FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1898

Date Filmed 6/13/85 Camera No. --- 2

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FEDERAL ELECTION COMMISSION

Routing Slips, [redacted], correspondence slips

Comment Sheets, 12 day report

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 Charles W. Snyder

date June 3, 1985

FEC 9-21-77

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Marlene Hock	)	MUR 1898
Marc Lerner	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 13, 1985, the Commission decided by a vote of 5-0 to take the following actions in MUR 1898:

1. Find no reason to believe that Marlene Hock violated 2 U.S.C. § 438(a)(4).

2. Find no reason to believe that Marc Lerner violated 2 U.S.C. § 438(a)(4).

3. Approve and send the letters attached to the General Counsel's Report signed May 7, 1985.

4. Close the file.

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

Attest:

5-14-85
Date

Judy C Ransom
for Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 5-8-85, 2:48
Circulated on 48 hour tally basis: 5-9-85, 11:00

85040524175

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 20, 1985

Mr. Edward Spannaus
The LaRouche Campaign
P.O. Box 2150 GPO
New York, NY 10116

RE: MUR 1898

Dear Mr. Spannaus:

The Federal Election Commission has reviewed the allegations of your complaint dated February 20, 1985 and determined that on the basis of the information provided in your complaint and information provided by the Respondent there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

8504052417 6

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Marlene Hock	)	MUR 1898
Marc Lerner	)	
	)	

GENERAL COUNSEL'S REPORT

BACKGROUND

The LaRouche Campaign ("TLC") filed the complaint in this case on February 25, 1985, alleging that Respondents Marc Lerner and Marlene Hock had violated 2 U.S.C. § 438(a)(4) by copying names from reports filed by TLC with the Federal Election Commission for use in the organization of a class action suit against TLC and related entities. Specifically, TLC alleges that Respondents sent an anonymous letter to Stanford Holzburg, a TLC contributor, soliciting his participation in the proposed class action suit. While Complainant has not produced a letter addressed to Holzburg, it did submit a letter addressed to Lynn Seeley, another TLC contributor. That letter, which was signed "Concerned Citizen" and included a return address, inquired whether the recipient had loaned money to Independent Democrats for LaRouche, the National Democratic Policy Committee, or TLC. "Concerned Citizen" stated that he or she had not been repaid for a $5,000 loan to Campaigner Publications, an enterprise allegedly related to the three organizations listed above. The letter concluded that, if a sufficient number of persons similarly situated were to join together to institute a law suit, it might be possible to recover the money due without incurring prohibitive collection costs.

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Respondents have not denied responsibility for the anonymous letter. Their response acknowledged, however, that "Miss Hock obtained the campaign contribution list" from the Commission in order "to find out from others whether they had suffered similar fraudulent acts against them"; that is, whether those other persons had lent money to TLC or related organizations and had not been repaid. Respondents avowedly gleaned the names from Federal Election Commission lists to identify potential plaintiffs in a class action suit against TLC and its related organizations. "Obviously the more people who had suffered crimes against them, the more likely it would be that the Attorney General or Miss Hock, as a private attorney general, would be successful in convincing the Courts to redress such wrongs."

FACTUAL AND LEGAL ANALYSIS

As indicated above, there is scant dispute as to the facts. The question, rather, is whether Respondents were within their rights in using reports filed with the FEC in order to identify persons who might wish to join in a class action lawsuit to recover on delinquent notes issued by TLC or related organizations. The pertinent statute states:

> Duties of Commission. The Commission shall--
> ....(4) within 48 hours after the time of the receipt by the Commission of reports and statements filed with it make them available for public inspection, and copying ..., except that any information copied from such reports or statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes....

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2 U.S.C. § 438(a) (emphasis added). Thus the Act lists three separate prohibited uses of the reports filed with the Commission. There is no allegation here of any sale of the reports, or of any use of them for the purpose of soliciting contributions; we focus, rather, on whether the solicitation of persons named in the reports in connection with a proposed class action suit constitutes use of the reports for a commercial purpose.

With respect to Respondent Hock, it is clear that her purpose was simply to recover money that, she believed, was owed to her. She was not pursuing profit in the ordinary course of business. In no sense, therefore, can her alleged use of FEC reports be deemed "commercial."

Respondent Lerner, by the same token, was simply acting as an attorney to further the best interests of his client, and not as an independent agent seeking to enrich himself. Thus the attorney did not have a "commercial purpose," as that term is used in the statute. In a proper case, to be sure, an attorney's use of FEC reports in connection with his profession might constitute a violation of 2 U.S.C. § 438(a)(4). But a situation where an attorney was merely seeking the most effective means of assisting his client to recover funds of which she was purportedly wrongfully deprived, does not present such a case.

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In summary, 2 U.S.C. § 438(a)(4) prohibits use of information on reports for a commercial purpose. Neither Ms. Hock's efforts to organize a class action suit, nor Mr. Lerner's representation of her in that suit, should be deemed a commercial purpose. It is recommended therefore that the Commission find no reason to believe that Respondents violated 2 U.S.C. § 438(a)(4).

