERICAN YACHT BROKERS

Memo

100510 FROM GCC#44676

AL MANCH

5-12-81

Gentlemen

In reference to letter dated 5/5/81 re MUR 1237 please be advised that Attorney Michael S. Berman will represent the signer - & this letter! His address Suite 601 1015 - 18th St NW Wash 20036 - Tel# (202) 638 6615

BERMAN

I have authorized him to receive any communication, participation or any other data

Thank you

Al Manch

11 MAY 1981 3:
GENERAL COUNSEL

8 2 0 4 0 3 0 3 1 2 8

GCC # 4671

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

Law Offices
ZISSER, ROBISON & SPOHRER, P.A.
BARRY L. ZISSER
ELLIOT ZISSER
W. L. BUD ROBISON (1938-1980)
ROBERT F. SPOHRER
NORWOOD S. WILNER
ROBERT B. COSBY
NED I. PRICE

308 LIBERTY STREET
JACKSONVILLE, FLORIDA 32202
TELEPHONE (904) 354-8456

81 MAY 14 P12:54

May 12, 1981

81 MAY 14 P4:16

RECEIVED
GENERAL COUNSEL

Honorable John Warren McGarry
Chairman, Federal Election Commission
Washington, DC 20463

Re: MUR 1237

Dear Mr. McGarry:

This letter is being written to advise you that this office has been retained by Mr. Melvin Javitz (SIC), with regard to the contents of your letter of May 5, 1981, together with enclosures contained therein.

In view of the tone of the letter, Mr. Javitz has requested that I advise you of the following:

1. In accordance with 2 U.S.C. §437, he does not in any way desire for any of these matters to be released to the public and specifically states that they are to remain confidential under all circumstances.

2. He does intend to be represented by counsel and you may consider this letter as notification of that representation.

3. Should you desire a more formal statement by Mr. Javitz of the representation, please feel free to send such forms as you require directly to the undersigned who will see to the execution of the same by Mr. Javitz and the immediate return to you.

4. All future statements and correspondence between the Commission and Mr. Javitz shall be conducted directly through this office and there shall be no further attempts at contacting him.

5. I will remain available to discuss all matters with any member of the Commission or its staff, upon reasonable notice.

Very truly yours,

BARRY L. ZISSER

BLZ/sms
CC: Melvin Javitz

8204031129

#4672

BURKHART / ABRAMS / MICHAELS / DOUGLAS
AND ASSOCIATES, INC.

[illegible] RIVER CHASE CIRCLE, EAST, ATLANTA, GEORGIA [illegible]

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

81 MAY 14 P12: 56

81 MAY 14 P4: 15

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

May 11, 1981

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

Dear Mr. McGarry:

We have received your letter dated May 5, 1981.

This is in reference to the Kaplan-Hodges matter ... RE: MUR 1237.

Please be advised that we have appointed an attorney to represent us in this matter. He is Michael S. Berman, Suite #601, 1015 18th Street, N.W., Washington, D.C. His phone number is (202)-638-6617.

He has our permission to deal directly with you and your people regarding this matter, and should also receive a copy of all communications directly with us.

Best regards,

Kent Burkhart

Pat Burkhart

/rk

cc: Mr. Michael S. Berman

8204031130

81 MAY 14 P3: 13

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

GCC#4658

HAROLD G. ROSS
211 East 70th Street
New York, N. Y. 10021

81 MAY 12 P12: 39

May 8, 1981

81 MAY 12 P2:47

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

Re: MUR 1237

Dear Mr. McGarry:

In reply to your letter of May 5, 1981, I do intend to be represented by counsel in this matter. My counsel's name is, John M. Bray, Schwalb, Donnenfeld, Bray & Silbert, Suite 350, 1333 New Hampshire Avenue, N.W., Washington, D.C. 20036, Telephone 202-857-0970.

This letter authorizes Mr. Bray to receive any notifications and other communications from the Federal Election Commission.

Sincerely,

Harold G. Ross

HGR:jm
CC: Michael Dymersky
John M. Bray

6204031331

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
GCC#1639
JUN 12 P4:48

MUR1237

LUTHER H. HODGES, JR.

May 23, 1980

Dear Sir:

This letter is for the purpose of authorizing Robert F. Bauer, Esquire to represent The Friends of Luther Hodges Committee, my principal campaign committee in the 1978 U. S. Senate election in North Carolina, in all matters pending or which may come before the Commission.

Sincerely,

Luther H. Hodges, Jr.

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

82040353132

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jon J. Terrell
c/o WXLO
1440 Broadway
New York, New York

Re: MUR 1237

Dear Mr. Terrell:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8204035331333

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204036134

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael Dymersky

RESPONDENT Jon J. Terrell

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

0 2 0 4 0 3 6 3 1 3 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Louis and Margaret Simon
426 West 4th Street
Charlotte, North Carolina 28202

Re: MUR 1237

Dear Mr. & Mrs. Simon:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8204036136

3

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

MUR DOCKET

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 & Margaret Simon
426 West 4th Street
Charlotte, N.C. 28202

3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. 949824 | INSURED NO.

(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Linda Akers

4. DATE OF DELIVERY 5-9-81

5. ADDRESSEE (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

POSTMARK
MAY 11 1981

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

P.S. Form 3811, Jan. 1979

☆GPO: 1979-280-848

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

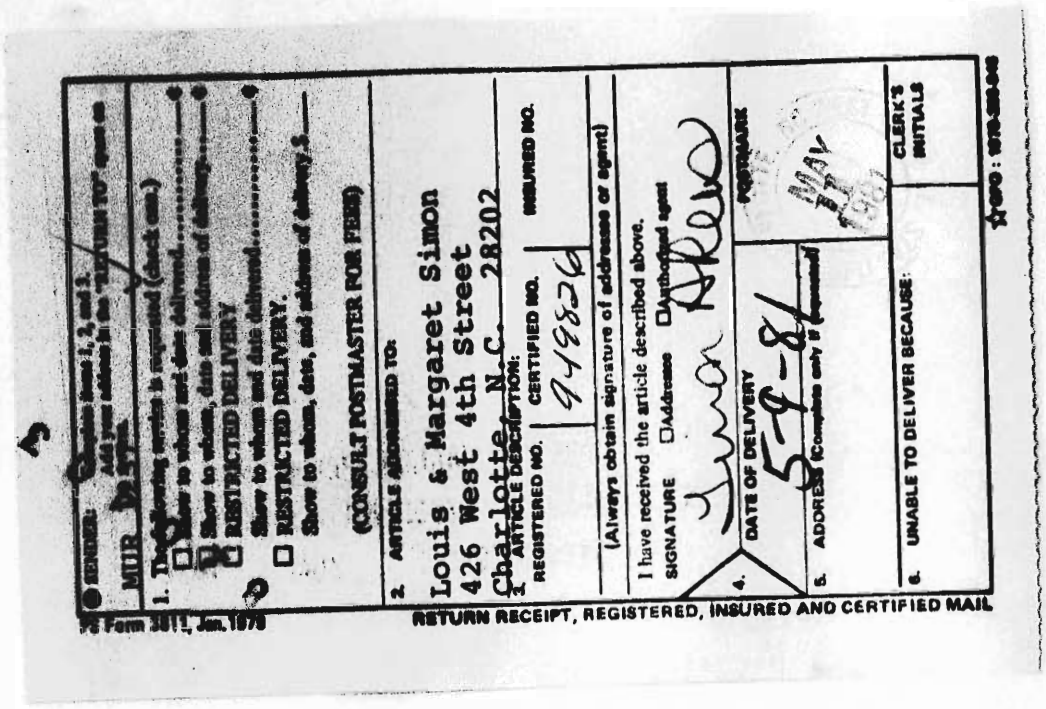
For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures

8 2 0 4 0 3 6 3 1 3 8


SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.
MUR
1. Delivering article is restricted (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 & Margaret Simon
426 West 4th Street
Charlotte, N.C. 28202
3. ARTICLE DESCRIPTION:
REGISTERED NO.
CERTIFIED NO.
949826
INSURED NO.
(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE Addressee Authorized agent
4. DATE OF DELIVERY
5-9-81
POSTMARK
MAY
5. ADDRESSEE (Complete only if requested)
6. UNABLE TO DELIVER BECAUSE:
CLERK'S INITIALS
PS Form 3811, Jan. 1978
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
GPO : 1978-256-866

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.

RESPONDENT Louis Simon

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204036139

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael Dymersky

RESPONDENT Margaret Simon

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204031340

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Claire Shaffner
3731 Barclay Downs Drive
Charlotte, North Carolina 28209

Re: MUR 1237

Dear Ms. Shaffner:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8204036141

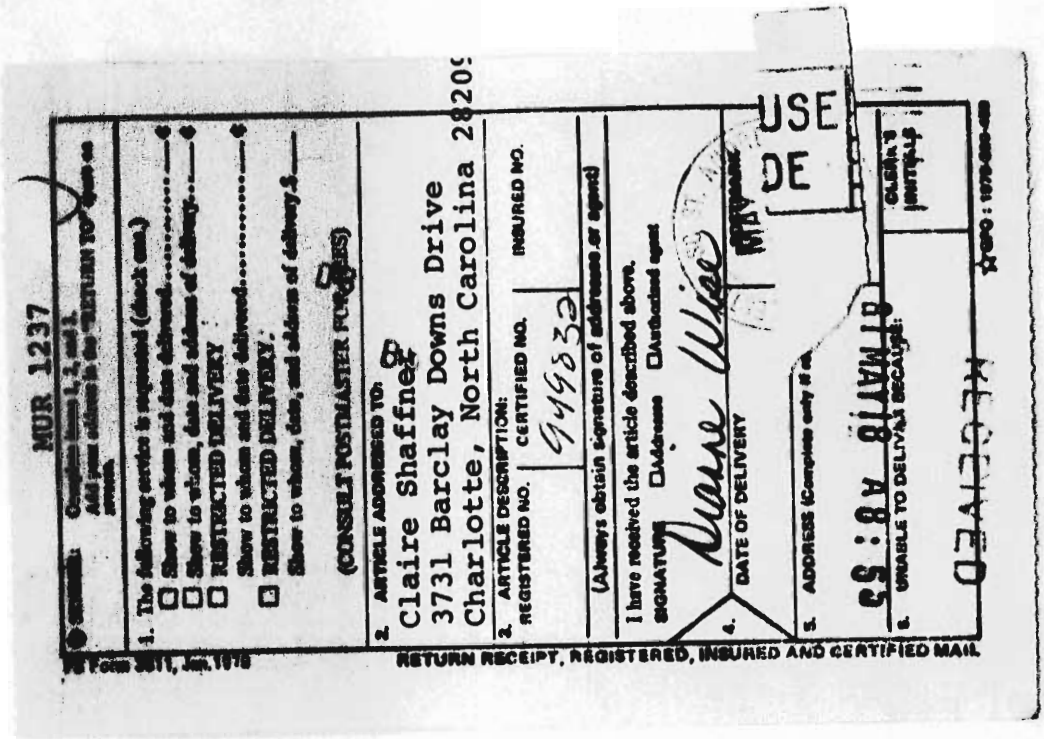
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures



8 2 0 4 0 3 6 3 1 4 2

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. Michael Dymersky

RESPONDENT Claire Shaffner

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204036143

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jeffrey L. Poll
500 San Jose Boulevard
Apt. 289
Jacksonville, Florida 32207

Re: MUR 1237

Dear Mr. Poll:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6204036144

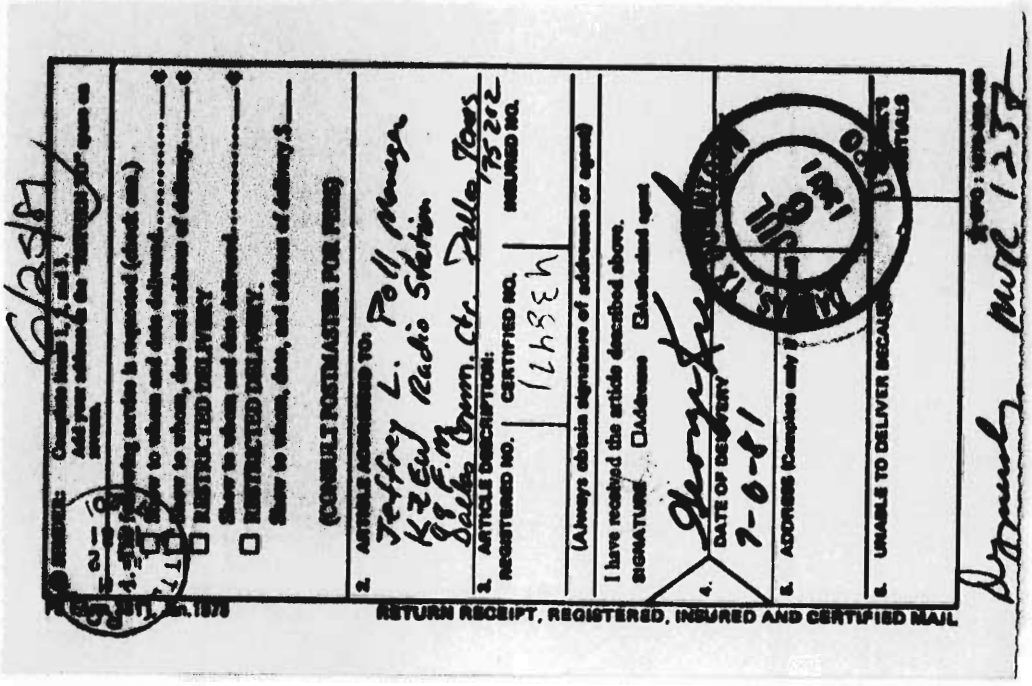
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures



FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. Michael Dymersky

RESPONDENT Jeffrey L. Poll

523-4039

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204035146

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph J. McCluskey
7901 Baymeadows Circle
Jacksonville, Florida 32216

Re: MUR 1237

Dear Mr. McCluskey:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6204036314 7

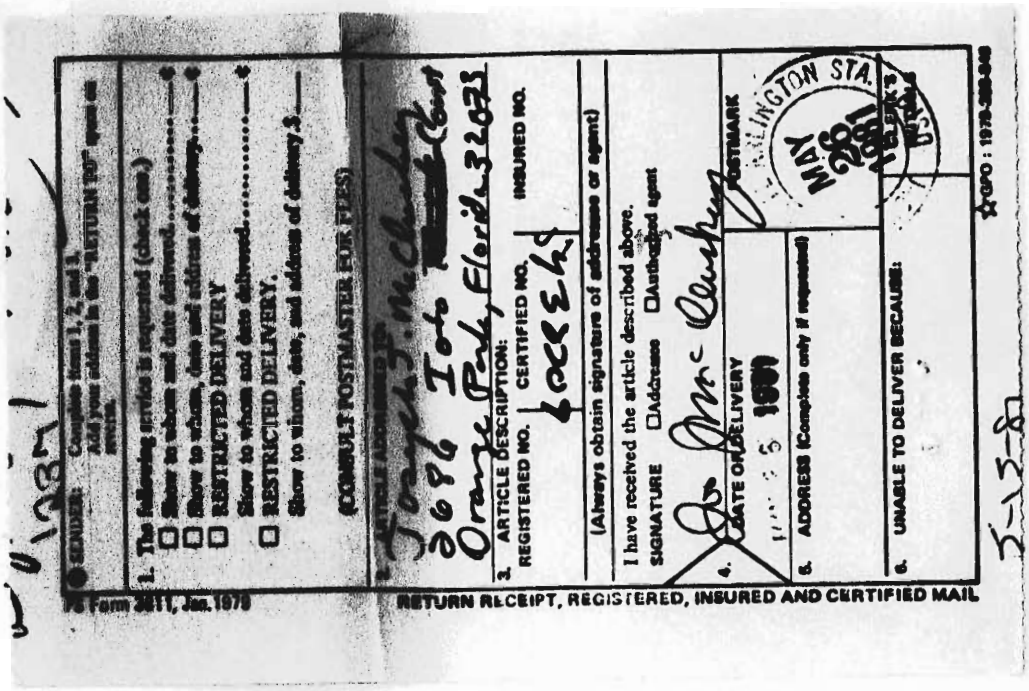
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures



8 2 0 4 0 3 6 3 1 4 8

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. Michael Dymersky 523-4039

RESPONDENT Joseph J. McCluskey

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204035149

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ben F. Mann
532 Manning Drive
Charlotte, North Carolina 28209

Re: MUR 1237

Dear Mr. Mann:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

82040331150

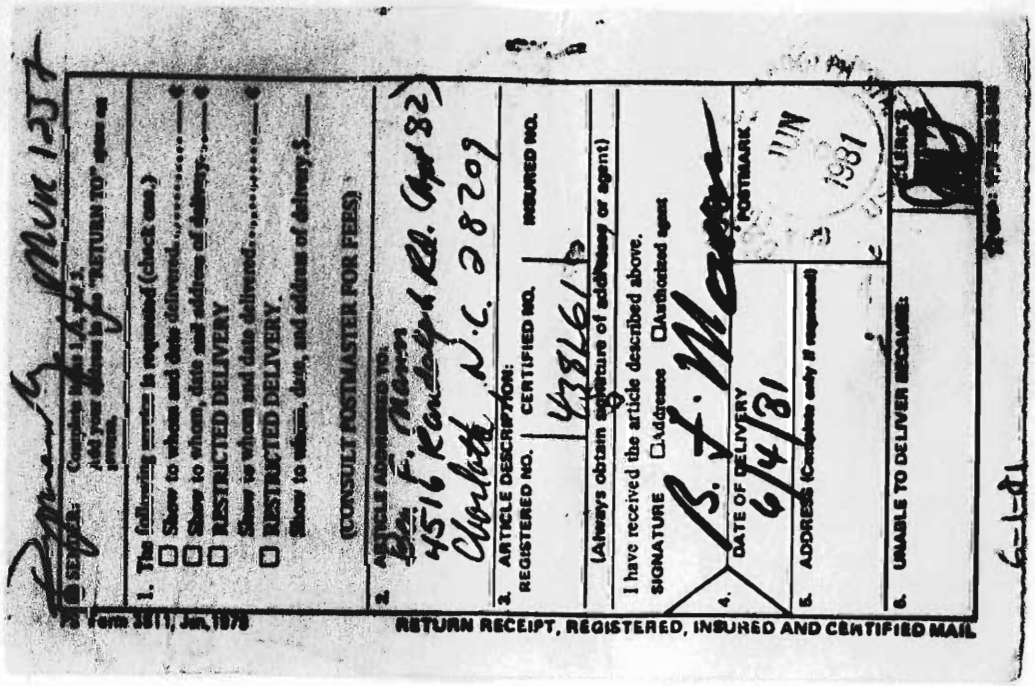
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures



FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. Michael Dymersky

RESPONDENT Ben F. Mann

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 6 3 1 5 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harold Ross
211 E. 70th Street
New York, New York 10021

Re: MUR 1237

Dear Mr. Ross:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

02040031553

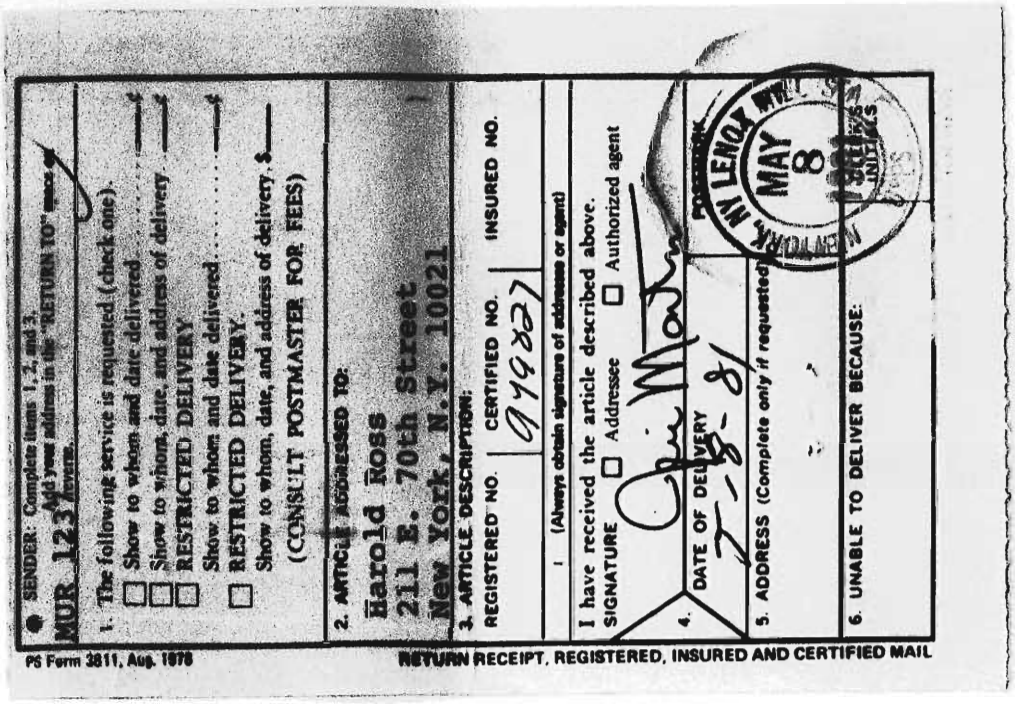
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures


SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.
MUR 1233
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:
Harold Ross
211 E. 70th Street
New York, N.Y. 10021
3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. 99827 INSURED NO.
(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE Addressee Authorized agent
4. DATE OF DELIVERY
POSTMARK
NEW YORK, N.Y. MAY 8 1981
5. ADDRESS (Complete only if requested)
6. UNABLE TO DELIVER BECAUSE:
PS Form 3811, Aug. 1978
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

8204031154

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael Dymersky

RESPONDENT Harold Ross

523-4039

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204031155

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Elwood Sebert
P.O. Box 337
Mathews, North Carolina 28105

Re: MUR 1237

Dear Mr. Sebert:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6204036 3156

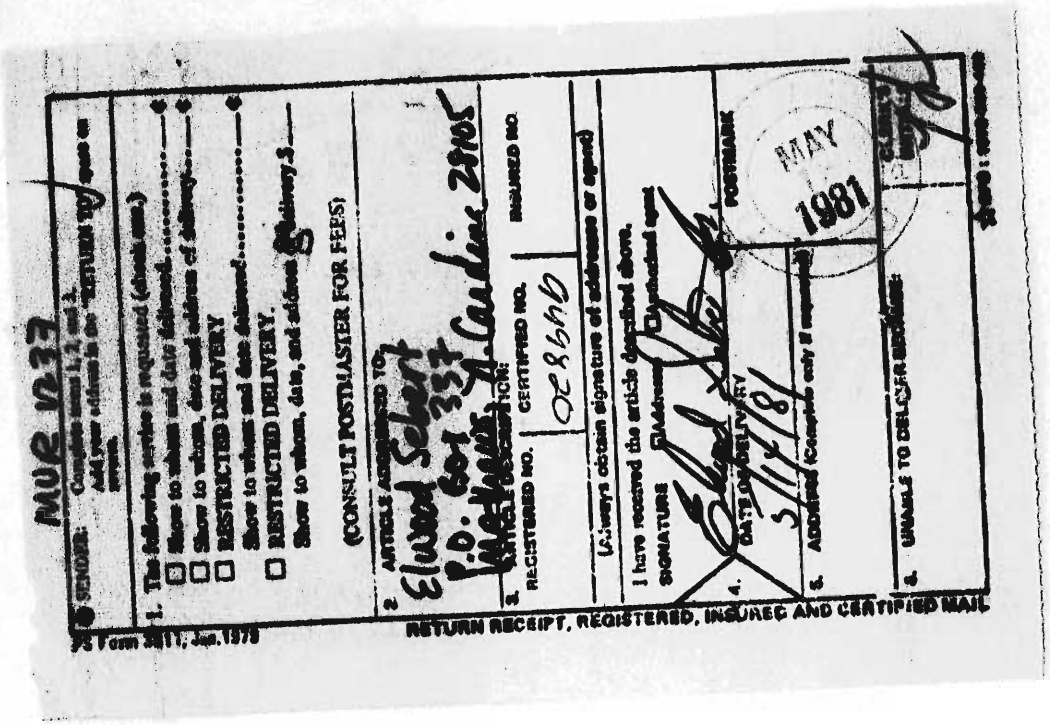
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures



FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. Michael Dymersky

RESPONDENT Elwood Sebert

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 0 3 1 5 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Melvin Javitz
6755 Madrid Avenue
Jacksonville, Florida

Re: MUR 1237

Dear Mr. Javitz:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6204036159

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

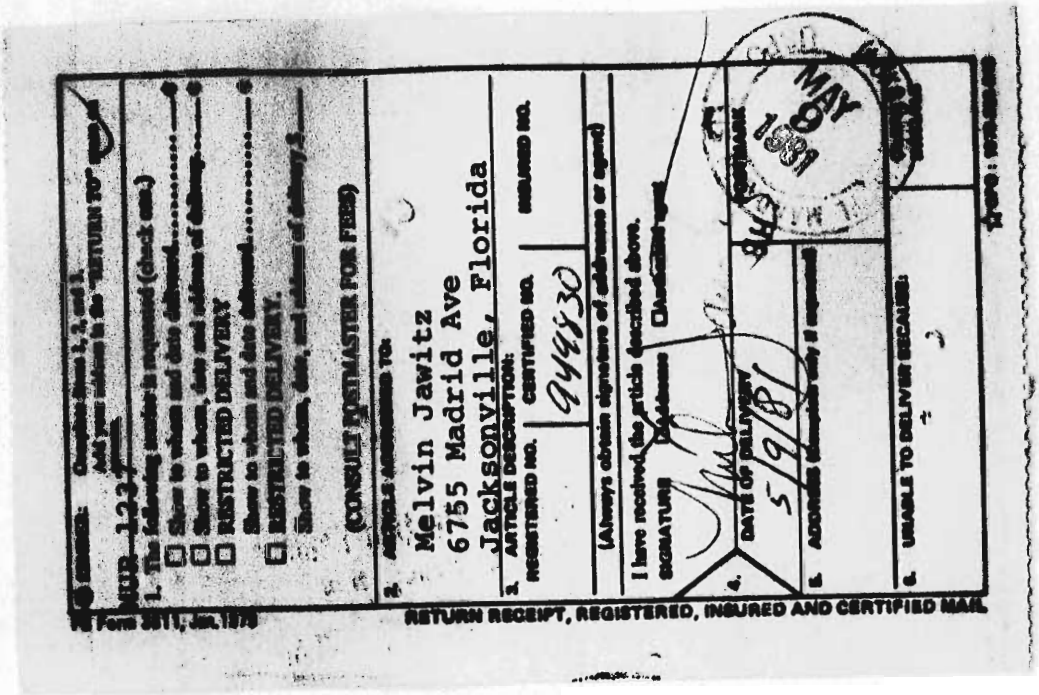
For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures

6 2 0 4 0 3 0 3 1 6 0



FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. Michael Dymersky

RESPONDENT Melvin Jawitz

523-4039

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204036161

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert B. Barnett
WILLIAMS AND CONNOLLY
Hill Building
839 17th Street, N.W.
Washington, D.C. 20006

Re: MUR 1237
In re Stanley N. Kaplan

Dear Mr. Barnett:

The Commission determined that there is reason to believe that Mr. Kaplan violated certain sections of the Act. A summary of possible violations is enclosed. Specifically, it appears that Mr. Kaplan violated 2 U.S.C. §§ 441a(a)(1), 441a(a)(3), and 441f.

In order to enable the Commission to fulfill its responsibilities under the Act, the Commission requests that you submit answers to the enclosed questions. In addition, you may submit any material you believe relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

Finally, please have Mr. Kaplan submit a letter of representation authorizing you, as counsel, to receive any notifications and other communications from the Commission.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of possible violations
Questions

6204036316 2

8 2 0 4 0 3 5 3 1 6 3

PS Form 3811, Aug. 1978

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

● SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.

MUR 1237

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:
Robert B. Barnett
839 17th Street, N.W.
Washington, D.C.

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	919834	

4. (Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent

4. DATE OF DELIVERY MAY 8 1981 — POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE: — CLERK'S INITIALS

☆ GPO: 1979-272-503

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.

RESPONDENT Stanley N. Kaplan

Michael A. Dymersky

523-4039

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by using other individuals' names to make contributions to the Friends of Luther Hodges Committee and to have violated 2 U.S.C. § 441a(a)(1) and § 441a(a)(3) by contributing to that Committee sums exceeding $25,000.

FACTUAL BASIS AND LEGAL ANALYSIS

2 U.S.C. § 441f prohibits persons from making contributions in the name of another person. Thus, giving another person money to make a contribution, reimbursing another person for a contribution and forgiving a loan in order that a contribution be made constitute violations of § 441f. Thus, such contributions to the Friends of Luther Hodges Committee made by Respondent in the name of the following individuals appear to be violations of § 441f:

Harold G. Ross
Jon J. Terrell
Ben F. Mann
Claire Shaffner
Joseph J. McCluskey
Raymond McCreanoer
Jeffrey L. Poll
Elwod Sebert
Randall Borough
Keith Beaty
Joseph Headen
Sandra Humphreys
Melvin Jarwitz
Louis & Margaret Simon
Albert Manche

8204031564

Kent & Patricia Burkhart
Harry Wolf
Frank Atlass

The above contributions total $31,900. When added to Respondent's contribution of $2,000 made on May 12, 1977, total contributions to Friends of Luther Hodges Committee amount to $33,900. 2 U.S.C. § 441a(a)(1) limits an individual's contributions to an authorized committee of a candidate to $1,000. Friends of Luther Hodges Committee was candidate Luther Hodges principal campaign committee in 1978. Thus, it would appear that Respondent violated 2 U.S.C. § 441a(a)(1). Additionally, 2 U.S.C. § 441a(a)(3) limits an individual's contributions in any "calendar year" to $25,000. Thus, it also appears that Respondent has violated 2 U.S.C. § 441a (a)(3).

2 U.S.C. § 431(8)(A)(i) defines a contribution to include loans and deposits made for the purpose of influencing a federal election. Respondent made the following payments to NTA National, Inc. on behalf of the Friends of Luther Hodges Committee:

February 1, 1978	$ 7,522
February 9, 1978	11,283
April 20, 1978	3,000
April 20, 1978	15,000
May 2, 1978	1,500
TOTAL	$ 38,305

While outstanding, until repaid, these payments constituted loans and, therfore, contributions pursuant to 2 U.S.C. § 431. Thus, these contributions were also made in violation of 2 U.S.C. § 441a(a)(1) and 2 U.S.C. § 441a(a)(3).

6204036316 5

FEDERAL ELECTION COMMISSION

QUESTIONS TO STANLEY N. KAPLAN
MUR 1237

(1) Describe your relationship to Friends of Luther Hodges Committee ("Committee"), including any formal or informal position.

(2) Describe, to the best of your knowledge, Friends of Luther Hodges Commttee's finance committee including its role and function in the 1978 campaign of Luther Hodges.

(3) Describe your assignment as a member of the finance committee.

(4) Describe how, as a finance committee member, you were asked to function.

(5) Who with the Committee did you discuss your fundraising efforts?

(6) Describe how money you raised was given to the Committee, e.g., did the donors foward contributions to the Committee, did you collect them and forward or deliver them to the Committee.

(7) Did you ever advise or otherwise inform any officer or employee of the Committee that contributions allegedly from other individuals were actually contributions from you?

(8) Was any officer or employee of the Committee aware that contributions allegedly from other individuals were actually contributions from you?

8204031166

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert F. Bauer
Perkins, Coie, Stone, Olsen
and Williams
1920 N Street, N.W.
Washington, D.C. 20036

Re: MUR 1237
In re Friends of Luther
Hodges Committee

Dear Mr. Bauer:

On that date, the Commission found reason to believe that Friends of Luther Hodges Committee violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violations is enclosed. Specifically it appears that the Committee violated 2 U.S.C. § 441a(f) and 2 U.S.C. § 433(b).

In order to enable the Commission to fulfill its responsibilities under the Act, the Commission requests that the Committee 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. Where appropriate, statements should be submitted under oath.

Finally, please have the Committee send to the Commission a letter of representation and a statement authorizing you to receive any notifications and other communications.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Questions

6 2 0 4 0 3 6 3 1 6 7

● SENDER: Complete items 1, 2, and 3.
MUR 1237 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:
Robert F. Bauer
1920 N Street, N.W.
Washington, D.C. 20036

3. ARTICLE DESCRIPTION:

REGISTERED NO.	CERTIFIED NO.	INSURED NO.
	944837	

(Always obtain signature of addressee or agent)

I have received the article described above.
SIGNATURE [ ] Addressee [ ] Authorized agent
A. Condon

4. DATE OF DELIVERY 5/11/81

POSTMARK

5. ADDRESS (Complete only if requested)

6. UNABLE TO DELIVER BECAUSE:

CLERK'S INITIALS

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

Form 3811 Aug. 1978

GPO: 1978-272-302

8 2 0 4 0 3 5 3 1 6 8

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

RESPONDENT Friends of Luther Hodges Committee

STAFF MEMBER(S) & TEL. NO. Michael A. Dymersky 523-4039

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441a(f) by knowingly accepting the benefits of in-kind contributions by Stanley N. Kaplan and 2 U.S.C. § 433(b) by failing to report such contributions.

FACTUAL BASIS AND LEGAL ANALYSIS

Friends of Luther Hodges Committee ("Committee"), the principal campaign committee of Luther Hodges in 1978, had a contract with NTA National, Inc. for services. When various payments came due Stanley N. Kaplan made such payment on behalf of and with the knowledge of the Committee, including:

February 1, 1978	$ 7,522
February 9, 1978	11,283
April 20, 1978	3,000
April 20, 1978	15,000
May 2, 1978	1,500
	TOTAL $ 38,305

2 U.S.C. § 431(8)(A)(i) defines a loan and a deposit of money made for the purpose of influencing a federal election as a contribution, while outstanding. Thus, prior to the September 1978 repayment, Mr. Kaplan's deposits or loans to NTA on behalf of the Committee constituted contributions to the Committee.

2 U.S.C. § 441a(a)(1) limits an individual's contributions with respect to any election to $1,000. According to the Committee's reports Mr. Kaplan contributed $2,000 to the Committee on May 12, 1977. Therefore, the $38,305 in payments to NTA exceeded the limits of § 441a(a)(1).

6204035169

2 U.S.C. § 441a(f) provides that no political committee shall knowingly accept contributions in violation of the provisions of § 441a. The Committee knowingly accepted the in-kind contributions made in the form of payments to NTA by Mr. Kaplan. Thus, the Committee appears to have violated 2 U.S.C. § 441a(f).

2 U.S.C. § 433(b) requires all contributions, including loans, to be reported. Mr. Kaplan's payments to NTA were not reported as contributions, while outstanding. Thus, it appears that the Committee violated 2 U.S.C. § 433(b).

8204036317 0

FEDERAL ELECTION COMMISSION

QUESTIONS TO FRIENDS OF LUTHER HODGES COMMITTEE
MUR 1237

(1) Describe the Friends of Luther Hodges Committee's finance committee, including:

(a) number of members
(b) structure, including officers
(c) number of meetings
(d) date established
(e) relationship to the Committee
(f) how persons became members
(g) purpose of finance committee
(h) function of finance committee
(i) responsibility of members of the finance committee.

(2) Describe any official role Stanley N. Kaplan had with the Friends of Luther Hodges Committee.

(3) Was Stanley N. Kaplan a member of the finance committee? If yes,

(a) did he have an official position on the Committee?

(b) did he attend any meetings of the finance committee?

(c) did he perform any services for the finance committee?

(4) Did the Committee receive any correspondence, other than contributions, from:

Harold Ross
Jon J. Terrell
Ben. F. Mann
Claire Shaffner
Joseph J. McCluskey
Raymond McCreanor
Jeffrey L. Poll
Elwood Sebert

8204036317 1

Randall Borough
Keith Beaty
Joseph Headen
Sandra Humphreys
Melvin Jarwitz
Louis and Margaret Simon
Albert Manche
Kent and Patricia Burkhart
Harry Wolf
Frank Atlass.

If yes, please furnish copies.