RECOMMENDATION

1. Find no reason to believe that Marlene Hock violated 2 U.S.C. § 438(a)(4);

2. Find no reason to believe that Marc Lerner violated 2 U.S.C. § 438(a)(4);

3. Approve and send the attached and letters.

4. Close the file.

Charles N. Steele
General Counsel

May 7, 1985
Date

By: Kenneth A. Gross
Associate General Counsel

Attachments

1. Response
2. Proposed letter to Richard A. Stone.
3. Proposed letter to Edward Spannaus.

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ATTACHMENT 1

85 APR 15 P1:01

LAW OFFICES
STONE AND LERNER
9454 WILSHIRE BOULEVARD
SUITE 801 GLENDALE FEDERAL BUILDING
BEVERLY HILLS, CALIFORNIA 90212

RICHARD A. STONE
MARC LERNER

AREA CODE 213
TELEPHONE 274-8749

April 11, 1985

Kennth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
Washington, DC 20463

Re: MUR 1898 - Lerner/Hock

Dear Sir:

I acknowledge receipt of your letter dated March 27, 1985, in which you enclose what purports to be a copy of a document which, according to the complainant, was mailed to a contributor to the La Rouche Campaign. In response to that and your letter dated March 1, 1985, Mr. Lerner and Miss Hock categorically deny any violations of the Federal Election Laws and in particular, deny that their activities with regard to the campaign contributor list of the La Rouche Campaign, was in any way intended to or is a "commercial use" within the meaning of the Federal Election Laws and Regulations. Before setting forth the factual basis for the denial, it is perhaps important that you be aware of background regarding this matter.

The La Rouche Campaign engaged in a vigorous solicitation of funds from unsophisticated persons, particularly in the Southern California area. The solicitations took one of two approaches. First, donations were sought by persons placed at shopping centers and other major traffic areas. If the persons were unable to donate monies to the La Rouche Campaign, they were asked to charge the contribution to their credit cards. Thereafter, many of those persons who did so found unauthorized charges made against their credit cards by the Committee to Reelect La Rouche. The items were fraudulently charged to the donor without his or her knowledge in an attempt to obtain sufficient campaign funds to receive federal matching funds for the La Rouche Campaign. Currently, several states are conducting investigations into these tactics, including the Federal Election Commission. Enclosed for your review are several articles from the La Rouche publications, acknowledging such investigations and inquiries.

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Second, persons who were unable to donate money to the La Rouche Campaign were asked to loan money to Campaigner Publications in return for a Promissory Note. In fact, Campaigner Publications was without sufficient assets or funds to repay the indebtedness. Investigation reveals that it was known to Campaigner Publications at the time that it did not have the ability, nor did it ever intend to repay the Notes. Such conduct constitutes fraud in this state. Further investigation disclosed that at the time of the activity complained of by the La Rouche Party against Mr. Lerner and Miss Hock, no Notes had in fact been repaid. Attached is a Dun & Bradstreet report showing the financial status of Campaigner Publications. The whole operation had the aura of fraud in that unsuspecting persons were induced to loan money to a company in New York with minimal or no assets, from which they had absolutely no prospect of being repaid. Nor, indeed, did they have the financial wherewithal to seek redress.

Both of the above solicitation methods were used against Miss Hock. Miss Hock tried various governmental agencies in an effort to obtain redress for the wrongs committed against her. Such entities include the District Attorney and the Attorney General for the State of California, the Justice Department and the Federal Elections Commission. Enclosed are copies of some of the responses to Miss Hock's letters to these various governmental authorities. With regard to the Promissory Note, Miss Hock was referred to private counsel and in that regard consulted Mr. Lerner.

In order to investigate the extent of the fraud committed against her, Miss Hock obtained the campaign contribution list from the Federal Election Commission. The purpose of the use of the list was to find out from others whether they had suffered similar fraudulent acts against them. Obviously the more people who had suffered crimes against them, the more likely it would be that the Attorney General or Miss Hock, as a private attorney general, would be successful in convincing the Courts to redress such wrongs. It was never the intent of Congress to prevent the disclosure of persons on the campaign list against whom a crime had been committed. To do so would be to reward those committing the crime and punish those against whom the crime has been committed. Under both federal and state laws, in the event a class action is filed, the Courts allow the discovery of the names and addresses of members of the class and allow counsel to speak directly to them for the purpose of investigating the nature and extent of the allegations of the complaint. Therefore, whether the list was disclosed prior to or subsequent to filing a lawsuit, the plain fact remains that it would have been disclosed in order to prevent the type of conduct engaged in by Campaigner Publication and the La Rouche Campaign.

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The clear intent and purpose of preventing a "commercial use" of the list is to prevent businesses, who for profit conduct mail order and catalog sales and the like, from using the list to sell their wares to persons who have made campaign contributions. It is not the purpose of the law to prevent redress of or stop crimes against the very persons who have unknowingly become victims of a wholesale fraud by persons running for office and their surrogate entities. Obviously, Miss Hock and Mr. Lerner are very much aligned with the authorities and the Federal Election Commission in seeking to stop the conduct of the La Rouche Campaign Committee and their various entities. It would be somewhat ironic if the perpetrators of such a scheme, who used the processes of the Federal Election in the pursuit of their fraudulent objective, be allowed to maintain a complaint with the Federal Election Commission against the very parties whom they defrauded. It is an outrage that the Commission has allowed itself to be used in this fashion. For the Federal Election Commission to continue to pursue this matter against Miss Hock and Mr. Lerner would be a gross miscarriage of justice, and I am confident that you will see fit to dismiss this matter immediately.

Sincerely,

RICHARD A. STONE

RAS:si
encl.

bc: Marlene Hock

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FULL DISPLAY COMPLETE

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186-017-51

Washington, D.C. 20530

MAR 13 1985

Ms. Marlene Hock
3929 Gondar Avenue
Long Beach, California 90808

Dear Ms. Hock:

We have received your two letters of December 10, 1984, concerning money that you have loaned to organizations affiliated with Lyndon LaRouche.

It appears from your correspondence that you loaned some $6,000 to the LaRouche organization, and that you received valid promissory notes in return. If the LaRouche organization fails to honor the legal obligation undertaken in these promissory notes, your recourse is to sue them in a civil court. Such matters are private in nature, and this Department has no authority to assist you in recovering the money you loaned in this manner.

You further state that after lending the LaRouche organization the $6,000, they proceeded to make an unauthorized charge of $500 to your VISA credit card. The unauthorized use of credit card accounts in this manner can involve violations of federal criminal laws dealing with fraud. We have made a copy of your correspondence available to the Federal Bureau of Investigation.

Most credit card issuers will not hold you responsible for charges made to your account number without your consent and approval. In that regard, the usual procedure is for a card holder who has been victimized by an unauthorized card use to notify the issuing bank of the unauthorized use, and to request that a credit adjustment be made to the account involved. We note from your correspondence that you have already done this.

8504052487

Thank you for bringing this incident to our attention.

Sincerely,

Gerald E. McDowell, Chief
Public Integrity Section
Criminal Division

Craig C. Donsanto

By: Craig C. Donsanto, Director
Election Crimes Branch
Public Integrity Section
Criminal Division

8504052418 8

Campaigner Publications, Inc.

304 West 58th, New York, N.Y. 10019 Tel (212) 247-8820

Dated: September 7, 1984

UNSECURED PROMISSORY NOTE

For value received, the undersigned agrees to pay to MARLENE M. HOCK, of 3929 Condar Avenue, Long Beach, CA. 90808, the principal sum of $5,000.00 (Five thousand and no /100 Dollars) Three Months from the date of this note.

In addition, the undersigned agrees to pay the noteholder interest at an annual rate of 12 % (Twelve percent) payable during the term of this note as follows: at the end of the term of the note.

Campaigner Publications is located at 304 West 58th Street, 5th Floor, New York, NY 10019. Both parties shall be subject to laws of the state of New York governing such contracts.

Signed for Campaigner Publications

Dorothy Ambrosio

THIS NOTE MAY NOT BE ASSIGNED, TRANSFERRED OR DISCOUNTED.

8504052418 9

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE

1515 K STREET, SUITE 511
SACRAMENTO 95814
(916) 445-9555

January 2, 1985

Marlene Hock
3929 Gondar Avenue
Long Beach, CA 90808

Dear Ms. Hock:

This is in response to your letter dated December 15, 1984.

We suggest that you consult a private attorney. An attorney would directly represent your interests and is the one whose advice would be most helpful to you. If you wish, you may contact a private attorney through the lawyers reference service of your local bar association.

We regret this office could not be of more assistance to you.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Robert M. Raymer

ROBERT M. RAYMER, Analyst
Public Inquiry Unit

RMR:mec

8504052419 0

WHEREFORE Respondents respectfully request an extension of ime to and including April 22, 1985, in which to mail a esponsive Brief to the General Counsel's Brief.

Respectfully submitted,

Frank E. Hamilton, III
HAMILTON & DOUGLAS, P.A.
2620 West Kennedy Boulevard
Tampa, Florida 33609
813/879-9842

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to Charles N. Steele, General Counsel, Federal Election Commission, Washington, D.C. 20463, this 10th day of April, 1985.