(5) The reports of the Committee and the Meckleberg Friends of Luther Hodges, an authorized committee, reflect that Harry Wolf made the following contributions:

December 30, 1977	$ 1,000
February 15, 1977	1,000
February 15, 1978	100
February 15, 1978	100
September 5, 1978	500

Submit any factual or legal materials relevant to what appears to be contributions totalling $700 over the limitations of 2 U.S.C. § 441a(a)(1).

8204036317 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sandra Humphreys
3030 Studley Road
Charlotte, North Carolina 28212

Re: MUR 1237

Dear Ms. Humphreys:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8204036173

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204036174

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael A. Dymersky
202/523-4039

RESPONDENT Sandra Humphreys

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204031175

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Headen
200 Townsend Avenue
Charlotte, North Carolina 28205

Re: MUR 1237

Dear Mr. Headen:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

82040363176

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204035177

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael A. Dymersky

RESPONDENT Joseph Headen

202/523-4039

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204031178

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Keith Beaty
3201 Parkside Drive
Charlotte, North Carolina

Re: MUR 1237

Dear Mr. Beaty:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8204035179

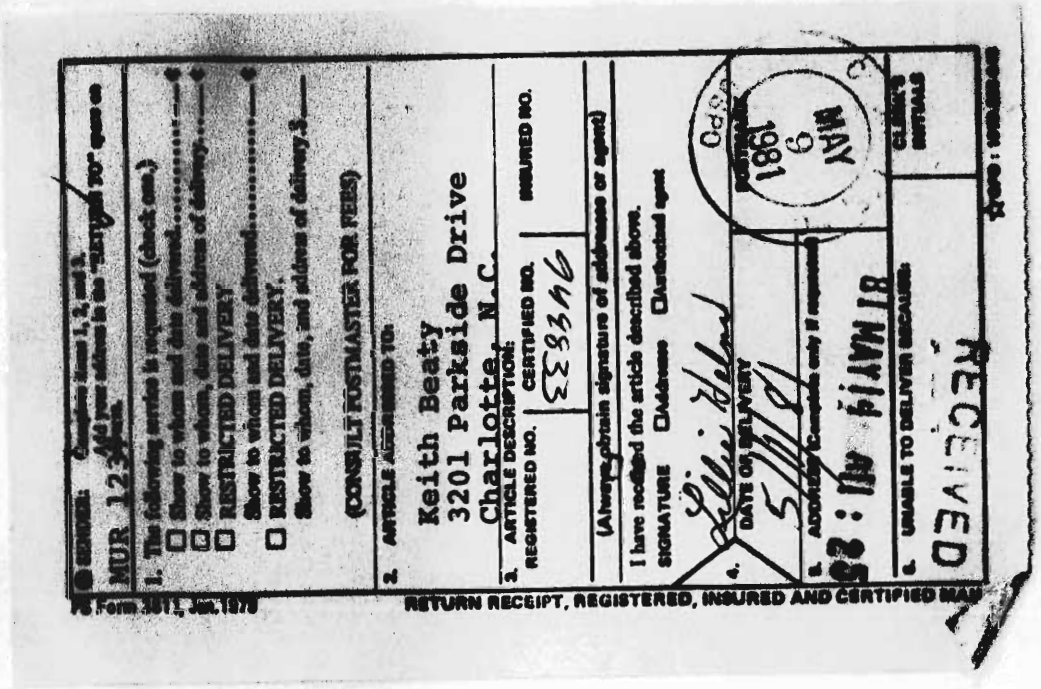
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures



9 2 0 4 0 3 0 3 1 8 0

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael A. Dymersky

RESPONDENT Keith Beaty

202/523-4039

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204031881

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Randall Borough
2633 Richardson Drie, 6C
Charlotte, North Carolina 28111

Re: MUR 1237

Dear Mr. Borough:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8204036318 2

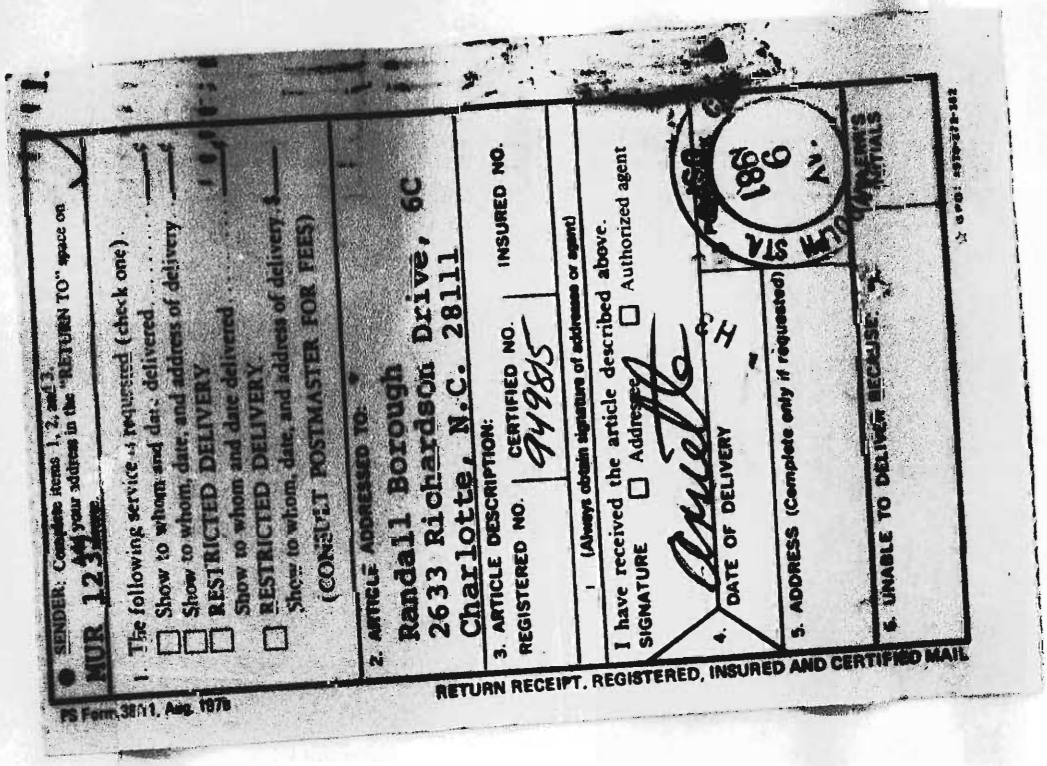
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures


SENDER: Complete items 1, 2, and 3. Add your address in the "RETURN TO" space on reverse.
MUR 1234
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:
Randall Borough 6C
2633 Richardson Drive,
Charlotte, N.C. 28111
3. ARTICLE DESCRIPTION:
REGISTERED NO.
CERTIFIED NO. 94985
INSURED NO.
(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE
Authorized agent
Addressee
4. DATE OF DELIVERY
5. ADDRESS (Complete only if requested)
6. UNABLE TO DELIVER BECAUSE:
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
PS Form 3811, Aug. 1978

8 2 0 4 0 3 6 3 1 8 3

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael A. Dymersky

RESPONDENT Randall Borough

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204035184

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Raymond McCreanor
3372 Shennandoah Drive, West
Orange Park, Florida 32073

Re: MUR 1237

Dear Mr. McCreanor:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

9204031185

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

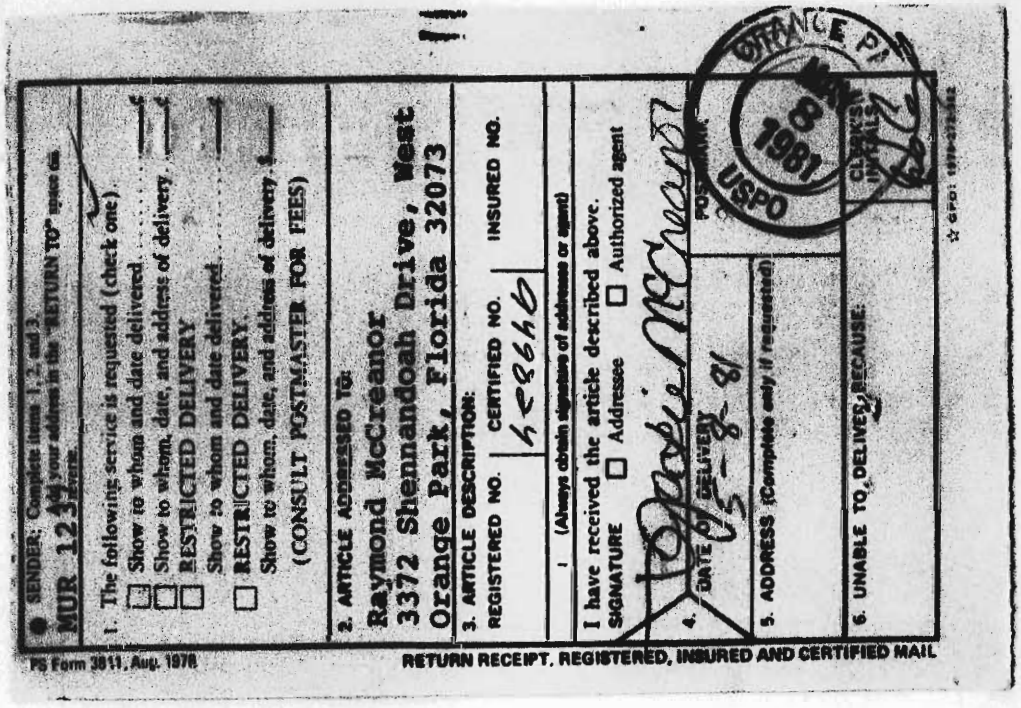
Sincerely,

John Warren McGarry

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures

6 2 0 4 0 3 0 3 1 8 6


SENDER: Complete items 1, 2, and 3.
MUR 1234
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:
Raymond McCreanor
3372 Shennandoah Drive, West
Orange Park, Florida 32073
3. ARTICLE DESCRIPTION:
REGISTERED NO. CERTIFIED NO. 42966 INSURED NO.
(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE Addressee Authorized agent
Raymond McCreanor
4. DATE OF DELIVERY 5-8-81
5. ADDRESS (Complete only if requested)
6. UNABLE TO DELIVER BECAUSE:
PS Form 3811, Aug. 1978
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
ORANGE PARK
MAY 8 1981
USPO

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael A. Dymersky

RESPONDENT Raymond McCreanor

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

0 2 0 4 0 3 5 1 8 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Albert Manche
101 N. Tyron Street
Charlotte, North Carolina 28202

Re: MUR 1237

Dear Mr. Manche:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8 2 0 4 0 3 6 3 1 8 8

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204036189

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael A. Dymersky
202/523-4039

RESPONDENT Albert Manche

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204031990

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kent and Patricia Burkhart
6500 River Chase Circle
Atlanta, Georgia 30328

Re: MUR 1237

Dear Mr. & Mrs. Burkhart:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8204036319 1

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204036319 2

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael A. Dymarsky

RESPONDENT Kent Burkhart

202/523-4039

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204036319 3

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael A. Dymersky

RESPONDENT Patricia Burkhart

202/523-4039

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204031994

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harry Wolf
213 Volta Arcade
Charlotte, North Carolina 28202

Re: MUR 1237

Dear Mr. Wolf:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

02040363195

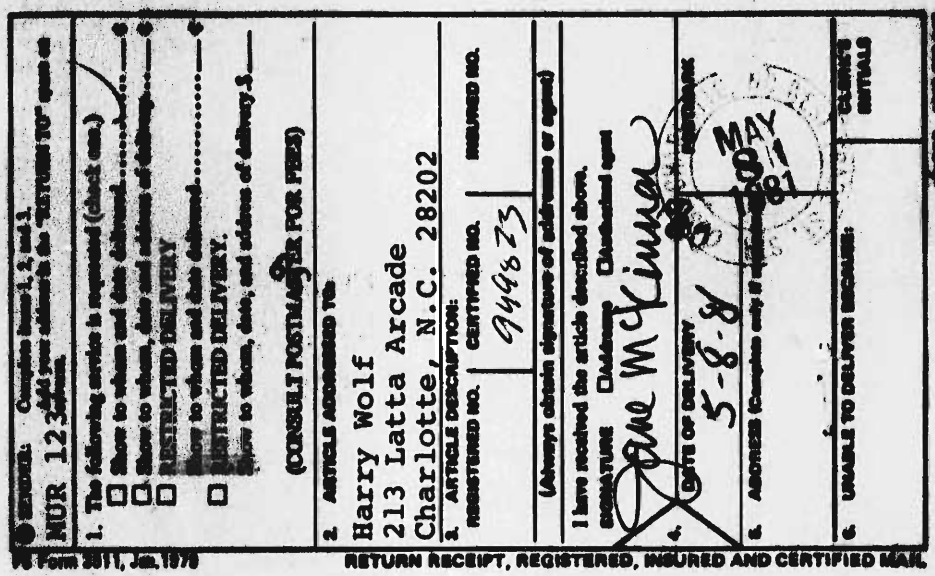
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures


SENDER: Complete items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.
MUR 1236
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:
Harry Wolf
213 Latta Arcade
Charlotte, N.C. 28202
3. ARTICLE DESCRIPTION:
REGISTERED NO. | CERTIFIED NO. 949873 | INSURED NO.
(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐ Addressee ☐ Authorized agent
Jane McKinney
4. DATE OF DELIVERY 5-8-87
5. ADDRESSEE (Complete only if requested)
6. UNABLE TO DELIVER BECAUSE:
CLERK'S INITIALS
PS Form 3811, Jan. 1978
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
MAY 11 1987

8204036 3196

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. Michael A. Dymersky

RESPONDENT Harry Wolf

202/523-4039

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204036197

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 5, 1981

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank Atlass
2182 E. 17th Street
Fort Lauderdale, Florida 33316

Re: MUR 1237

Dear Mr. Atlass:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8204031198

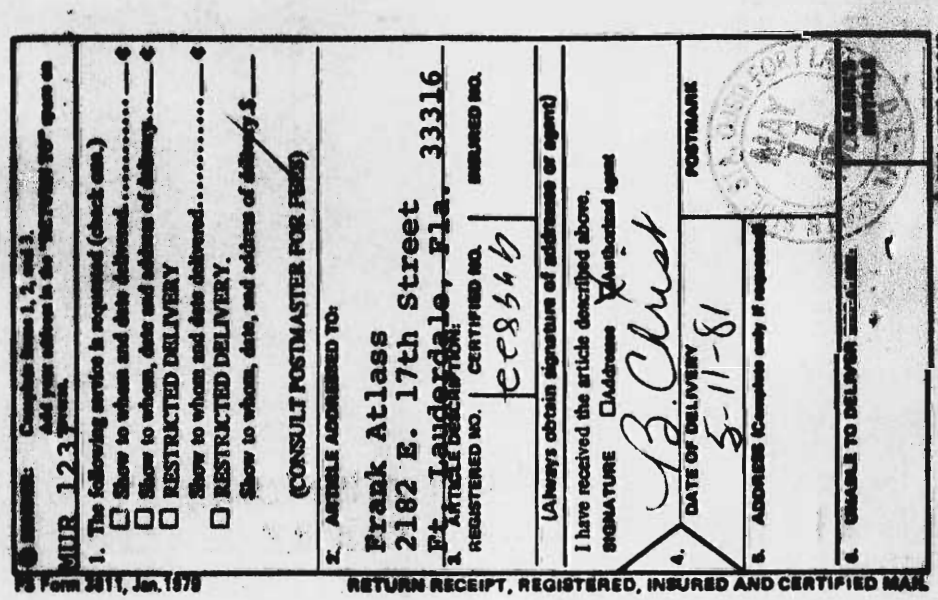
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

JOHN WARREN McGARRY
Chairman

Enclosures
Summary of Possible Violations
Procedures


PS Form 3811, Jan. 1979
RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL
Complete Items 1, 2, and 3.
Add your address in the "RETURN TO" space on reverse.
MUR 1237
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:
Frank Atlass
2182 E. 17th Street
Ft. Lauderdale, Fla. 33316
3. ARTICLE DESCRIPTION:
REGISTERED NO.
CERTIFIED NO. CE8545
INSURED NO.
(Always obtain signature of addressee or agent)
I have received the article described above.
SIGNATURE ☐Addressee ☒Authorized agent
B. Chrest
4. DATE OF DELIVERY
5-11-81
POSTMARK
5. ADDRESSEE (Complete only if requested)
6. UNABLE TO DELIVER BECAUSE:
7. RETURNED TO

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE May 5, 1981

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.
Michael A. Dymersky

RESPONDENT Frank Atlass

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204032200

BEFORE THE FEDERAL ELECTION COMMISSION

In the matter of)
)
Friends of Luther Hodges)
Committee)

MUR 1237

CERTIFICATION

I, Lena L. Stafford, Recording Secretary for the Federal Election Commission's Executive Session on April 30, 1981, do hereby certify that the Commission decided in a vote of 4-2 with regard to MUR 1237 to send the 20 letters and enclosures attached to the General Counsel's memorandum dated April 22, 1981, as amended by the exclusion of question 5 in the Questions to the Friends of Luther Hodges Committee.

Commissioners Harris, McGarry, Reiche, and Thomson voted affirmatively. Commissioners Aikens and Tiernan dissented.

Attest:

5-4-81
Date

Lena L. Stafford
Recording Secretary

8204036320 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS MWE /JODY CUSTER Jc
OFFICE OF THE SECRETARY TO THE COMMISSION

DATE: APRIL 24, 1981

SUBJECT: ADDITIONAL OBJECTION - MUR 1237 Memorandum to the Commission, dated 4-22-81; Received in OCS, 4-22-81, 4:58

You were notified previously of an objection by Commissioner Tiernan.

Commissioner Aikens submitted an additional objection at 10:15, April 24, 1981.

This matter will be discussed in executive session on Thursday, April 30, 1981.

5204036320 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/JODY CUSTER MWE JC

DATE: APRIL 24, 1981

SUBJECT: OBJECTION - MUR 1237 Memorandum to the Commission, dated 4-22-81; Received in OCS, 4-22-81, 4:58

The above-named memorandum was circulated on a 24 hour no-objection basis at 11:00, April 23, 1981.

Commissioner Tiernan submitted an objection at 4:57, April 23, 1981.

This matter will be placed on the Executive Session Agenda for Thursday, April 30, 1981.