Frank E. Hamilton, III

8504052419 1

ATTACHMENT 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Richard A. Stone, Esq.
Stone and Lerner
9454 Wilshire Boulevard
Suite 801
Glendale Federal Building
Beverly Hills, California 90212

RE: MUR 1898
Marlene Hock
Marc Lerner

Dear Mr. Stone:

On March 1, 1985, the Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1985, determined that on the basis of the information in the complaint, and information provided by your clients, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

85040524192

ATTACHMENT 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Edward Spannaus
The LaRouche Campaign
P.O. Box 2150 GPO
New York, NY 10116

RE: MUR 1898

Dear Mr. Spannaus:

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Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

8504052419 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 20, 1985

Mr. Richard A. Stone, Esq.
Stone and Lerner
9454 Wilshire Boulevard
Suite 801
Glendale Federal Building
Beverly Hills, California 90212

RE: MUR 1898
Marlene Hock
Marc Lerner

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Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Marlene Hock	)	MUR 1898
Marc Lerner	)	
	)	

GENERAL COUNSEL'S REPORT

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> ....(4) within 48 hours after the time of the receipt by the Commission of reports and statements filed with it make them available for public inspection, and copying ..., except that any information copied from such reports or statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes....

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Respondent Lerner, by the same token, was simply acting as an attorney to further the best interests of his client, and not as an independent agent seeking to enrich himself. Thus the attorney did not have a "commercial purpose," as that term is used in the statute. In a proper case, to be sure, an attorney's use of FEC reports in connection with his profession might constitute a violation of 2 U.S.C. § 438(a)(4). But a situation where an attorney was merely seeking the most effective means of assisting his client to recover funds of which she was purportedly wrongfully deprived, does not present such a case.

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In summary, 2 U.S.C. § 438(a)(4) prohibits use of information on reports for a commercial purpose. Neither Ms. Hock's efforts to organize a class action suit, nor Mr. Lerner's representation of her in that suit, should be deemed a commercial purpose. It is recommended therefore that the Commission find no reason to believe that Respondents violated 2 U.S.C. § 438(a)(4).

RECOMMENDATION

1. Find no reason to believe that Marlene Hock violated 2 U.S.C. § 438(a)(4);

2. Find no reason to believe that Marc Lerner violated 2 U.S.C. § 438(a)(4);

3. Approve and send the attached and letters.

4. Close the file.

Charles N. Steele
General Counsel

May 7, 1985
Date

By: Kenneth A. Gross
Associate General Counsel

Attachments

1. Response
2. Proposed letter to Richard A. Stone.
3. Proposed letter to Edward Spannaus.

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ATTACHMENT 1

85 APR 15 P 1:01

LAW OFFICES
STONE AND LERNER
9454 WILSHIRE BOULEVARD
SUITE 801 GLENDALE FEDERAL BUILDING
BEVERLY HILLS, CALIFORNIA 90212

RICHARD A. STONE
MARC LERNER

AREA CODE 213
TELEPHONE 274-8749

April 11, 1985

Kennth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
Washington, DC 20463

Re: MUR 1898 - Lerner/Hock

Dear Sir:

I acknowledge receipt of your letter dated March 27, 1985, in which you enclose what purports to be a copy of a document which, according to the complainant, was mailed to a contributor to the La Rouche Campaign. In response to that and your letter dated March 1, 1985, Mr. Lerner and Miss Hock categorically deny any violations of the Federal Election Laws and in particular, deny that their activities with regard to the campaign contributor list of the La Rouche Campaign, was in any way intended to or is a "commercial use" within the meaning of the Federal Election Laws and Regulations. Before setting forth the factual basis for the denial, it is perhaps important that you be aware of background regarding this matter.

The La Rouche Campaign engaged in a vigorous solicitation of funds from unsophisticated persons, particularly in the Southern California area. The solicitations took one of two approaches. First, donations were sought by persons placed at shopping centers and other major traffic areas. If the persons were unable to donate monies to the La Rouche Campaign, they were asked to charge the contribution to their credit cards. Thereafter, many of those persons who did so found unauthorized charges made against their credit cards by the Committee to Reelect La Rouche. The items were fraudulently charged to the donor without his or her knowledge in an attempt to obtain sufficient campaign funds to receive federal matching funds for the La Rouche Campaign. Currently, several states are conducting investigations into these tactics, including the Federal Election Commission. Enclosed for your review are several articles from the La Rouche publications, acknowledging such investigations and inquiries.

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Second, persons who were unable to donate money to the La Rouche Campaign were asked to loan money to Campaigner Publications in return for a Promissory Note. In fact, Campaigner Publications was without sufficient assets or funds to repay the indebtedness. Investigation reveals that it was known to Campaigner Publications at the time that it did not have the ability, nor did it ever intend to repay the Notes. Such conduct constitutes fraud in this state. Further investigation disclosed that at the time of the activity complained of by the La Rouche Party against Mr. Lerner and Miss Hock, no Notes had in fact been repaid. Attached is a Dun & Bradstreet report showing the financial status of Campaigner Publications. The whole operation had the aura of fraud in that unsuspecting persons were induced to loan money to a company in New York with minimal or no assets, from which they had absolutely no prospect of being repaid. Nor, indeed, did they have the financial wherewithal to seek redress.