6204036203

April 22, 1982

MEMORANDUM TO: Marjorie W. Emmons

FROM: Eileen M. Carr

SUBJECT: NUR 1237

Please have the attached letters distributed to the Commission on a 24 hour no-objection basis. Thank you.

8204036320 4

SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

81 APR 22 P 4: 58

April 22, 1981

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1237

Pursuant to the Commission's determination on April 14, 1981, the Office of General Counsel recommends sending the attached letters.

Attachments:
20 letters and enclosures

8204035205

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert F. Bauer
Perkins, Coie, Stone, Olsen
and Williams
1920 N Street, N.W.
Washington, D.C. 20036

Re: MUR 1237
In re Friends of Luther
Hodges Committee

Dear Mr. Bauer:

On that date, the Commission found reason to believe that Friends of Luther Hodges Committee violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violations is enclosed. Specifically it appears that the Committee violated 2 U.S.C. § 441a(f) and 2 U.S.C. § 433(b).

In order to enable the Commission to fulfill its responsibilities under the Act, the Commission requests that the Committee 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. Where appropriate, statements should be submitted under oath.

Finally, please have the Committee send to the Commission a letter of representation and a statement authorizing you to receive any notifications and other communications.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Questions

9 2 0 4 0 3 6 3 2 0 6

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____ MUR NO. 1237

RESPONDENT Friends of Luther Hodges Committee

STAFF MEMBER(S) & TEL. NO. _____

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441a(f) by knowingly accepting the benefits of in-kind contributions by Stanley N. Kaplan and 2 U.S.C. § 433(b) by failing to report such contributions.

FACTUAL BASIS AND LEGAL ANALYSIS

Friends of Luther Hodges Committee ("Committee"), the principal campaign committee of Luther Hodges in 1978, had a contract with NTA National, Inc. for services. When various payments came due Stanley N. Kaplan made such payment on behalf of and with the knowledge of the Committee, including:

February 1, 1978	$ 7,522
February 9, 1978	11,283
April 20, 1978	3,000
April 20, 1978	15,000
May 2, 1978	1,500
TOTAL	$ 38,305

2 U.S.C. § 431(8)(A)(i) defines a loan and a deposit of money made for the purpose of influencing a federal election as a contribution, while outstanding. Thus, prior to the September 1978 repayment, Mr. Kaplan's deposits or loans to NTA on behalf of the Committee constituted contributions to the Committee.

2 U.S.C. § 441a(a)(1) limits an individual's contributions with respect to any election to $1,000. According to the Committee's reports Mr. Kaplan contributed $2,000 to the Committee on May 12, 1977. Therefore, the $38,305 in payments to NTA exceeded the limits of § 441a(a)(1).

8204036207

2 U.S.C. § 441a(f) provides that no political committee shall knowingly accept contributions in violation of the provisions of § 441a. The Committee knowingly accepted the in-kind contributions made in the form of payments to NTA by Mr. Kaplan. Thus, the Committee appears to have violated 2 U.S.C. § 441a(f).

2 U.S.C. § 433(b) requires all contributions, including loans, to be reported. Mr. Kaplan's payments to NTA were not reported as contributions, while outstanding. Thus, it appears that the Committee violated 2 U.S.C. § 433(b).

8 2 0 4 0 3 6 3 2 0 8

FEDERAL ELECTION COMMISSION

QUESTIONS TO FRIENDS OF LUTHER HODGES COMMITTEE
MUR 1237

(1) Describe the Friends of Luther Hodges Committee's finance committee, including:

(a) number of members
(b) structure, including officers
(c) number of meetings
(d) date established
(e) relationship to the Committee
(f) how persons became members
(g) purpose of finance committee
(h) function of finance committee
(i) responsibility of members of the finance committee.

(2) Describe any official role Stanley N. Kaplan had with the Friends of Luther Hodges Committee.

(3) Was Stanley N. Kaplan a member of the finance committee? If yes,

(a) did he have an official position on the Committee?

(b) did he attend any meetings of the finance committee?

(c) did he perform any services for the finance committee?

(5) Did the Committee take any steps to verify that contributions purporting to be made by an individual were made by that individual?

(6) Did the Committee receive any correspondence, other than contributions, from:

Harold Ross
Jon J. Terrell
Ben. F. Mann
Claire Shaffner
Joseph J. McCluskey
Raymond McCreanor
Jeffrey L. Poll
Elwood Sebert

9 2 0 4 0 3 6 3 2 0 9

Randall Borough
Keith Beaty
Joseph Headen
Sandra Humphreys
Melvin Jarwitz
Louis and Margaret Simon
Albert Manche
Kent and Patricia Burkhart
Harry Wolf
Frank Atlass.

If yes, please furnish copies.

(7) The reports of the Committee and the Meckleberg Friends of Luther Hodges, an authorized committee, reflect that Harry Wolf made the following contributions:

December 30, 1977	$ 1,000
February 15, 1977	1,000
February 15, 1978	100
February 15, 1978	100
September 5, 1978	500

Submit any factual or legal materials relevant to what appears to be contributions totalling $700 over the limitations of 2 U.S.C. § 441a(a)(1).

8204036321 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert B. Barnett
WILLIAMS AND CONNOLLY
Hill Building
839 17th Street, N.W.
Washington, D.C. 20006

Re: MUR 1237
In re Stanley N. Kaplan

Dear Mr. Barnett:

The Commission determined that there is reason to believe that Mr. Kaplan violated certain sections of the Act. A summary of possible violations is enclosed. Specifically, it appears that Mr. Kaplan violated 2 U.S.C. §§ 441a(a)(1), 441a(a)(3), and 441f.

In order to enable the Commission to fulfill its responsibilities under the Act, the Commission requests that you submit answers to the enclosed questions. In addition, you may submit any material you believe relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

Finally, please have Mr. Kaplan submit a letter of representation authorizing you, as counsel, to receive any notifications and other communications from the Commission.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of possible violations
Questions

6204036321 1

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO.

RESPONDENT Stanley N. Kaplan

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by using other individuals' names to make contributions to the Friends of Luther Hodges Committee and to have violated 2 U.S.C. § 441a(a)(1) and § 441a(a)(3) by contributing to that Committee sums exceeding $25,000.

FACTUAL BASIS AND LEGAL ANALYSIS

2 U.S.C. § 441f prohibits persons from making contributions in the name of another person. Thus, giving another person money to make a contribution, reimbursing another person for a contribution and forgiving a loan in order that a contribution be made constitute violations of § 441f. Thus, such contributions to the Friends of Luther Hodges Committee made by Respondent in the name of the following individuals appear to be violations of § 441f:

Harold G. Ross
Jon J. Terrell
Ben F. Mann
Claire Shaffner
Joseph J. McCluskey
Raymond McCreanoer
Jeffrey L. Poll
Elwod Sebert
Randall Borough
Keith Beaty
Joseph Headen
Sandra Humphreys
Melvin Jarwitz
Louis & Margaret Simon
Albert Manche

6204035212

Kent & Patricia Burkhart
Harry Wolf
Frank Atlass

The above contributions total $31,900. When added to Respondent's contribution of $2,000 made on May 12, 1977, total contributions to Friends of Luther Hodges Committee amount to $33,900. 2 U.S.C. § 441a(a)(1) limits an individual's contributions to an authorized committee of a candidate to $1,000. Friends of Luther Hodges Committee was candidate Luther Hodges principal campaign committee in 1978. Thus, it would appear that Respondent violated 2 U.S.C. § 441a(a)(1). Additionally, 2 U.S.C. § 441a(a)(3) limits an individual's contributions in any "calendar year" to $25,000. Thus, it also appears that Respondent has violated 2 U.S.C. § 441a (a)(3).

2 U.S.C. § 431(8)(A)(i) defines a contribution to include loans and deposits made for the purpose of influencing a federal election. Respondent made the following payments to NTA National, Inc. on behalf of the Friends of Luther Hodges Committee:

February 1, 1978	$ 7,522
February 9, 1978	11,283
April 20, 1978	3,000
April 20, 1978	15,000
May 2, 1978	1,500
TOTAL	$ 38,305

While outstanding, until repaid, these payments constituted loans and, therfore, contributions pursuant to 2 U.S.C. § 431. Thus, these contributions were also made in violation of 2 U.S.C. § 441a(a)(1) and 2 U.S.C. § 441a(a)(3).

8204036321 3

FEDERAL ELECTION COMMISSION

QUESTIONS TO STANLEY N. KAPLAN
MUR 1237

(1) Describe your relationship to Friends of Luther Hodges Committee ("Committee"), including any formal or informal position.

(2) Describe, to the best of your knowledge, Friends of Luther Hodges Commttee's finance committee including its role and function in the 1978 campaign of Luther Hodges.

(3) Describe your assignment as a member of the finance committee.

(4) Describe how, as a finance committee member, you were asked to function.

(5) Who with the Committee did you discuss your fundraising efforts?

(6) Describe how money you raised was given to the Committee, e.g., did the donors foward contributions to the Committee, did you collect them and forward or deliver them to the Committee.

(7) Did you ever advise or otherwise inform any officer or employee of the Committee that contributions allegedly from other individuals were actually contributions from you?

(8) Was any officer or employee of the Committee aware that contributions allegedly from other individuals were actually contributions from you?

6204036214

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Louis and Margaret Simon
426 West 4th Street
Charlotte, North Carolina 28202

Re: MUR 1237

Dear Mr. & Mrs. Simon:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8 2 0 4 0 3 6 3 2 1 5

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204036321 6

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Louis Simon

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204036217

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Margaret Simon

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 6 3 2 1 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sandra Humphreys
3030 Studley Road
Charlotte, North Carolina 28212

Re: MUR 1237

Dear Ms. Humphreys:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8204036219

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204036320

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Sandra Humphreys

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6 2 0 4 0 3 6 3 2 2 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Headen
200 Townsend Avenue
Charlotte, North Carolina 28205

Re: MUR 1237

Dear Mr. Headen:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6 2 0 4 0 3 0 3 2 2 2

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

6204036322 3

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.

RESPONDENT Joseph Headen

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204036224

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Keith Beaty
3201 Parkside Drive
Charlotte, North Carolina

Re: MUR 1237

Dear Mr. Beaty:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6 2 0 4 0 3 5 3 2 2 5

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

6204035326

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
_____

RESPONDENT Keith Beaty

SOURCE OF MUR: INTERNALLY GENERATED.

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204053227

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Randall Borough
2633 Richardson Drie, 6C
Charlotte, North Carolina 28111

Re: MUR 1237

Dear Mr. Borough:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8 2 0 4 0 3 6 3 2 2 8

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

6204036322 9

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Randall Borough

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204073230

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Raymond McCreanor
3372 Shennandoah Drive, West
Orange Park, Florida 32073

Re: MUR 1237

Dear Mr. McCreanor:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8 2 0 4 0 3 6 3 2 3 1

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

6204036232

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Raymond McCreanor

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 6 3 2 3 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jeffrey L. Poll
500 San Jose Boulevard
Apt. 289
Jacksonville, Florida 32207

Re: MUR 1237

Dear Mr. Poll:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8 2 0 4 0 3 6 3 2 3 4

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204036325

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.

RESPONDENT Jeffrey L. Poll

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204036323 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph J. McCluskey
7901 Baymeadows Circle
Jacksonville, Florida 32216

Re: MUR 1237

Dear Mr. McCluskey:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8 2 0 4 0 3 0 3 2 3 7

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204036238

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Joseph J. McCluskey

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6 2 0 4 0 3 6 3 2 3 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ben F. Mann
532 Manning Drive
Charlotte, North Carolina 28209

Re: MUR 1237

Dear Mr. Mann:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8 2 0 4 0 3 6 3 2 4 0

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

6204036324 1

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
_____

RESPONDENT Ben F. Mann

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

0 2 0 4 0 3 0 3 2 4 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harold Ross
211 E. 70th Street
New York, New York 10021

Re: MUR 1237

Dear

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8 2 0 4 0 3 0 3 2 4 3

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204030324

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Harold Ross

SOURCE OF MUR: INTERNALLY GENERATED.

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 0 3 2 4 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Elwood Sebert
P.O. Box 337
Mathews, North Carolina 28105

Re: MUR 1237

Dear Mr. Sebert:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6 2 0 4 0 3 0 3 2 4 6

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

6204036324 7

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Elwood Sebert

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 0 3 2 4 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Melvin Javitz
6755 Madrid Avenue
Jacksonville, Florida

Re: MUR 1237

Dear Mr. Javitz:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6 2 0 4 0 3 6 3 2 4 9

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204030325 0

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Melvin Jawitz

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

9204036251

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank Atlass
2182 E. 17th Street
Fort Lauderdale, Florida 33316

Re: MUR 1237

Dear Mr. Atlass:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8 2 0 4 0 7 0 3 2 5 2

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204030253

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
_____

RESPONDENT Frank Atlass

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 0 3 2 5 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harry Wolf
213 Volta Arcade
Charlotte, North Carolina 28202

Re: MUR 1237

Dear Mr. Wolf:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8204035255

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

6204036325 6

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Harry Wolf

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

9204032257

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kent and Patricia Burkhart
6500 River Chase Circle
Atlanta, Georgia 30328

Re: MUR 1237

Dear Mr. & Mrs. Burkhart:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6 2 0 4 0 3 3 2 5 8

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

6204036325 9

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Kent Burkhart

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204036326 0

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
_____

RESPONDENT Patricia Burkhart

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 3 2 6 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Albert Manche
101 N. Tyron Street
Charlotte, North Carolina 28202

Re: MUR 1237

Dear Mr. Manche:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6 2 0 4 0 3 6 3 2 6 2

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204030326 3

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.

RESPONDENT Albert Manche

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 0 3 2 6 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Claire Shaffner
3731 Barclay Downs Drive
Charlotte, North Carolina 28209

Re: MUR 1237

Dear Ms. Shaffner:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

8 2 0 4 0 3 5 3 2 6 5

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204036326 6

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Claire Shaffner

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204036326 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jon J. Terrell
c/o WXLO
1440 Broadway
New York, New York

Re: MUR 1237

Dear Mr. Terrell:

This letter is to notify you that the Federal Election Commission, in the normal course of its supervisory responsibilities, has found reason to believe that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A summary of the possible violation is enclosed.

Under the Act, you have the opportunity to demonstrate, in writing, that no action should be taken against you in connection with this matter. Your response must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath.

This matter will remain 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 matter to be made public.

6204032268

If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations.

Sincerely,

John W. McGarry
Chairman

Enclosures
Summary of Possible Violations
Procedures

8204036326 9

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237

STAFF MEMBER(S) & TEL. NO. _____

RESPONDENT Jon J. Terrell

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley N. Kaplan to the principal campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person or knowingly permitting one's name to be used to effect such a contribution. Accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made and accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f. Thus, by taking such action, respondent appears to have violated § 441f by effecting a contribution by Stanley N. Kaplan in respondent's name.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 6 3 2 7 0

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Stanley N. Kaplan,	)	MUR 1237
Friends of Luther Hodges, et al.	)	

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission's Executive Session on April 14, 1981, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 1237:

1. Find reason to believe that Stanley N. Kaplan violated 2 U.S.C. §§441a(a)(1)(A), 441a(a)(3), and 441f.

2. Find reason to believe that Friends of Luther Hodges violated 2 U.S.C. §§441a(f) and 433(b).

3. Find reason to believe that each of the following individuals violated 2 U.S.C. §441f by allowing their names to be used to effectuate a contribution by Stanley N. Kaplan: Harold Ross, Jon J. Terrell, Ben F. Mann, Claire Schaffner, Joseph J. McCluskey, Raymond McCreanor, Jeffrey L. Poll, Elwood Siebert, Randall Borough, Keith Beaty, Joseph Headen, Sandra Humphreys, Melvin Jawitz, Louis & Margaret Simon, Albert Manche, Kent & Patricia Burkhart, Harry Wolf, and Frank Atlass.

4. Direct the Office of General Counsel to send appropriate letters to all the above-named respondents.

CONTINUED

6 2 0 4 0 3 6 3 2 7 1

Commissioners Aikens, Harris, McGarry, Reiche, and Thomson voted affirmatively for the decision; Commissioner Tiernan was not present at the time of the vote.

Attest:

4/14/81
Date

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

6 2 0 4 0 3 6 3 2 7 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY MWE

DATE: MARCH 3, 1981

SUBJECT: OBJECTION - MUR 1237 - First General Counsel's Report dated 2-26-81; Received in OCS 2-26-81, 2:39

The above-named document was circulated on a 48 hour vote basis at 2:00, February 27, 1981.

Commissioners Aikens and Tiernan submitted objections to the above-named report.

This matter will be placed on the Executive Session Agenda for Tuesday, March 10, 1981.

82040363273

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE

FROM: MARJORIE W. EMMONS/MARGARET CHANEY mc

DATE: MARCH 6, 1981

SUBJECT: COMMENTS REGARDING MUR 1237

Attached is a copy of Commissioner Thomson's vote sheet with comments regarding the spelling of a name in the First General Counsel's Report on MUR 1237.

This report has received an objection and will be placed on the Executive Session Agenda for Tuesday, March 10, 1981.

6204033274

ATTACHMENT:
Copy of Vote Sheet

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 2-26-81

MUR # 1237
STAFF MEMBER(S)
McFarland

SOURCE OF MUR: INTERNALLY GENERATED

RESPONDENT'S NAME: Stanley Kaplan
Friends of Luther Hodges, et al.

RELEVANT STATUTES: 2 U.S.C. §§ 441a(a)(1)(A), 441a(a)(3), 441a(f), 441f.

INTERNAL REPORTS CHECKED:

Friends of Luther Hodges, Meckleberg Friends of Luther Hodges, Citizens for Luther Hodges, Wake Friends of Luther Hodges, Closed MUR 695

FEDERAL AGENCIES CHECKED:

81 FEB 26 P2:39

SUMMARY OF ALLEGATIONS

Stanley Kaplan, through numerous conduits, made contributions to Friends of Luther Hodges, Hodges principal campaign committee, in amounts well exceeding $25,000 and, additionally, made in-kind contributions by paying deposits owed by the Committee.

FACTUAL AND LEGAL ANALYSIS

This matter concerns contributions to the campaign of Luther Hodges, a candidate for the Democratic nomination for Senate in North Carolina in 1978. Mr. Hodges ran in the primary, May 2, 1978, and in the run-off primary election on May 30, 1978.

6204036275

I. **KAPLAN**

A. Contributions by Kaplan through conduits

The following chart organizes the various conduits and/or contributors involved herein and the various information available concerning each:

Contributions by:

1) Harold G. Ross
211 E. 70th Street
New York, N.Y. 10021

Date of Contribution	March 1, 1978
Amount of Contribution	$2,000
Date of Contribution from FLH Reports	March 3, 1978 September 19, 1978
Amount of Contributions from FLH Reports	$2,000 $500
Comments from Kaplan	Ross believes money given him by Kaplan was a loan. Kaplan admits only the $2,000.

Contributions by:

2) Jon J. Terrell
(Jay Thomas)
c/o WXLO
1440 Broadway
New York, N. Y.

Date of Contribution	February 26, 1978
Amount of Contribution	$2,000
Date of Contribution from FLH Reports	March 3, 1978

6 2 0 4 0 3 6 3 2 7 6

Jon J. Terrell continued

Amount of Contributions from FLH Reports	$2,000
Comments from Kaplan	Kaplan owes Terrell some money ($8,000-10,000) because of a stock deal; thought this $2,000 would be a set-off on the amount owed.

Contributions by:

3) Ben F. Mann
"Puny"
532 Manning Dr.
Charlotte, N.C. 28209

Date of Contribution	March 2, 1978
Amount of Contribution	$1,000
Date of Contribution from FLH Reports	March 3, 1978
Amount of Contributions from FLH Reports	$1,000

6 2 0 4 0 3 0 3 2 7 7

Contributions by:

4) Claire Schaffner
3731 Barclay Downs Drive
Charlotte, N. C. 28209

Date of Contribution	March 2, 1978
Amount of Contribution	$1,000
Date of Contribution from FLH Reports	March 3, 1978
Amount of Contributions from FLH Reports	$1,000

Comments from Kaplan	----

Contributions by:

5) Matthew Ross
4917 Central Ave.,
Apt. 6
Charlotte, N.C. 28205

Date of Contribution	(not listed)
Amount of Contribution	----
Date of Contribution from FLH Reports	March 30, 1978
Amount of Contributions from FLH Reports	$100

Comments from Kaplan	Kaplan believes he gave him $500 but apparently he only gave $100 to the FLH.

6 2 0 4 0 3 0 3 2 7 8

Contributions by:

6) Joseph J. McCluskey
7901 Baymeadows Circle
Jacksonville, Florida 32216

Date of Contribution	March 1, 1978
Amount of Contribution	$2,000
Date of Contribution from FLH Reports	March 3, 1978
Amount of Contributions from FLH Reports	$2,000
Comments from Kaplan	----

Contributions by:

7) Raymond McCreanor
3372 Shennandoah Drive, W.
Orange Park, Florida 32073

Date of Contribution	March 21, 1978
Amount of Contribution	$2,000
Date of Contribution from FLH Reports	March 30, 1978
Amount of Contributions from FLH Reports	$2,000
Comments from Kaplan	-----

6 2 0 4 0 6 3 2 7 9

Contributions by:

8) Jeffrey L. Poll
5000 San Jose Blvd.
Apt 289
Jacksonville, Florida 32207

Date of Contribution	March 21, 1978
Amount of Contribution	$2,000
Date of Contribution from FLH Reports	March 30, 1978
Amount of Contributions from FLH Reports	$2,000

Comments from Kaplan	----

Contributions by:

9) Elwood Sebert
(Connie Siebert)
P.O. Box 337
Matthews, N.C. 28105

Date of Contribution	March 1, 1978
Amount of Contribution	$2,000
Date of Contribution from FLH Reports	March 3, 1978 March 18, 1978
Amount of Contributions from FLH Reports	$2,000 $2,000

8 2 0 4 0 3 6 3 2 8 0

Contributions by:

10) Randall Borough
2633 Richardson Drive, 6C
Charlotte, N.C. 28211

Date of Contribution	March 2, 1978
Amount of Contribution	$2,000
Date of Contribution from FLH Reports	March 3, 1978
Amount of Contributions from FLH Reports	$2,000
Comments from Kaplan	----

Contributions by:

11) Keith Beaty
3201 Parkside Drive
Charlotte, N.C.

Date of Contribution	March 1, 1978
Amount of Contribution	$2,000
Date of Contribution from FLH Reports	March 3, 1978
Amount of Contributions from FLH Reports	$2,000
Comments from Kaplan	Kaplan stated that he thought Beaty was given $2,000.

6 2 0 4 0 3 6 3 2 8 1

Contributions by:

12) Joseph Headen
2000 Townsend Ave.
Charlotte, N.C. 28205

Date of Contribution	March 2, 1978
Amount of Contribution	$1,000
Date of Contribution from FLH Reports	March 3, 1978
Amount of Contributions from FLH Reports	$1,000
Comments from Kaplan	----

Contributions by:

13) Sandra Humphreys
3030 Studley Road
Charlotte, N.C. 28212

Date of Contribution	March 2, 1978
Amount of Contribution	$500
Date of Contribution from FLH Reports	March 3, 1978
Amount of Contributions from FLH Reports	$500
Comments from Kaplan	----

6 2 0 4 0 7 3 5 3 2 8 2

Contributions by:

14) Howard Sewell
?

Date of Contribution	----
Amount of Contribution	----
Date of Contribution from FLH Reports	----
Amount of Contributions from FLH Reports	----
Comments from Kaplan	Kaplan says he gave him $500 via Mann, but apparently he never contributed.

Contributions by:

15) Melvin Jawitz
Jacksonville, Florida

Date of Contribution	March 23, 1978
Amount of Contribution	$1,000
Date of Contribution from FLH Reports	March 30, 1978
Amount of Contributions from FLH Reports	$1,000
Comments from Kaplan	----

Contributions by:

16) Lewis Simon
Margaret Simon
426 West Fourth Street
Charlotte, N.C. 28202

Date of Contribution	March 28, 1978, March 28, 1978

6 2 0 4 0 3 6 3 2 8 3

Simon Con't.

Amount of Contribution	$2,000, $2,000
Date of Contribution from FLH Reports	March 30, 1978, March 30, 1978
Amount of Contributions from FLH Reports	$2,000, $2,000
Comments from Kaplan	Kaplan never spoke with Margaret Simon but did report $4,000.

Contributions by:

17) Albert Manche
101 N. Tryon Street,
Charlotte, N.C. 28202

Date of Contribution	March 31, 1978
Amount of Contribution	$2,000
Date of Contribution from FLH Reports	March 30, 1978
Amount of Contributions from FLH Reports	$2,000
Comments from Kaplan	----

Contributions by:

18) Kent Burkhart
Patricia Burkhart
6500 River Chase Circle
Atlanta, Georgia 30328

Date of Contribution	March 2, 1978, March 2, 1978
Amount of Contribution	$2,000, $2,000
Date of Contribution from FLH Reports	March 15, 1978, March 15, 1978

0 2 0 4 0 3 0 3 2 8 4

Burkhart con't.

Amount of Contributions from FLH Reports	$2,000, $2,000
Comments from Kaplan	----

Contributions by:

19) Harry Wolf
213 Latta Arcade
Charlotte, N.C. 28202

Date of Contribution	----
Amount of Contribution	----
Date of Contribution from FLH Reports	December 30, 1977, February 15, 1977 February 15, 1978, February 15, 1978 March 30, 1978, September 5, 1978
Amount of Contribution from FLH Reports	$1,000, $1,000, $100, $100 (Mecklenberg Friends) $900, $500 1/
Comments from Kaplan	Kaplan reports he only gave Wolfe $300 or $400 -- rest his own funds.

Contributions by:

20) Joseph Howard
William Penn Hotel #502
Pittsburg, Pa. 15219

Date of Contribution	March 6, 1978
Amount of Contribution	$2,000
Date of Contribution from FLH Reports	March 21, 1978

1/ We are advised that these contributions were from both Mr. and Mrs. Wolf. The General Counsel's Office recommends that the Reports Analysis Division send a RFAI to determine whether this information is accurate or whether a possible violation of § 441a(a)(1)(A) occurred.

9 0 4 0 3 6 3 2 8 5

Howard cont't.

Amount of Contributions from FLH Reports	$2,000
Comments from Kaplan	Kaplan believed the money came off the debt owed Kaplan by Howard.

Contributions by:

21) Frank Atlass
2182 E. 17th Street
Fort Lauderdale, Florida 33316

Date of Contribution	----
Amount of Contribution	----
Date of Contribution from FLH Reports	March 30, 1978
Amount of Contributions from FLH Reports	$2,000
Comments from Kaplan	Atlass owed Kaplan money. Atlass was going to give $1,000, but gave $2,000 instead because of debt.

0 2 0 4 0 3 3 2 8 6

Kaplan's list is:

Ross (1)	$2,000
Mann (3)	1,000
Schaffner (4)	1,000
Ross, Mathew (5)	100
McCluskey (6)	2,000
McCreanor (7)	2,000
Poll (8)	2,000
Elwood & Connie Siebert (9)	4,000
Borough (10)	2,000
Beaty (11)	2,000
Headen (12)	1,000
Humphreys (13)	500
Jawitz (15)	1,000
Louis & Margaret Simon (16)	4,000
Manche (17)	2,000
Kent & Patricia Burkhart (18)	4,000
Wolf (19)	400
Atlass (21)	1,000
TOTAL	$32,000

The Terrell money, situation (2), causes some difficulty because Kaplan owed Terrell money on some stock deal outside of any relationship to the campaign. Kaplan apparently viewed the $2,000 given Terrell as part re-payment for that outstanding debt. However, it appears from the Terrell statement that Terrell did not believe that it was in repayment, but considered it for the purpose of covering his check and a debt owed to Kaplan. Thus, the General Counsel's office recommends that this sum be included in the list of Kaplan contributions.

The Howard contribution, (20), appears different. The check was written against Howard's personal funds. Although Howard owed Kaplan approximately $2,500, he maintains he still owes him that sum. According to Kaplan, Howard always has an outstanding "tab" with Kaplan and Kaplan wanted the contribution to be deducted from that amount. Howard, however, has refused to reduce the "tab". Thus the General Counsel's Office recommends this contribution not be considered as a contribution in the name of another.

These contributions given through conduits would, therefore total $31,900. When added to Kaplan's $2,000 contribution made in his own name, 2/ Kaplan's total contribution for the two elections would total $33,900. Thus, Kaplan has admitted violating the limits contained in 2 U.S.C. §§ 441a(a)(1)(A) and 441a(a)(3) as well as violating 2 U.S.C. § 441f.

2/ Stanley N. Kaplan is reported as contributing $2,000 on May 12, 1977.

6 2 0 4 0 7 6 3 2 8 7

B. Loans.

Beyond the above contributions, Kaplan has advised that he made several deposits of money on behalf of the Committee not understanding that such deposits or loans are contributions. The Committee had a contract with NTA National, Inc., for telephone canvassing. Kaplan, a co-signator, paid several deposits on behalf of the Committee when the notes came due and the Committee was without sufficient funds. The amounts paid total approximately $38,000:

February 1, 1978		$ 7,522
February 9, 1978		11,283
April 20, 1978		3,000
April 20, 1978		15,000
May 2, 1978		1,500
	TOTAL	$ 38,305

This amount was repaid in full by September 1978.

2 U.S.C. § 431(8)(A)(i) defines a loan and a deposit of money made for the purpose of influencing a federal election as a contribution, while outstanding. See 11 C.F.R. § 100.4(a)(1)(i). Thus, prior to repayment, Kaplan's deposits to NTA on behalf of the Committee constituted contributions, putting him further over the $1,000 and $25,000 contributions limits contained in § 441a.

II. Friends of Luther Hodges

A. Knowingly accepting contributions made in the name of an individual other than the actual contributor.

6204036328

The General Counsel's office recommends that the Commission not proceed against the Committee on this issue on the basis of tenuous legal reasoning , unsupported by any substantiating factual information.

B. In-kind Contributions -- NTA Deposits

The statutory definition of "contribution" makes clear that the loans or deposits of money made by Kaplan to NTA on behalf of the Committee were contributions while outstanding. See discussion above at I.B.; 11 C.F.R. § 100.4(a)(1)(A). The Committee knew that Kaplan was making the deposits and, at least, should have known that the payments of these amounts (totalling $38,305) constituted a contribution while outstanding in excess of the § 441a(a) limits. 2 U.S.C. § 441a(f) prohibits political committees from knowingly accepting contributions in violation of § 441a. Therefore, that the Committee's acceptance of the benefits of the Kaplan payments to NTA was in violation of § 441a(f).

Respondent Committee acknowledges this violation

. However, the Committee, because of failure to understand that the Kaplan deposits constituted a contribution, failed also to disclose these contributions in their reports. 2 U.S.C. § 433(b) requires that all contributions, including loans, be reported. Thus, it would appear that the Committee also violated § 433(b). The General Counsel's office therefore recommends

to include a reporting violation.

6 2 0 4 0 3 0 3 2 9 9

III. Violation of 2 U.S.C. § 441f by Conduits.

2 U.S.C. § 441f not only prohibits individuals from making contributions in the name of another person, but also it prohibits persons from knowingly permitting their names to be used to effect such contributions. Here, the evidence indicates that various individuals accepted another person's money - Kaplan's - for the purpose of their making contributions in their name with that money. Thus, it would appear that the following individuals (conduits) violated § 441f by contributing Kaplan's money in their names:

1)	Harold G. Ross	$2,000
2)	John J. Terrell	2,000
3)	Ben F. Mann	1,000
4)	Claire Schaffner	1,000
5)	Joseph J. McCluskey	2,000
6)	Raymond McCreanor	2,000

7)	Jeffrey L. Poll	2,000
8)	Elwood Siebert	2,000
9)	Randall Borough	2,000
10)	Keith Beaty	2,000
11)	Joseph Headen	1,000
12)	Sandra Humphreys	500
13)	Melvin Jawitz	1,000
14)	Louis & Margaret Simon	4,000
15)	Albert Manche	2,000
16)	Kent & Patricia Burkhart	4,000
17)	Harry Wolf	400
18)	Frank Atlass	2,000

The Office of General Counsel recommends that the Commission find reason to believe that the individuals violated 2 U.S.C. § 441f.

0 2 0 4 0 3 0 3 2 9 0

RECOMMENDATIONS

1. Find reason to believe that Stanley N. Kaplan violated 2 U.S.C. §§ 441a(a)(1)(A), 441a(a)(3), 441f and approve and send the attached letter

2. Find reason to believe that Friends of Luther Hodges violated 2 U.S.C. §§ 441a(f), 433(b) and approve and send the attached letter

3. Find reason to believe that each of the following individuals violated 2 U.S.C. § 441f by allowing their names to be used to effectuate a contribution by Stanley N. Kaplan; but take no further action:

Harold Ross
Jon J. Terrell
Ben F. Mann
Claire Schaffner
Joseph J. McCluskey
Raymond McCreanor
Jeffrey L. Poll

Elwood Siebert
Randall Borough
Keith Beaty
Joseph Headen
Sandra Humphreys
Melvin Jawitz
Louis & Margaret Simon
Albert Manche
Kent & Patricia Burkhart
Harry Wolf
Frank Atlass

4. Send the attached letters to those individuals listed in 3, above. (See attachment 6).

5. Refer the Harry Wolf contribution information to Reports Analysis to send a RFAI.

Attachments

6. 18 proposed letters to additional respondents.

8 2 0 4 0 3 6 3 2 9 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harold Ross
211 E. 70th Street
New York, New York 10021

Re: MUR 1237

Dear Mr. Ross:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

6204036292

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Harold Ross

(202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jon J. Terrell
c/o WXLO
1440 Broadway
New York, New York

Re: MUR 1237

Dear Mr. Terrell:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

8204063294

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Jon J. Terrell

(202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204073295

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Ben F. Mann
532 Manning Drive
Charlotte, North Carolina 28209

Re: MUR 1237

Dear Mr. Mann:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

6 2 0 4 0 3 0 3 2 9 6

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Ben F. Mann

(202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204073297

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Claire Schaffner
3731 Barclay Downs Drive
Charlotte, North Carolina 28209

Re: MUR 1237

Dear Ms. Schaffner:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

0 2 0 4 0 3 3 2 9 8

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Claire Schaffner

(202)-523-4529

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

0 2 0 4 0 7 6 3 2 9 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph J. McCluskey
7901 Baymeadows Circle
Jacksonville, Florida 32216

Re: MUR 1237

Dear Mr. McCluskey:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Joseph J. McCluskey

(202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

0 2 0 4 0 3 0 3 3 0 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Raymond McCreanor
3372 Shennandoah Drive, West
Orange Park, Florida 32073

Re: MUR 1237

Dear Mr. McCreanor:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

8204036302

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Raymond McCreanor

(202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8204036330 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Jeffrey L. Poll
5000 San Jose Boulevard
Apartment 289
Jacksonville, Florida 32207

Re: MUR 1237

Dear Mr. Poll:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

6 2 0 4 0 3 3 0 4

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Jeffrey L. Poll

(202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

0 2 0 4 0 3 3 3 0 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Elwood & Connie Siebert
P.O. Box 337
Mathews, North Carolina 28105

Re: MUR 1237

Dear Mr. & Mrs. Siebert:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

0 2 0 4 0 3 0 3 0 6

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Elwood and Connie Sebert (202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

0 2 0 4 0 3 3 3 0 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Randall Borough
2633 Richardson Drive, 6C
Charlotte, North Carolina 28111

Re: MUR 1237

Dear Mr. Borough:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

8204033308

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Randall Borough

(202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204033309

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Keith Beaty
3201 Parkside Drive
Charlotte, North Carolina

Re: MUR 1237

Dear Mr. Beaty:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

8 2 0 4 0 3 3 1 0

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Keith Beaty

(202)-523-4529

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

9 2 0 4 0 3 3 3 1 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph Headen
2000 Townsend Avenue
Charlotte, North Carolina 28205

Re: MUR 1237

Dear Mr. Headen:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

0 2 0 4 0 3 0 3 1 2

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Joseph Headen

(202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

6204036313

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Sandra Humphreys
3030 Studley Road
Charlotte, North Carolina 28212

Re: MUR 1237

Dear Ms. Humphreys:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

0 2 0 4 0 3 3 1 4

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Sandra Humphreys

(202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

9 2 0 4 0 3 3 1 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Melvin Jawitz

Jacksonville, Florida

Re: MUR 1237

Dear Mr. Jawitz:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

9 2 0 4 0 3 3 1 6

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Melvin Jawitz

(202) 523-4529

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

0 2 0 4 0 3 3 1 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Louis & Margaret Simon
426 West 4th Street
Charlotte, North Carolina 28202

Re: MUR 1237

Dear Mr. & Mrs. Simon:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

0 2 0 4 0 7 0 3 3 1 8

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Louis & Margaret Simon

(202)-523-4529

SOURCE OF MUR: INTERNALLY GENERATED

SUMMARY OF ALLEGATIONS

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

0 2 0 4 0 3 0 3 3 1 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Albert Manche
101 N. Tyron Street
Charlotte, North Carolina 28202

Re: MUR 1237

Dear Mr. Manche:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

0 2 0 4 0 3 3 3 2 0

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Albert Manche

(202)-523-4529

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

9 2 0 4 0 3 0 3 3 2 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Kent & Patricia Burkhart
6500 River Chase Circle
Atlanta, Georgia 30328

Re: MUR 1237

Dear Mr. & Mrs. Burkhart:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

6204033322

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Kent & Patricia Burkhart

(202)-523-4529

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

9 2 0 4 0 3 0 3 3 2 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Harry Wolf
213 Latta Arcade
Charlotte, North Carolina 28202

Re: MUR 1237

Dear Mr. Wolf:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplán to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

0 2 0 4 0 3 3 2 4

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Harry Wolf

(202) 523-4529

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

0 2 0 4 0 3 3 3 2 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Frank Atlass
2182 E. 17th Street
Ft. Lauderdale, Florida 33316

Re: MUR 1237

Dear Mr. Atlass:

On , 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, by allowing your name to be used to effect a contribution by Stanly Kaplan to the 1978 Luther Hodges campaign. 2 U.S.C. § 441f provides:

> 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.