Both of the above solicitation methods were used against Miss Hock. Miss Hock tried various governmental agencies in an effort to obtain redress for the wrongs committed against her. Such entities include the District Attorney and the Attorney General for the State of California, the Justice Department and the Federal Elections Commission. Enclosed are copies of some of the responses to Miss Hock's letters to these various governmental authorities. With regard to the Promissory Note, Miss Hock was referred to private counsel and in that regard consulted Mr. Lerner.

In order to investigate the extent of the fraud committed against her, Miss Hock obtained the campaign contribution list from the Federal Election Commission. The purpose of the use of the list was to find out from others whether they had suffered similar fraudulent acts against them. Obviously the more people who had suffered crimes against them, the more likely it would be that the Attorney General or Miss Hock, as a private attorney general, would be successful in convincing the Courts to redress such wrongs. It was never the intent of Congress to prevent the disclosure of persons on the campaign list against whom a crime had been committed. To do so would be to reward those committing the crime and punish those against whom the crime has been committed. Under both federal and state laws, in the event a class action is filed, the Courts allow the discovery of the names and addresses of members of the class and allow counsel to speak directly to them for the purpose of investigating the nature and extent of the allegations of the complaint. Therefore, whether the list was disclosed prior to or subsequent to filing a lawsuit, the plain fact remains that it would have been disclosed in order to prevent the type of conduct engaged in by Campaigner Publication and the La Rouche Campaign.

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The clear intent and purpose of preventing a "commercial use" of the list is to prevent businesses, who for profit conduct mail order and catalog sales and the like, from using the list to sell their wares to persons who have made campaign contributions. It is not the purpose of the law to prevent redress of or stop crimes against the very persons who have unknowingly become victims of a wholesale fraud by persons running for office and their surrogate entities. Obviously, Miss Hock and Mr. Lerner are very much aligned with the authorities and the Federal Election Commission in seeking to stop the conduct of the La Rouche Campaign Committee and their various entities. It would be somewhat ironic if the perpetrators of such a scheme, who used the processes of the Federal Election in the pursuit of their fraudulent objective, be allowed to maintain a complaint with the Federal Election Commission against the very parties whom they defrauded. It is an outrage that the Commission has allowed itself to be used in this fashion. For the Federal Election Commission to continue to pursue this matter against Miss Hock and Mr. Lerner would be a gross miscarriage of justice, and I am confident that you will see fit to dismiss this matter immediately.

Sincerely,

RICHARD A. STONE

RAS:si
encl.

bc: Marlene Hock

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[illegible]

[illegible]

[illegible] INC. PRINTED [illegible] 1988

RATING [illegible]

[illegible] STARTED [illegible]

[illegible] PAYMENTS [illegible]

[illegible] EMPLOYS [illegible]

[illegible] NOS. HISTORY [illegible]

[illegible] 27 01

[illegible] BOARD GRAPHICS, INC.

[illegible] may be [illegible] to present [illegible] in [illegible]

	HIGH CREDIT	NOW OWES	PAST DUE	SELLING TERMS	[illegible]
[illegible]	[illegible]	[illegible]	[illegible]		[illegible]
[illegible]	[illegible]	[illegible]	[illegible]	NZ	[illegible]

[illegible] are not in [illegible] [illegible] beyond terms [illegible] [illegible] invoices [illegible]

[illegible] 27 1988 [illegible] [illegible], deferred [illegible]

[illegible] 1991, [illegible] in the amount of $4,289 [illegible] Publications [illegible] 104 W 58th St. New York [illegible] of action [illegible] judgment.

Oct 20 1991, [illegible] suit in the amount of $1,686 [illegible] Publications [illegible] by Noble P. Haines Inc. [illegible] no. Public records show not satisfied as of [illegible] 1991.

[illegible] 25 1991, [illegible] in the amount of $3,084 [illegible] Publications Inc. by TBX Systems Inc. [illegible] Public records show suit was made into a [illegible] satisfied as of [illegible] 14 1993.

[illegible] 29 1993 [illegible] judgment was entered in the amount [illegible] Designer Publications Inc. in favor of Trans World [illegible] York Supreme Court (Entry [illegible]). Foreign [illegible] ordered.

[illegible] Financing Statement [illegible] filed 09-04-84 with Secretary, State [illegible] Western Commercial Publications, Inc. New York, NY. Secured [illegible] Water Lease Corporation, Palm Coast, FL. Collateral [illegible] machines/equipment.

[illegible] Financing Statement [illegible] filed 07-[illegible] with [illegible] Publications, Inc. New York [illegible]

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[illegible] Assigned to Comm[illegible]
[illegible] Collection [illegible]
[illegible]

[illegible] show lien was covered and [illegible]
[illegible] M. Cr[illegible] only for [illegible]
[illegible] CCM.