The Commission views its responsibility for enforcing the Act and the contribution limitations in the Act as a serious and important matter. Allowing your name to be used in connection with another individual's contributions not only permits the opportunity for avoidance of the contribution limitations and causes inaccurate reporting by the recipient, but also exposes all concerned to the civil enforcement procedures of the agency.

9 2 0 4 0 7 6 3 3 2 6

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

DATE _____

MUR NO. 1237
STAFF MEMBER(S) & TEL. NO.
Deborah E. McFarland

RESPONDENT Frank Atlass

(202) 523-4529

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

Respondent appears to have violated 2 U.S.C. § 441f by allowing respondent's name to be used to effect a contribution by Stanley Kaplan to the principle campaign committee of Luther Hodges.

FACTUAL AND LEGAL ANALYSIS

The disclosure reports of Friends of Luther Hodges reported receipt of a contribution from respondent during 1978.

2 U.S.C. § 441f prohibits any person from making a contribution in the name of another person of knowingly permitting one's name to be used to effect such a contribution. Thus, accepting money from another person in order that a contribution be made, accepting reimbursement for a contribution made or accepting the reduction of a debt owed another for a contribution constitute permitting one's name to be used to effect a contribution by someone else in respondent's name in violation of 2 U.S.C. § 441f.

Recommendation

Find reason to believe that respondent violated 2 U.S.C. § 441f.

8 2 0 4 0 3 6 3 3 2 7

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1237

Date Filmed 12/21/82 Camera No. --- 2

Cameraman SPC

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE PUBLIC FILE OF CLOSED MUR 1237.

83040583042

203707

RECEIVED AT THE FEC
Case # 9281
83 JAN 4 P3:

83 JAN 4 P4:13

400 RADIO ROAD CHARLOTTE, N.C. 28216 PHONE 704/392-6191

December 30, 1982

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

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR 1237.

Sincerely,

Stanley N. Kaplan

83040583043

WAYS, WROQ

The Weekly Newspapers, Inc., Continental Delivery

B 3 0 4 0 3 8 3 0 4 4

STANLEY N. KAPLAN
400 RADIO ROAD
CHARLOTTE, NC 28216

3709

12/6 19 82

PAY TO THE ORDER OF Federal Elections Commission $ 11,000.00

Eleven Thousand & no/100 DOLLARS

NCNB North Carolina National Bank
Charlotte, NC 28255

FOR

⑆053000196⑆ 0040724 76⑈ 3709

CLARKE CHECKS D

9 3 0 4 0 3 8 0 0 4 5

Fed. Express Del.

RECEIVED AT THE FEC

83 JAN 4 P3:52

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

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

END OF ADDITIONAL MATERIAL FOR CLOSED MUR 1237.

8 3 0 4 0 1 8 3 0 1 5

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE PUBLIC FILE OF CLOSED MUR 1237.

83040384001

RECEIVED WITH LETTER
Case # 92-31
83 JAN 4 P 3:58

sis radio, inc.

400 RADIO ROAD CHARLOTTE, N.C. 28218 PHONE 704/362-6191

FEDERAL ELECTION COMMISSION
83 JAN 4 P 4:13

December 30, 1982

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

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR 1237.

Sincerely,

Stanley N. Kaplan

8304038480

WAYS, WROD
The Weekly Newspapers, Inc., Continental Delivery

8 3 0 4 0 3 8 4 8 0 4

STANLEY N. KAPLAN
400 RADIO ROAD
CHARLOTTE, NC 28216

3709

12/6 19 82

PAY TO THE ORDER OF Federal Elections Commission $ 11,000.00

Eleven Thousand & no/100 DOLLARS

NCNB North Carolina National Bank
Charlotte, NC 28255

FOR

CLEARE CHECKS

8 3 0 4 0 3 8 4 8 0 ;

8 3 0 4 0 3 8 0 0 4 5

Fed. Express Del.

RECEIVED AT THE FEC

83 JAN 4 P3:52

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

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

END OF ADDITIONAL MATERIAL FOR CLOSED MUR 1237.

83040398480

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE PUBLIC FILE OF CLOSED MUR 1232.

3 3 0 4 0 3 9 3 3 3 5

FEDERAL ELECTION COMMISSION

Internal memoranda, Investigative sources, Conciliation material.

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):

____	(1) Classified Information	____	(6) Personal privacy.
____	(2) Internal rules and practices	X	(7) Investigatory files
X	(3) Exempted by other statute	____	(8) Banking Information
____	(4) Trade secrets and commercial or financial information	____	(9) Well Information (geographic or geophysical)
X	(5) Internal Documents		

Signed Robert W. Bonham III

date April 20, 1983

FEC 9-21-77

83040393987

204591

Bcc # 9848

83 APR 13 AM: 11

LAW OFFICES
WILLIAMS & CONNOLLY
HILL BUILDING
839 SEVENTEENTH STREET, N. W.
WASHINGTON, D. C. 20006
AREA CODE 202
331-5000

EDWARD BENNETT WILLIAMS
PAUL R. CONNOLLY (1922-1978)
ROBERT A. SCHULMAN
VINCENT J. FULLER
RAYMOND W. BERGAN
STUART E. SEIGEL
JEREMIAH C. COLLINS
ROBERT L. WEINBERG
IRVING YOUNGER
DAVID POVICH
STEVEN H. UMIN
JOHN W. VARDAMAN, JR.
PAUL MARTIN WOLFF
J. ALAN GALBRAITH
CHARLES H. WILSON
JOHN G. KESTER
WILLIAM E. McDANIELS
BRENDAN V. SULLIVAN, JR.
AUBREY M. DANIEL, III
RICHARD M. COOPER
ROBERT P. WATKINS
JERRY L. SHULMAN
GREGORY B. CRAIG
LAWRENCE LUCCHINO
LEWIS H. FERGUSON, III
ROBERT B. BARNETT
DAVID E. KENDALL
JOHN J. BUCKLEY, JR.
BERNARD J. CARL
TERRENCE O'DONNELL
DOUGLAS R. MARVIN
JOHN K. VILLA
BARRY S. SIMON
KEVIN T. BAINE
STEPHEN L. URBANCZYK
PHILIP J. WARD
KENDRA E. HEYMANN
ELLEN SEGAL HUVELLE
JAMES T. FULLER, III
PETER J. KAHN
JUDITH A. MILLER
STANLEY I. LANGBEIN
LON S. BABBY
SCOTT BLAKE HARRIS
FREDERICK WHITTEN PETERS
MICHAEL S. SUNDERMEYER
CYNTHIA C. CANNADY
DAVID D. AUFHAUSER
BRUCE R. GENDERSON
WILLIAM ALDEN McDANIEL, JR.
CAROLYN H. WILLIAMS
STEPHEN M. KRISTOVICH
F. LANE HEARD, III
WILLIAM J. MURPHY
STEVEN R. KUNEY
ROBERT N. CHATIGNY
FAIRLEA A. SHEEHY
GERSON A. ZWEIFACH
SARAH H. DUGGIN
SCOTT M. MATHESON, JR.
DANIELA WINKLER
JEFFREY S. KINDLER
HOWARD W. GUTMAN *
G. DAVID FENSTERHEIM
NANCY F. PREISS
STUART L. GASNER
RICHARD S. HOFFMAN
STEVEN A. STEINBACH
TREVOR W. SWETT, III
JAMES B. MOORHEAD
LINDA C. RAY
MARY G. CLARK

COUNSEL
HAROLD UNGAR
LYMAN G. FRIEDMAN
DONALD E. SCHWARTZ

* MEMBER NY BAR ONLY

April 8, 1983

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

Re: MUR 1237, In the Matter of Stanley N. Kaplan

Dear Mr. Gross:

Thanks for your letter of April 5, 1983.

I am glad to hear that this matter is closed. I am sure that you are glad too.

I look forward to seeing you one of these days soon.

Sincerely,

Robert B. Barnett

RBB/jls

83 APR 13 P 5:

LAW OFFICES
WILLIAMS & CONNOLLY
HILL BUILDING
WASHINGTON, D.C. 20006

83040397

RECEIVED AT FEC

83 APR 13 AM 11:11

APR 11 '83

20

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

RECEIVED BY THE FEC

BEFORE THE FEDERAL ELECTION COMMISSION 83 MAR 11 PM: 37

In the Matter of	)	
	)	MUR 1237 (1980)
Jon Terrell	)	
	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Probable cause to believe was found that Jon Terrell ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(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. On or about February 26, 1978, Respondent, pursuant to a request made by Stanley N. Kaplan, made a contribution of two thousand dollars ($2,000) by personal check number 372 to the Friends of Luther H. Hodges, Jr., the principal campaign committee of Luther H. Hodges, Jr., a candidate for the Democratic nomination for the United States Senate from North

83040593570

Carolina in 1978 ("Committee").

2. When tendered for payment by the Committee, check number 372 was not honored due to insufficient funds.

3. At Stanley N. Kaplan's request, Harold Ross gave Respondent a personal check for two thousand dollars ($2,000) which, when deposited by Respondent, allowed Respondent's original check to be honored.

4. Thereafter, Stanley N. Kaplan fully reimbursed Harold Ross for the two thousand dollar ($2,000) payment by him to Respondent.

5. 2 U.S.C. § 441f prohibits, inter alia, any person from knowingly permitting his name to be used to effect a contribution from another person.

6. On August 24, 1982, the Commission found probable cause to believe that Jon Terrell violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effect a contribution to the Committee from Stanley N. Kaplan.

WHEREFORE, Respondent agrees that:

V. For the purpose of resolving this matter, Respondent, while not admitting or denying, does not contest that he violated 2 U.S.C. § 441f.

VI. Respondent 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.

8 3 0 4 0 3 9 3 3 9 1

VII. 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.

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

IX. 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.

9 3 0 4 0 3 9 3 3 9 2

April 4, 1983
Date

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Jon Terrell

March 7, 1983
Date:

By: James P. Cinque
Counsel for Respondent

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

James P. Cinque, Esq.
Engel & Engel
9200 Sunset Boulevard, Suite 505
Los Angeles, CA 90069

Re: Pre-Litigation: Jon Terrell (MUR 1237,
In the Matter of Stanley N. Kaplan (1981)).

Dear Mr. Cinque:

On April 1, 1983, the Commission accepted the conciliation agreement signed by you on behalf of your client, Jon Terrell, 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. 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

83040393

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

Barry L. Zisser, Esq.
Zisser, Robinson, Spohrer, P.A.
303 Libert Street
Jacksonville, Florida 32202

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Melvin Jawitz).

Dear Mr. Zisser:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8304039339

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

J. Reid Potter, Esq.
2300 East Seventh Street
Charlotte, NC 28204

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Claire Shaffner).

Dear Mr. Potter:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8304039339

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

Richard M. Lannen, Esq.
Akin, Gump, Straus, Hauer & Feld
2800 Republic National Bank Building
Dallas, Texas 75201

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Jeffrey L. Poll).

Dear Mr. Lannen:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

83040393396

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

Ms. Sandra Humphrey
c/o The Lamp Place
Factory Outlet
917 Pecan Avenue
Charlotte, NC 28205

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Sandra Humphrey).

Dear Ms. Humphrey:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

83040593977

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

Carl Goldfarb, Esq.
2011 Randolph Road
Charlotte, NC 28207

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981) (Elwood Sebert).

Dear Mr. Goldfarb:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8304039398

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

Ray S. Farris, Esq.
Farris, Mallard & Underwood
1700 Southern National Center
200 South College Street
Charlotte, NC 28202

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Randal Borough).

Dear Mr. Farris:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8304039399

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

William Diehl, Jr., Esq.
James, McElroy & Diehl
700 Home Federal Building
139 S. Tryon Street
Charlotte, NC 28202

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981) (Harry Wolf).

Dear Mr. Diehl:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 3 9 3 4 0 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

Keith M. Deal, Esq.
101 Barnett Regency Tower
Regency Square
Jacksonville, Florida 32211

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Raymond McCreanor).

Dear Mr. Deal:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 5 9 3 4 0 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

John M. Bray, Esq.
Schwalk, Donnenfeld, Bray & Silbert
Suite 350
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981) (Harold Ross).

Dear Mr. Bray:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8304039342

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

Michael S. Berman, Esq.
Hill, Christoper & Phillips, P.C.
1900 M Street, N.W.
Washington, D.C. 20036

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981) (Joseph J. McCluskey, Ben F. Mann, Joseph Headen, Keith M. Beaty, Albert Manch, Ken Burkhart, Patricia Burkhart, and Frank Atlass).

Dear Mr. Berman:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 3 9 3 4 0 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

Robert F. Bauer, Esq.
Perkins, Coie, Stone,
Olsen & Williams
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Friends of Luther H. Hodges, Jr.).

Dear Mr. Bauer:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 3 9 3 4 0 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

Robert B. Barnett, Esq.
Williams & Connolly
Hill Building
839 17th Street, N.W.
Washington, D.C. 20006

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Stanley N. Kaplan).

Dear Mr. Barnett:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

3304039540

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 5, 1983

John T. Allred, Esq.
Daniel G. Clodfelter, Esq.
Moore & Van Allen
3000 NCNB Plaza
Charlotte, NC 28280

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Louis & Margaret Simon).

Dear Mr. Allred:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April 1, 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 3 9 3 4 0 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James P. Cinque, Esq.
Engel & Engel
9200 Sunset Boulevard, Suite 505
Los Angeles, CA 90069

Re: Pre-Litigation: Jon Terrell (MUR 1237,
In the Matter of Stanley N. Kaplan (1981)).

Dear Mr. Cinque:

On April , 1983, the Commission accepted the conciliation agreement signed by you on behalf of your client, Jon Terrell, 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. 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

RNB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

8 3 0 4 0 3 9 5 4 0 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John T. Allred, Esq.
Daniel G. Clodfelter, Esq.
Moore & Van Allen
3000 NCNB Plaza
Charlotte, NC 28280

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Louis & Margaret Simon).

Dear Mr. Allred:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RWB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 3 9 5 4 0 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert B. Barnett, Esq.
Williams & Connolly
Hill Building
839 17th Street, N.W.
Washington, D.C. 20006

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Stanley N. Kaplan).

Dear Mr. Barnett:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RoB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

8304039409

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert F. Bauer, Esq.
Perkins, Coie, Stone,
Olsen & Williams
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Friends of Luther H. Hodges, Jr.).

Dear Mr. Bauer:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RCB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

83040393410

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael S. Berman, Esq.
Hill, Christoper & Phillips, P.C.
1900 M Street, N.W.
Washington, D.C. 20036

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981) (Joseph J. McCluskey, Ben F. Mann, Joseph Headen, Keith M. Beaty, Albert Manch, Ken Burkhart, Patricia Burkhart, and Frank Atlass).

Dear Mr. Berman:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RoB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 3 9 3 4 1 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John M. Bray, Esq.
Schwalk, Donnenfeld, Bray & Silbert
Suite 350
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Harold Ross).

Dear Mr. Bray:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

BGB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

83040593412

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Keith M. Deal, Esq.
101 Barnett Regency Tower
Regency Square
Jacksonville, Florida 32211

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Raymond McCreanor).

Dear Mr. Deal:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RDB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

83040393413

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

William Diehl, Jr., Esq.
James, McElroy & Diehl
700 Home Federal Building
139 S. Tryon Street
Charlotte, NC 28202

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981) (Harry Wolf).

Dear Mr. Diehl:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RoD 04/04/83

By: Kenneth A. Gross
Associate General Counsel

83040593411

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ray S. Farris, Esq.
Farris, Mallard & Underwood
1700 Southern National Center
200 South College Street
Charlotte, NC 28202

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981) (Randal Borough).

Dear Mr. Farris:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RDB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 5 9 3 4 1 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Carl Goldfarb, Esq.
2011 Randolph Road
Charlotte, NC 28207

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Elwood Sebert).

Dear Mr. Goldfarb:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RBB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

83040593416

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ms. Sandra Humphrey
c/o The Lamp Place
Factory Outlet
917 Pecan Avenue
Charlotte, NC 28205

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Sandra Humphrey).

Dear Ms. Humphrey:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RSB 04/04/85

By: Kenneth A. Gross
Associate General Counsel

83040593417

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Richard M. Lannen, Esq.
Akin, Gump, Straus, Hauer & Feld
2800 Republic National Bank Building
Dallas, Texas 75201

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Jeffrey L. Poll).

Dear Mr. Lannen:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RSB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

83040593418

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

J. Reid Potter, Esq.
2300 East Seventh Street
Charlotte, NC 28204

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Claire Shaffner).

Dear Mr. Potter:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RoB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

3 3 0 4 0 5 9 3 4 1 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Barry L. Zisser, Esq.
Zisser, Robinson, Spohrer, P.A.
303 Libert Street
Jacksonville, Florida 32202

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Melvin Jawitz).

Dear Mr. Zisser:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

RSB 04/04/83

By: Kenneth A. Gross
Associate General Counsel

83040395420

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Pre-Litigation: Jon Terrell)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 1, 1983, the Commission decided by a vote of 6-0 to take the following actions in MUR 1237:

1. Accept the proposed conciliation agreement for Jon Terrell and approve the proposed notification letter to Mr. James Cinque, attorney for respondent Terrell as submitted with the General Counsel's March 29, 1983 Memorandum to the Commission.

2. Close the entire file in MUR 1237, In the Matter of Stanley N. Kaplan (1981).

3. Approve the notification letters to the twenty-one other respondents in MUR 1237 as attached to the March 29, 1983 Memorandum to the Commission.

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

Attest:

April 1, 1983
Date

Judy C. Ransom
for Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 3-29-83, 3:59
Circulated on 48 hour tally basis: 3-30-83, 11:00

83040593421

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES STEELE, GENERAL COUNSEL

FROM: MARJORIE EMMONS/JAN SAVAGE JS

DATE: MARCH 31, 1983

SUBJECT: COMMENTS RE: Pre-Litigation: Jon Terrel (MUR 1237, In the Matter of Stanley N. Kaplan (1981)) Memorandum to the Commission dated March 29, 1983

Attached is a copy of Commissioner Reiche's vote sheet with comments regarding Pre-Litigation: Jon Terrel.

83040393422

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

83 MAR 30 P 4: 19

SENSITIVE

Date and Time Transmitted: WEDNESDAY, 3-30-83, 11:00

COMMISSIONER: McGARRY, AIKENS, McDONALD, ELLIOTT, REICHE, HARRIS

RETURN TO COMMISSION SECRETARY BY FRIDAY, APRIL 1, 1983, 11:00

SUBJECT: Pre-Litigation: Jon Terrel (MUR 1237, In the Matter of Stanley N. Kaplan(1981))
Memorandum to the Commission dated March 29, 1983

(✓) I approve the recommendation

( ) I object to the recommendation

COMMENTS:

Date: 3/30/83 Signature: Frank P. Reiche

A DEFINITE VOTE IS REQUIRED. ALL BALLOTS MUST BE SIGNED AND DATED.

PLEASE RETURN ONLY THE BALLOT TO THE COMMISSION SECRETARY.

PLEASE RETURN BALLOT NO LATER THAN THE DATE AND TIME SHOWN ABOVE.

From the Office of the Commission Secretary

3304039534 2

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

83 MAR 29 P 3: 59

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

March 29, 1983

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel CNS by KAG

RE: Pre-Litigation: Jon Terrell (MUR 1237, In the Matter of Stanley N. Kaplan (1981)).

On February 18, 1983, the Commission approved a proposed conciliation agreement for Jon Terrell, the last remaining respondent in MUR 1237, In the Matter of Stanley N. Kaplan (1981). Thereafter, on February 23, 1983, the Office of the General Counsel forwarded a copy of that agreement to Mr. James P. Cinque, the attorney for respondent Terrell.

The General Counsel's office now has received a copy of the conciliation agreement approved by the Commission which has been signed by Mr. Cinque on behalf of his client. Attachment 1. For the reasons set forth in this office's initial memorandum to the Commission recommending approval of this agreement, Memorandum to the Commission from Charles N. Steele, General Counsel, re: Pre-Litigation: Jon Terrell (MUR 1237, In the Matter of Stanley N. Kaplan (1981))(February 16, 1983), the Office of the General Counsel now recommends that the Commission accept the proposed conciliation agreement for respondent Jon Terrell and approve the attached notification letter to Mr. Cinque. Attachment 2. In addition, since Mr. Terrell is the last remaining respondent in this matter, the Office of the General Counsel also recommends that the Commission close the file in this matter and approve the attached notification letters to the twenty-one other respondents

83040396444

in this matter Attachments 3 through 15 .*/

RECOMMENDATIONS:

1. That the Commission accept the signed proposed conciliation agreement for Jon Terrell, Attachment 1, and approve the proposed notification letter to Mr. James Cinque, attorney for respondent Terrell. Attachment 2.

2. That the Commission close the entire file in MUR 1237, In the Matter of Stanley N. Kaplan (1981).

3. That the Commission approve the notification letters to the twenty-one other respondents in MUR 1237
Attachments 3 through 15

Attachments:

1. Signed Proposed Conciliation Agreement (March 7, 1983). 3 pgs.

2. Proposed Notification Letter to James P. Cinque, Esq. 1 pg.

3 - 15. Proposed Notification Letters to other respondents. 1 pg. each.

---

*/ Simultaneous with the Commission's November 2, 1982 decision to authorize suit against Mr. Terrell, the Commission also voted to close the entire enforcement file in this matter and, in addition, approve and authorize the sending of notification letters to the twenty-one other respondents who had already settled through the conciliation process
Since that date, however, several documents either have been or will be generated or received e.g., the February 16th memorandum to the Commission, which, if the Commission now accepts this agreement, should be placed on the public record pursuant to 11 C.F.R. §§ 4.4(3) and (12) and/or Commission policy. Accordingly, another recommendation to close the file is now appropriate. In addition,
the other respondents should be notified that the Commission has reached an agreement with the final respondent and additional materials with respect to that respondent soon will become part of the public record.

8 3 0 4 0 3 9 3 4 2 5

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237 (1980)
Jon Terrell	)	
	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Probable cause to believe was found that Jon Terrell ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(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. On or about February 26, 1978, Respondent, pursuant to a request made by Stanley N. Kaplan, made a contribution of two thousand dollars ($2,000) by personal check number 372 to the Friends of Luther H. Hodges, Jr., the principal campaign committee of Luther H. Hodges, Jr., a candidate for the Democratic nomination for the United States Senate from North

Carolina in 1978 ("Committee").

2. When tendered for payment by the Committee, check number 372 was not honored due to insufficient funds.

3. At Stanley N. Kaplan's request, Harold Ross gave Respondent a personal check for two thousand dollars ($2,000) which, when deposited by Respondent, allowed Respondent's original check to be honored.

4. Thereafter, Stanley N. Kaplan fully reimbursed Harold Ross for the two thousand dollar ($2,000) payment by him to Respondent.

5. 2 U.S.C. § 441f prohibits, inter alia, any person from knowingly permitting his name to be used to effect a contribution from another person.

6. On August 24, 1982, the Commission found probable cause to believe that Jon Terrell violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effect a contribution to the Committee from Stanley N. Kaplan.

WHEREFORE, Respondent agrees that:

V. For the purpose of resolving this matter, Respondent, while not admitting or denying, does not contest that he violated 2 U.S.C. § 441f.

VI. Respondent 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.

8 3 0 4 0 3 9 5 4 2 7

VII. 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.

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

IX. 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.

8 3 0 4 0 3 9 3 4 2 8

Charles N. Steele
General Counsel

Date

By: Kenneth A. Gross
Associate General Counsel

Jon Terrell

March 7, 1983
Date:

By: James P. Cinque
James P. Cinque
Counsel for Respondent

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James P. Cinque, Esq.
Engel & Engel
9200 Sunset Boulevard, Suite 505
Los Angeles, CA 90069

Re: Pre-Litigation: Jon Terrell (MUR 1237,
In the Matter of Stanley N. Kaplan (1981)).

Dear Mr. Cinque:

On April , 1983, the Commission accepted the conciliation agreement signed by you on behalf of your client, Jon Terrell, 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. 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

83040393429

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John T. Allred, Esq.
Daniel G. Clodfelter, Esq.
Moore & Van Allen
3000 NCNB Plaza
Charlotte, NC 28280

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Louis & Margaret Simon).

Dear Mr. Allred:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

ATTACHMENT 3 (1 of 1)

3 3 0 4 0 3 9 3 4 3 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert B. Barnett, Esq.
Williams & Connolly
Hill Building
839 17th Street, N.W.
Washington, D.C. 20006

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Stanley N. Kaplan).

Dear Mr. Barnett:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

ATTACHMENT 4 (1 of 1)

3 3 0 4 0 3 9 3 4 3 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert F. Bauer, Esq.
Perkins, Coie, Stone,
Olsen & Williams
1110 Vermont Avenue, N.W.
Washington, D.C. 20005

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Friends of Luther H. Hodges, Jr.).

Dear Mr. Bauer:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

ATTACHMENT 5 (1 of 1)

8 3 0 4 0 3 9 3 4 3 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Michael S. Berman, Esq.
Hill, Christoper & Phillips, P.C.
1900 M Street, N.W.
Washington, D.C. 20036

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981) (Joseph J. McCluskey, Ben F. Mann, Joseph Headen, Keith M. Beaty, Albert Manch, Ken Burkhart, Patricia Burkhart, and Frank Atlass).

Dear Mr. Berman:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

ATTACHMENT 6 (1 of 1)

8 3 0 4 0 3 9 3 4 5 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John M. Bray, Esq.
Schwalk, Donnenfeld, Bray & Silbert
Suite 350
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Harold Ross).

Dear Mr. Bray:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

ATTACHMENT 7 (1 of 1)

8 3 0 4 0 3 9 3 4 3 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Keith M. Deal, Esq.
101 Barnett Regency Tower
Regency Square
Jacksonville, Florida 32211

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Raymond McCreanor).

Dear Mr. Deal:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

ATTACHMENT 8 (1 of 1)

8 3 0 4 0 3 9 3 4 3 5

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

William Diehl, Jr., Esq.
James, McElroy & Diehl
700 Home Federal Building
139 S. Tryon Street
Charlotte, NC 28202

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Harry Wolf).

Dear Mr. Diehl:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 3 9 3 4 3 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ray S. Farris, Esq.
Farris, Mallard & Underwood
1700 Southern National Center
200 South College Street
Charlotte, NC 28202

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981) (Randal Borough).

Dear Mr. Farris:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 3 9 3 4 3 7

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Carl Goldfarb, Esq.
2011 Randolph Road
Charlotte, NC 28207

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Elwood Sebert).

Dear Mr. Goldfarb:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

ATTACHMENT 11 (1 of 1)

8 3 0 4 0 3 9 3 4 1 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ms. Sandra Humphrey
c/o The Lamp Place
Factory Outlet
917 Pecan Avenue
Charlotte, NC 28205

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Sandra Humphrey).

Dear Ms. Humphrey:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

83040393439

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Richard M. Lannen, Esq.
Akin, Gump, Straus, Hauer & Feld
2800 Republic National Bank Building
Dallas, Texas 75201

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Jeffrey L. Poll).

Dear Mr. Lannen:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

83040393410

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

J. Reid Potter, Esq.
2300 East Seventh Street
Charlotte, NC 28204

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Claire Shaffner).

Dear Mr. Potter:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 3 9 3 4 4 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Barry L. Zisser, Esq.
Zisser, Robinson, Spohrer, P.A.
303 Libert Street
Jacksonville, Florida 32202

Re: MUR 1237, In the Matter of Stanley N. Kaplan (1981)
(Melvin Jawitz).

Dear Mr. Zisser:

On November 4, 1982, you were notified that the entire file in this matter had been closed and would become part of the public record within thirty (30) days. Prior to that date, the Commission had entered into conciliation agreements with twenty-one of the twenty-two respondents in this matter and determined to file suit against the remaining respondent.

Please be advised that on April , 1983, the Commission accepted a conciliation agreement signed by counsel for the last respondent in this matter. Pursuant to the Commission's action, additional materials connected with that respondent will be placed on the public record. These additional materials will become part of the public record within thirty (30) days.

Should you have any questions, contact Michael Dymersky, the Commission staff member assigned to this matter, at (202) 523-4057.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8 3 0 4 0 3 9 3 4 1 2

204253

RECEIVED FEC
GCC#9852
83 MAR 11 PM 2:37

LAW OFFICES
Engel & Engel
a professional corporation
9200 SUNSET BOULEVARD
SUITE 505
LOS ANGELES, CALIFORNIA 90069

DONALD S. ENGEL
JUDITH EDELMAN ENGEL
JAMES P. CINQUE
NEAL M. GOLDSTEIN
MARK D. PASSIN

(213) 550-7178
TWX 910-321-4629
CALLBACK:
ENGELENGEL

March 7, 1983

Robert Bonham, Esq.
Federal Election Commission
1325 K Street Northwest
Washington, D.C. 20463

Re: MUR 1237 (Jon J. Terrell)

Dear Robert:

Enclosed are the original and one copy of the conciliation agreement which accompanied the February 23, 1983 letter to me from Lawrence M. Noble, Esq., which I have executed on behalf of my client, Mr. Terrell.

Please send me a fully executed copy of this document after it has been signed by the Commission. Thank you for your cooperation in this matter.

Sincerely,

James P. Cinque

James P. Cinque

JPC:ad

enclosure

cc: Jon Terrell

3304039341

RECEIVED IN THE FEC

BEFORE THE FEDERAL ELECTION COMMISSION 83 MAR 11 PM 2:37

In the Matter of	)	
	)	MUR 1237 (1980)
Jon Terrell	)	
	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Probable cause to believe was found that Jon Terrell ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(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. On or about February 26, 1978, Respondent, pursuant to a request made by Stanley N. Kaplan, made a contribution of two thousand dollars ($2,000) by personal check number 372 to the Friends of Luther H. Hodges, Jr., the principal campaign committee of Luther H. Hodges, Jr., a candidate for the Democratic nomination for the United States Senate from North

83040393414

Carolina in 1978 ("Committee").

2. When tendered for payment by the Committee, check number 372 was not honored due to insufficient funds.

3. At Stanley N. Kaplan's request, Harold Ross gave Respondent a personal check for two thousand dollars ($2,000) which, when deposited by Respondent, allowed Respondent's original check to be honored.

4. Thereafter, Stanley N. Kaplan fully reimbursed Harold Ross for the two thousand dollar ($2,000) payment by him to Respondent.

5. 2 U.S.C. § 441f prohibits, inter alia, any person from knowingly permitting his name to be used to effect a contribution from another person.

6. On August 24, 1982, the Commission found probable cause to believe that Jon Terrell violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effect a contribution to the Committee from Stanley N. Kaplan.

WHEREFORE, Respondent agrees that:

V. For the purpose of resolving this matter, Respondent, while not admitting or denying, does not contest that he violated 2 U.S.C. § 441f.

VI. Respondent 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.

8 3 0 4 0 3 9 3 4 1 3

VII. 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.

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

IX. 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.

83040393416

Charles N. Steele
General Counsel

Date

By: Kenneth A. Gross
Associate General Counsel

Jon Terrell

March 7, 1983
Date:

By: James P. Cinque
James P. Cinque
Counsel for Respondent

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237 (1980)
Jon Terrell	)	
	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Probable cause to believe was found that Jon Terrell ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(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. On or about February 26, 1978, Respondent, pursuant to a request made by Stanley N. Kaplan, made a contribution of two thousand dollars ($2,000) by personal check number 372 to the Friends of Luther H. Hodges, Jr., the principal campaign committee of Luther H. Hodges, Jr., a candidate for the Democratic nomination for the United States Senate from North

3 3 0 4 0 3 9 3 4 1 7

Carolina in 1978 ("Committee").

2. When tendered for payment by the Committee, check number 372 was not honored due to insufficient funds.

3. At Stanley N. Kaplan's request, Harold Ross gave Respondent a personal check for two thousand dollars ($2,000) which, when deposited by Respondent, allowed Respondent's original check to be honored.

4. Thereafter, Stanley N. Kaplan fully reimbursed Harold Ross for the two thousand dollar ($2,000) payment by him to Respondent.

5. 2 U.S.C. § 441f prohibits, inter alia, any person from knowingly permitting his name to be used to effect a contribution from another person.

6. On August 24, 1982, the Commission found probable cause to believe that Jon Terrell violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effect a contribution to the Committee from Stanley N. Kaplan.

WHEREFORE, Respondent agrees that:

V. For the purpose of resolving this matter, Respondent, while not admitting or denying, does not contest that he violated 2 U.S.C. § 441f.

VI. Respondent 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.

8 3 0 4 0 3 9 3 4 1 8

VII. 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.

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

IX. 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.

8 3 0 4 0 3 9 3 4 1 9

Charles N. Steele
General Counsel

Date

By: Kenneth A. Gross
Associate General Counsel

Jon Terrell

March 7, 1983
Date:

By: James P. Cinque
James P. Cinque
Counsel for Respondent

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 23, 1983

James P. Cinque, Esq.
Engel & Engel
9200 Sunset Boulevard, Suite 505
Los Angeles, CA 90069

Re: Pre-Litigation: Jon Terrell (MUR 1237,
In the Matter of Stanley N. Kaplan (1981))

Dear Mr. Cinque:

As you know, the Commission recently

approved a draft conciliation agreement

Enclosed please find an original copy of the conciliation agreement approved by the Commission. Please sign the document on behalf of your client and return it to our office as soon as possible. Upon receipt of the executed agreement, we will forward it to the Commission for its final acceptance. Following acceptance of the agreement, you will be provided a copy of the fully executed document for your files.

As always, if you have any questions or problems with respect to the proposed agreement or conciliation in general, please contact Mr. Bonham immediately at (202) 523-4060.

Sincerely,

Lawrence M. Noble
Assistant General Counsel
for Litigation

Enclosure

8304039340

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237 (1980)
Jon Terrell	)	
	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Probable cause to believe was found that Jon Terrell ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(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. On or about February 26, 1978, Respondent, pursuant to a request made by Stanley N. Kaplan, made a contribution of two thousand dollars ($2,000) by personal check number 372 to the Friends of Luther H. Hodges, Jr., the principal campaign committee of Luther H. Hodges, Jr., a candidate for the Democratic nomination for the United States Senate from North

8 3 0 4 0 3 9 5 4 3 1

Carolina in 1978 ("Committee").

2. When tendered for payment by the Committee, check number 372 was not honored due to insufficient funds.

3. At Stanley N. Kaplan's request, Harold Ross gave Respondent a personal check for two thousand dollars ($2,000) which, when deposited by Respondent, allowed Respondent's original check to be honored.