[illegible] show a judgment entered against Campbell [illegible]
[illegible] of Certificate [illegible] Railway [illegible] the amount of [illegible]
[illegible] CCM.

[illegible] 1[illegible] was filed there a suit for $1,0[illegible]
[illegible] Airlines Inc by Delta Airlines [illegible]
[illegible] show not satisfied as of [illegible]
[illegible] suit was [illegible] on Jun 2[illegible]
[illegible] Airlines, Inc [illegible]
[illegible] and services and material [illegible]
[illegible] was filed [illegible] 1983 for $1,[illegible]
[illegible] Campbell Publications [illegible]
[illegible] Feb 7 1983 show a tax warrant for $1,61[illegible]
[illegible] Publications Inc. [illegible] W 60th St, New [illegible]
[illegible] City of New York.

[illegible] of Any [illegible] show a tax warrant for $[illegible]
[illegible] Publications Inc in favor of City of [illegible]
[illegible] of Dec 20 1983 show a tax warrant for $1,[illegible]
[illegible] Publications Inc in favor of the City [illegible]

[illegible] [illegible] [illegible] 1[illegible] DRYD. CCC

[illegible] THE [illegible] and Bruce Stephen Pepper, [illegible]
[illegible] Name [illegible] Linda Fr[illegible]
[illegible] 20 1[illegible]. Authorized capital [illegible]
[illegible] common stock [illegible] per share.
[illegible] of record [illegible] 1[illegible] shares authorized capital [illegible]
[illegible] per share [illegible].
[illegible] officers. 100% of capital [illegible]
[illegible] officers.
[illegible] unknown.

[illegible] and manager. Publisher. Publishes "The [illegible]
[illegible]".
[illegible] subscription. Has 1,0[illegible] accounts. Deli[illegible]
[illegible]. Prior [illegible] $28-$25 per yr subscriptions. [illegible]
[illegible] 3.
[illegible]
[illegible] 10 [illegible] officers.
[illegible] Rent[illegible] sq ft. on 5th floor of mo[illegible]
[illegible] in good condition. Grounds neat.
[illegible] Center of [illegible] shops section on main street.
[illegible] [illegible] 00[illegible]

[illegible]
[illegible] THE PROPERTY [illegible] WILL BE AVAILABLE ON THIS [illegible]

[illegible] [illegible]

REPORT IS AVAILABLE BY TELEPHONE REQUEST FROM DUNSDEN
PLEASE WRITE REPORT OR BY [illegible] YOUR INQUIRY TICKET.

FULL DISPLAY COMPLETE

8504052242 04

GEMcD:CCD:csm
186-017-51

Washington, D.C. 20520

MAR 13 1985

Ms. Marlene Hock
3929 Gondar Avenue
Long Beach, California 90808

Dear Ms. Hock:

We have received your two letters of December 10, 1984, concerning money that you have loaned to organizations affiliated with Lyndon LaRouche.

It appears from your correspondence that you loaned some $6,000 to the LaRouche organization, and that you received valid promissory notes in return. If the LaRouche organization fails to honor the legal obligation undertaken in these promissory notes, your recourse is to sue them in a civil court. Such matters are private in nature, and this Department has no authority to assist you in recovering the money you loaned in this manner.

You further state that after lending the LaRouche organization the $6,000, they proceeded to make an unauthorized charge of $500 to your VISA credit card. The unauthorized use of credit card accounts in this manner can involve violations of federal criminal laws dealing with fraud. We have made a copy of your correspondence available to the Federal Bureau of Investigation.

Most credit card issuers will not hold you responsible for charges made to your account number without your consent and approval. In that regard, the usual procedure is for a card holder who has been victimized by an unauthorized card use to notify the issuing bank of the unauthorized use, and to request that a credit adjustment be made to the account involved. We note from your correspondence that you have already done this.

8504052205

Thank you for bringing this incident to our attention.

Sincerely,

Gerald E. McDowell, Chief
Public Integrity Section
Criminal Division

Craig C. Donsanto

By: Craig C. Donsanto, Director
Election Crimes Branch
Public Integrity Section
Criminal Division

8504052420 6

Campaigner Publications, Inc.

304 West 58th, New York, N.Y. 10019 Tel (212) 247-8820

Dated: September 7, 1984

UNSECURED PROMISSORY NOTE

For value received, the undersigned agrees to pay to

JANIANNE M. HOCK, of 3929 Condar Avenue,

Long Beach, CA. 90808, the principal sum of $5,000.00

(Five thousand and no /100 Dollars) Three Months

from the date of this note.

In addition, the undersigned agrees to pay the noteholder interest at an annual rate of 12 % (Twelve percent) payable during the term of this note as follows: at the end of the term of the note.

Campaigner Publications is located at 304 West 58th Street, 5th Floor, New York, NY 10019. Both parties shall be subject to laws of the state of New York governing such contracts.