4. Thereafter, Stanley N. Kaplan fully reimbursed Harold Ross for the two thousand dollar ($2,000) payment by him to Respondent.

5. 2 U.S.C. § 441f prohibits, inter alia, any person from knowingly permitting his name to be used to effect a contribution from another person.

6. On August 24, 1982, the Commission found probable cause to believe that Jon Terrell violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effect a contribution to the Committee from Stanley N. Kaplan.

WHEREFORE, Respondent agrees that:

V. For the purpose of resolving this matter, Respondent, while not admitting or denying, does not contest that he violated 2 U.S.C. § 441f.

VI. Respondent 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.

3 3 0 4 0 3 9 3 4 3 2

VII. 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.

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

IX. 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.

Charles N. Steele
General Counsel

Date

By: Kenneth A. Gross
Associate General Counsel

Jon Terrell

Date:

By: James P. Cinque
Counsel for Respondent

8 3 0 4 0 5 9 5 4 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237
Jon Terrell	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on February 18, 1983, the Commission approved by a vote of 6-0 the proposed conciliation agreement for Jon Terrell, as submitted with the General Counsel's February 16, 1983 Memorandum to the Commission.

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

Attest:

2-18-83
Date

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

Received in Office of Commission Secretary: 2-16-83, 9:21
Circulated on 48 hour tally basis: 2-16-83, 11:00

3304039334

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

83 FEB 16 A 9: 21

February 16, 1983

MEMORANDUM

SENSITIVE

TO: The Commission

FROM: Charles N. Steele
General Counsel

RE: Pre-Litigation: Jon Terrell (MUR 1237, In the Matter of Stanley N. Kaplan (1981)).

On November 2, 1982, the Commission authorized the Office of the General Counsel to file a civil suit in United States District Court against Jon Terrell, the last remaining respondent in MUR 1237, In the Matter of Stanley N. Kaplan (1981), for violating 2 U.S.C. § 441f by knowingly permitting his name to be used to effectuate a two thousand dollar ($2,000) contribution from another person.

For the reasons set forth below, the Office of the General Counsel believes that the proposed conciliation agreement (Attachment 3), is acceptable.

83040059345

I. **Analysis**

MUR 1237 involved allegations that twenty individuals ("conduits") violated § 441f by permitting their names to be used to effectuate approximately $32,000 in contributions from Stanley N. Kaplan to the Friends of Luther H. Hodges, Jr. Eleven of those conduits accepted conciliation agreements containing slightly modified admission language and providing for no civil penalty.2/ In addition, another conduit accepted an agreement

---

2/ "Respondent knowingly permitted his name to be used to effectuate a contribution . . ., which, unknown to Respondent, was in violation of 2 U.S.C. § 441f." (emphasis added.) Another such respondent, Ben F. Mann, whose violation was aggravated, agreed to this modified language, but paid a five hundred dollar ($500) civil penalty. Finally, six conduits accepted agreements containing straight admissions, but paid no penalties.

8 3 0 4 0 3 9 3 4 3 6

containing modified admission language .3/

Finally, Terrell's violation does not involve aggravating circumstances. Unlike several other conduit respondents, Terrell, to the best of our knowledge, did not solicit other conduits to participate in the scheme or serve as an intermediary for the passage of funds between Stanley Kaplan and the reported contributors.

II. Conclusion

For the foregoing reasons, the Office of the General Counsel recommends that the Commission approve the attached conciliation agreement which incorporates his proposed terms.

3/ WHEREFORE, Respondent agrees, without admitting or denying violating 2 U.S.C. § 441f, that

> V. Respondent knowingly permitted his name to be used to effectuate a contribution . . ., which unknown to Respondent, would violate 2 U.S.C. § 441f.

(emphasis added). However, this respondent, Harold Ross, paid a civil penalty in the amount of five hundred dollars.

8304039437

RECOMMENDATION:

1. That the Commission approve the proposed conciliation agreement for Jon Terrell, Attachment 3, a respondent in MUR 1237, In the Matter of Stanley N. Kaplan (1981).

Attachments:

3. Proposed Conciliation Agreement. 3 pgs.

8 3 0 4 0 3 9 3 4 3 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1237 (1980)
Jon Terrell	)	
	)	

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter the "Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. Probable cause to believe was found that Jon Terrell ("Respondent") violated 2 U.S.C. § 441f.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(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. On or about February 26, 1978, Respondent, pursuant to a request made by Stanley N. Kaplan, made a contribution of two thousand dollars ($2,000) by personal check number 372 to the Friends of Luther H. Hodges, Jr., the principal campaign committee of Luther H. Hodges, Jr., a candidate for the Democratic nomination for the United States Senate from North

8 3 0 4 0 3 9 3 4 3 9

Carolina in 1978 ("Committee").

2. When tendered for payment by the Committee, check number 372 was not honored due to insufficient funds.

3. At Stanley N. Kaplan's request, Harold Ross gave Respondent a personal check for two thousand dollars ($2,000) which, when deposited by Respondent, allowed Respondent's original check to be honored.

4. Thereafter, Stanley N. Kaplan fully reimbursed Harold Ross for the two thousand dollar ($2,000) payment by him to Respondent.

5. 2 U.S.C. § 441f prohibits, inter alia, any person from knowingly permitting his name to be used to effect a contribution from another person.

6. On August 24, 1982, the Commission found probable cause to believe that Jon Terrell violated 2 U.S.C. § 441f by knowingly permitting his name to be used to effect a contribution to the Committee from Stanley N. Kaplan.

WHEREFORE, Respondent agrees that:

V. For the purpose of resolving this matter, Respondent, while not admitting or denying, does not contest that he violated 2 U.S.C. § 441f.

VI. Respondent 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.

8 3 0 4 0 3 9 3 4 5 6

VII. 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.

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

IX. 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.

8 3 0 4 0 3 9 3 4 3 1

Charles N. Steele
General Counsel

_____ By: _____
Date Kenneth A. Gross
Associate General Counsel

Jon Terrell

_____ By: _____
Date: James P. Cinque
Counsel for Respondent

203635

RECEIVED AT THE FEC
Ccf 9/43
82 DEC 20 AM 1:

LAW OFFICES
Engel & Engel
a professional corporation
9200 SUNSET BOULEVARD
SUITE 505
LOS ANGELES, CALIFORNIA 90069

DONALD S. ENGEL
JUDITH EDELMAN ENGEL
JAMES P. CINQUE
NEAL M. GOLDSTEIN
MARK D. PASSIN

(213) 550-7176
TWX 910-321-4629
CALLBACK:
ENGELENGEL

December 14, 1982

82 DEC 20 P 1:45

Robert Bonham, Esq.
Federal Election Commission
1325 K Street Northwest
Washington, D.C. 20463

Re: MUR 1237 (Jon J. Terrell)

Dear Robert:

This will confirm our conversation in which I agreed to accept service of a civil complaint brought by the Federal Election Commission against Jon J. Terrell, provided that the venue of the action is in the United States District Court for the Southern District of New York.

Sincerely,

James P. Cinque

James P. Cinque

JPC:ad

3 3 0 4 0 3 9 3 4 5 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1237
Jon J. Terrell)

CERTIFICATION

I, Marjorie W. Emmons, Recording Secretary for the Federal Election Commission Executive Session on November 2, 1982, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in the above-captioned matter:

1. Authorize the Office of General Counsel to file a civil suit for relief in the United States District Court against Jon J. Terrell.

2. Approve and authorize the letter to respondent's counsel, as submitted with the FEC General Counsel's report dated October 21, 1982.

3. Close the entire enforcement file in this matter.

4. Approve and authorize the sending of the notification letters to all respondents who have settled through the conciliation process, as recommended by the General Counsel's October 21, 1982 report.

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

Attest:

11-2-82
Date

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

8 3 0 4 0 3 9 3 4 5 3

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

END OF ADDITIONAL MATERIAL FOR CLOSED MUR 1237.

83040039345

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE PUBLIC FILE OF CLOSED MUR 1237.

8304040096

WAYS

400 Radio Road
Charlotte, NC 28216
704/392-6191

Occ# 9796

March 31, 1983

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

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR 1237.

Sincerely,

Stanley N. Kaplan

83040000095

TALK RADIO 61
SPORTS RADIO 61
NEWS RADIO 61

STANLEY N. KAPLAN
400 RADIO ROAD
CHARLOTTE, NC 28218

3775

March 31 19 83

05-19
530

PAY TO THE ORDER OF Federal Elections Commission $ 11,000.00

Eleven Thousand & no/100 DOLLARS

NCNB North Carolina National Bank
Charlotte, NC 28255

FOR

CLASSIC CHECKS - 5

RECEIVED FEC

83 APR 4 P3:50

BIG WAYS

400 Kenilworth Road
Charlotte, NC 28210

Mr. Charles N. Steele

Federal Elections Commission

83040400101

RECEIVED AT THE FEC

83 APR 4 P 3:50

83040100102

BIG WAYS

400 Radio Road
Charlotte, NC 28216

Mr. Charles N. Steele

Federal Elections Commission

83040100101

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

END OF ADDITIONAL MATERIAL FOR CLOSED MUR 1237.

3 3 0 4 0 0 1 0 1 0

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1237

Date Filmed 9/7/83 Camera No. --- 3

Cameraman JRL

8 3 0 4 0 4 0 4 3 9 3 7

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE PUBLIC FILE OF CLOSED MUR 1237.

83040431939

The Rhythm of Charlotte
61 WAYS RADIO
400 Radio Road
Charlotte NC 28216
704/392-6191

83 JUL 5 P2:19
83 JUL 7 P2:16
Ccc#437

June 30, 1983

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

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR1237.

Sincerely,

Stanley N. Kaplan

2304041936

8 3 0 4 0 4 3 1 9 9 0

STANLEY N. KAPLAN
400 RADIO ROAD
CHARLOTTE, NC 28216

3860

6/30 19 83

PAY TO THE ORDER OF Federal Elections Commission $ 11,000.00

Eleven Thousand & no/100---------- DOLLARS

NCNB National Bank of North Carolina
Charlotte, NC 28255

FOR

The Rhythm of Charlotte

61 WAYS RADIO

400 Radio Road
Charlotte NC 28216

RECEIVED [illegible]

[illegible] 2:19

8 3 0 4 0 1 3 1 9 2

Charles N. Steele

Federal Elections Commission

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1237

Date Filmed 9/7/83 Camera No. --- 3

Cameraman JRL

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE

PUBLIC FILE OF CLOSED MUR 1237

8 4 0 4 0 4 4 3 0 0 9

RECEIVED AT THE FEC
83 OCT 5 P1:
GENERAL COUNSEL
83 OCT 5 P2:56

September 30, 1983

Mr. Stanley N. Kaplan
714 Edgehill Road
Charlotte, N. C. 28207

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

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR1237.

Sincerely,

Stanley N. Kaplan

8404043010

STANLEY N. KAPLAN
400 RADIO ROAD
CHARLOTTE, NC 28216

3936

9/30 1983

PAY TO THE ORDER OF Federal Elections Commission $ 11,000.00

Eleven Thousand & no/100 DOLLARS

NCNB National Bank of North Carolina Charlotte, NC 28255

FOR

RECEIVED AT THE FEC

83 OCT 3 P 1:57

Charles N. Steele

Federal Elections Commission

8401043012

RECEIVED AT THE FEC
Case 1346
84 JAN 3 P12:23
MUR 1237
Dymerskey

December 30, 1983

JAN 3 P4:43

Mr. Charles N. Steele
Federal Elections Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR 1237.

Sincerely,

Stanley N. Kaplan
714 Edgehill Road
Charlotte, N. C. 28216

8404443013

STANLEY N. KAPLAN
400 RADIO ROAD
CHARLOTTE, NC 28216

4004

Dec. 14 19 83

PAY TO THE ORDER OF Federal Elections Commission $ 11,000.00

Eleven Thousand & no/100 DOLLARS

NCNB National Bank of North Carolina
Charlotte, NC 28255

FOR

⑆053000196⑆ 004072476⑈ 4004

8 4 0 4 0 4 4 3 0 1 4

RECEIVED AT THE FEC

84 JAN 3 P12:22

Charles N. Steele

Federal Elections Commission

8401101015

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # Additional 1237

Date Filmed 2/10/84 Camera No. --- 4

Cameraman JRL

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # Additional 1237

Date Filmed 8/22/84 Camera No. --- 2

Cameraman JRL

8 4 0 4 0 4 7 2 2 3 1

RECEIVED AS OF
HAND DELIVERED
84 JUL 2 AM: 08

June 29, 1984

84 JUN 1 P4:17

Mr. Charles N. Steele
Federal Elections Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR1237.

Sincerely,

Stanley N. Kaplan
714 Edgehill Road
Charlotte, N. C. 28216

8 4 0 4 0 4 7 2 2 3 2

MEMORANDUM

TO: CHERYL THOMAS

FROM: JOAN HARRIS

TO: JOAN HARRIS

FROM: CHERYL THOMAS

CHECK NO. 4196 (a copy of which is attached) RELATING TO MUR 1237 AND NAME Stanley Kaplan WAS RECEIVED ON 7/2/84. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

- [ ] BUDGET CLEARING ACCCOUNT (#95F3875.16)
- [x] CIVIL PENALTIES ACCOUNT (#95-1099.160)
- [ ] OTHER _____

SIGNATURE Cheryl R. Thomas DATE 7-3-84

8404047223 3

STANLEY N. KAPLAN
400 RADIO RD.
CHARLOTTE, NC 28216

4196

6/26 19 84

PAY TO THE ORDER OF Federal Elections Commission $ 11,000.00

Eleven Thousand & no/100 DOLLARS

NCNB National Bank of North Carolina
Charlotte, NC 28255

FOR

Stanley N. Kaplan

8 4 0 4 0 4 7 2 2 3 4

Gen 1996
MUR 1237
Dymersky

March 30, 1984

84 MAR 2 AM 11:14

Mr. Charles N. Steele
Federal Elections Commission
1325 K Street, N. W.
Washington, D. C. 20463

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR1237.

Sincerely,

Stanley N. Kaplan
714 Edgehill Road
Charlotte, N. C. 28216

8404047 2235

STANLEY N. KAPLAN
400 RADIO RD.
CHARLOTTE, NC 28216

4118

3/28 19 84

PAY TO THE ORDER OF Federal Elections Commission $ 11,000.00

Eleven Thousand & no/100 DOLLARS

NCNB National Bank of North Carolina
Charlotte, NC 28255

FOR

4118

8 4 0 4 0 4 7 2 2 3 6

MEMORANDUM

TO: CHERYL THOMAS

FROM: JOAN HARRIS

TO: JOAN HARRIS

FROM: CHERYL THOMAS

CHECK NO. 4118 (a copy of which is attached) RELATING TO MUR 1237 AND NAME STANLEY N. KAPLAN WAS RECEIVED ON 4/2/84. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

- [ ] BUDGET CLEARING ACCCOUNT (#95F3875.16)
- [x] CIVIL PENALTIES ACCOUNT (#95-1099.160)
- [ ] OTHER _____

SIGNATURE Cheryl R. Thomas DATE 4/2/84

8404047 2237

The Album Station

WROQ 95

400 Radio Road
Charlotte NC 28216

RECEIVED AT THE FEC
HAND DELIVERED
04 MAR 2 A9:14

8 4 0 4 0 4 7 1 2

Mr. Charles N. Steele

Federal Elections Commission

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE PUBLIC FILE OF CLOSED MUR 1237

8 4 0 4 0 4 7 2 2 3 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THE FOLLOWING MATERIAL IS BEING ADDED TO THE PUBLIC FILE OF CLOSED MUR 1237

8404048032 3

RECEIVED AT THE FEC

84 OCT 1 P4:23

September 28, 1984

Mr. Charles N. Steele
Federal Elections Commission
1325 K Street, N. W.
Washington, D. C. 20005

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR1237.

Sincerely,

Stanley N. Kaplan
714 Edgehill Road
Charlotte, N. C. 28216

84 OCT 2 P12:46

8 4 0 4 0 4 8 0 3 2 4

STANLEY N. KAPLAN
400 RADIO RD.
CHARLOTTE, NC 28216

4257

9/26 19 84

PAY TO THE ORDER OF Federal Elections Commission $ 11,000.00

Eleven Thousand & no/100 DOLLARS

NCNB National Bank of North Carolina Charlotte, NC 28255

FOR MUR 1237

GCC#4950

MEMORANDUM

TO:	CHERYL THOMAS	TO:	JOAN HARRIS
FROM:	JOAN HARRIS	FROM:	CHERYL THOMAS

CHECK NO. 4257 (a copy of which is attached) RELATING TO MUR 1237 AND NAME Stanley Kaplan WAS RECEIVED ON October 2 1984. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

/ / BUDGET CLEARING ACCOUNT (#95F3875.16)

/ ✓ CIVIL PENALTIES ACCOUNT (#95-1099.160)

/ / OTHER _____

SIGNATURE Cheryl R. Thomas DATE 10/2/84

FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # Additional 1237

Date Filmed 10/3/84 Camera No. --- 1

Cameraman JBL

8404048032 6

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # ADDITIONAL 1237

Date Filmed 1/10/85 Camera No. --- 2

Cameraman AS

8504051 0461

RECEIVED AT THE FEC

HAND DELIVERED

December 30, 1984

Mr. Charles N. Steele
Federal Elections Commission
1325 K Street, N. W.
Washington, D. C. 20005

Dear Mr. Steele:

Enclosed is an installment of $11,000 pursuant to my Conciliation Agreement MUR1237.

Sincerely,

Stanley N. Kaplan
714 Edgehill Road
Charlotte, N. C. 28207

85040510462

85 JAN 7 P12:59

STANLEY N. KAPLAN
400 RADIO RD.
CHARLOTTE, NC 28216

4320

12/31 1984

PAY TO THE ORDER OF Federal Elections Commission $ 11,000.00

Eleven Thousand & no/100 DOLLARS

NCNB National Bank
of North Carolina
Charlotte, NC 28255

FOR

⑆053000196⑆ 4320

8 5 0 4 0 5 1 0 4 4

FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # ADDITIONAL 1237

Date Filmed 1/10/85 Camera No. --- 2

Cameraman AS

8504051046 4