Signed for Campaigner Publications

Dorothy Andromedas

THIS NOTE MAY NOT BE ASSIGNED, TRANSFERRED OR DISCOUNTED.

8504052420 7

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE

1515 K STREET, SUITE 511
SACRAMENTO 95814
(916) 445-9555

January 2, 1985

Marlene Hock
3929 Gondar Avenue
Long Beach, CA 90808

Dear Ms. Hock:

This is in response to your letter dated December 15, 1984.

We suggest that you consult a private attorney. An attorney would directly represent your interests and is the one whose advice would be most helpful to you. If you wish, you may contact a private attorney through the lawyers reference service of your local bar association.

We regret this office could not be of more assistance to you.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Robert M. Raymer

ROBERT M. RAYMER, Analyst
Public Inquiry Unit

RMR:mec

8504052420 8

WHEREFORE Respondents respectfully request an extension of ime to and including April 22, 1985, in which to mail a esponsive Brief to the General Counsel's Brief.

Respectfully submitted,

Frank E. Hamilton, III
HAMILTON & DOUGLAS, P.A.
2620 West Kennedy Boulevard
Tampa, Florida 33609
813/879-9842

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been furnished to Charles N. Steele, General ounsel, Federal Election Commission, Washington, D.C. 20463, this 10th day of April, 1985.

Frank E. Hamilton, III

8 5 0 4 0 5 2 4 2 0 9

ATTACHMENT 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Richard A. Stone, Esq.
Stone and Lerner
9454 Wilshire Boulevard
Suite 801
Glendale Federal Building
Beverly Hills, California 90212

RE: MUR 1898
Marlene Hock
Marc Lerner

Dear Mr. Stone:

On March 1, 1985, the Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1985, determined that on the basis of the information in the complaint, and information provided by your clients, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

8504052421 0

ATTACHMENT 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Edward Spannaus
The LaRouche Campaign
P.O. Box 2150 GPO
New York, NY 10116

RE: MUR 1898

Dear Mr. Spannaus:

The Federal Election Commission has reviewed the allegations of your complaint dated February 20, 1985 and determined that on the basis of the information provided in your complaint and information provided by the Respondent there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

85040052421 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Richard A. Stone, Esq.
Stone and Lerner
9454 Wilshire Boulevard
Suite 801
Glendale Federal Building
Beverly Hills, California 90212

RE: MUR 1898
Marlene Hock
Marc Lerner

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Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

CWS

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C 20463

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The LaRouche Campaign
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New York, NY 10116

RE: MUR 1898

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Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

CNS

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SENSITIVE

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
THE FEC
SECRETARY

In the Matter of)
)
Marlene Hock) MUR 1898
Marc Lerner)
)

'85 MAY 8 P2:48

GENERAL COUNSEL'S REPORT

BACKGROUND

The LaRouche Campaign ("TLC") filed the complaint in this case on February 25, 1985, alleging that Respondents Marc Lerner and Marlene Hock had violated 2 U.S.C. § 438(a)(4) by copying names from reports filed by TLC with the Federal Election Commission for use in the organization of a class action suit against TLC and related entities. Specifically, TLC alleges that Respondents sent an anonymous letter to Stanford Holzburg, a TLC contributor, soliciting his participation in the proposed class action suit. While Complainant has not produced a letter addressed to Holzburg, it did submit a letter addressed to Lynn Seeley, another TLC contributor. That letter, which was signed "Concerned Citizen" and included a return address, inquired whether the recipient had loaned money to Independent Democrats for LaRouche, the National Democratic Policy Committee, or TLC. "Concerned Citizen" stated that he or she had not been repaid for a $5,000 loan to Campaigner Publications, an enterprise allegedly related to the three organizations listed above. The letter concluded that, if a sufficient number of persons similarly situated were to join together to institute a law suit, it might be possible to recover the money due without incurring prohibitive collection costs.

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Respondents have not denied responsibility for the anonymous letter. Their response acknowledged, however, that "Miss Hock obtained the campaign contribution list" from the Commission in order "to find out from others whether they had suffered similar fraudulent acts against them"; that is, whether those other persons had lent money to TLC or related organizations and had not been repaid. Respondents avowedly gleaned the names from Federal Election Commission lists to identify potential plaintiffs in a class action suit against TLC and its related organizations. "Obviously the more people who had suffered crimes against them, the more likely it would be that the Attorney General or Miss Hock, as a private attorney general, would be successful in convincing the Courts to redress such wrongs."

FACTUAL AND LEGAL ANALYSIS

As indicated above, there is scant dispute as to the facts. The question, rather, is whether Respondents were within their rights in using reports filed with the FEC in order to identify persons who might wish to join in a class action lawsuit to recover on delinquent notes issued by TLC or related organizations. The pertinent statute states:

> Duties of Commission. The Commission shall--
> ....(4) within 48 hours after the time of the receipt by the Commission of reports and statements filed with it make them available for public inspection, and copying ..., except that any information copied from such reports or statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes....

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2 U.S.C. § 438(a) (emphasis added). Thus the Act lists three separate prohibited uses of the reports filed with the Commission. There is no allegation here of any sale of the reports, or of any use of them for the purpose of soliciting contributions; we focus, rather, on whether the solicitation of persons named in the reports in connection with a proposed class action suit constitutes use of the reports for a commercial purpose.

With respect to Respondent Hock, it is clear that her purpose was simply to recover money that, she believed, was owed to her. She was not pursuing profit in the ordinary course of business. In no sense, therefore, can her alleged use of FEC reports be deemed "commercial."

Respondent Lerner, by the same token, was simply acting as an attorney to further the best interests of his client, and not as an independent agent seeking to enrich himself. Thus the attorney did not have a "commercial purpose," as that term is used in the statute. In a proper case, to be sure, an attorney's use of FEC reports in connection with his profession might constitute a violation of 2 U.S.C. § 438(a)(4). But a situation where an attorney was merely seeking the most effective means of assisting his client to recover funds of which she was purportedly wrongfully deprived, does not present such a case.

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In summary, 2 U.S.C. § 438(a)(4) prohibits use of information on reports for a commercial purpose. Neither Ms. Hock's efforts to organize a class action suit, nor Mr. Lerner's representation of her in that suit, should be deemed a commercial purpose. It is recommended therefore that the Commission find no reason to believe that Respondents violated 2 U.S.C. § 438(a)(4).

RECOMMENDATION

1. Find no reason to believe that Marlene Hock violated 2 U.S.C. § 438(a)(4);
2. Find no reason to believe that Marc Lerner violated 2 U.S.C. § 438(a)(4);
3. Approve and send the attached and letters.
4. Close the file.

Charles N. Steele
General Counsel

May 7, 1985
Date

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

Attachments

1. Response
2. Proposed letter to Richard A. Stone.
3. Proposed letter to Edward Spannaus.

8 5 0 4 0 5 2 4 2 1 7

ATTACHMENT 1

85 APR 15 P1:01

LAW OFFICES
STONE AND LERNER
9454 WILSHIRE BOULEVARD
SUITE 801 GLENDALE FEDERAL BUILDING
BEVERLY HILLS, CALIFORNIA 90212

RICHARD A. STONE
MARC LERNER

AREA CODE 213
TELEPHONE 274-8749

April 11, 1985

Kennth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
Washington, DC 20463

Re: MUR 1898 - Lerner/Hock

Dear Sir:

I acknowledge receipt of your letter dated March 27, 1985, in which you enclose what purports to be a copy of a document which, according to the complainant, was mailed to a contributor to the La Rouche Campaign. In response to that and your letter dated March 1, 1985, Mr. Lerner and Miss Hock categorically deny any violations of the Federal Election Laws and in particular, deny that their activities with regard to the campaign contributor list of the La Rouche Campaign, was in any way intended to or is a "commercial use" within the meaning of the Federal Election Laws and Regulations. Before setting forth the factual basis for the denial, it is perhaps important that you be aware of background regarding this matter.

The La Rouche Campaign engaged in a vigorous solicitation of funds from unsophisticated persons, particularly in the Southern California area. The solicitations took one of two approaches. First, donations were sought by persons placed at shopping centers and other major traffic areas. If the persons were unable to donate monies to the La Rouche Campaign, they were asked to charge the contribution to their credit cards. Thereafter, many of those persons who did so found unauthorized charges made against their credit cards by the Committee to Reelect La Rouche. The items were fraudulently charged to the donor without his or her knowledge in an attempt to obtain sufficient campaign funds to receive federal matching funds for the La Rouche Campaign. Currently, several states are conducting investigations into these tactics, including the Federal Election Commission. Enclosed for your review are several articles from the La Rouche publications, acknowledging such investigations and inquiries.

8 5 0 4 0 5 2 4 2 1 8

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Both of the above solicitation methods were used against Miss Hock. Miss Hock tried various governmental agencies in an effort to obtain redress for the wrongs committed against her. Such entities include the District Attorney and the Attorney General for the State of California, the Justice Department and the Federal Elections Commission. Enclosed are copies of some of the responses to Miss Hock's letters to these various governmental authorities. With regard to the Promissory Note, Miss Hock was referred to private counsel and in that regard consulted Mr. Lerner.

In order to investigate the extent of the fraud committed against her, Miss Hock obtained the campaign contribution list from the Federal Election Commission. The purpose of the use of the list was to find out from others whether they had suffered similar fraudulent acts against them. Obviously the more people who had suffered crimes against them, the more likely it would be that the Attorney General or Miss Hock, as a private attorney general, would be successful in convincing the Courts to redress such wrongs. It was never the intent of Congress to prevent the disclosure of persons on the campaign list against whom a crime had been committed. To do so would be to reward those committing the crime and punish those against whom the crime has been committed. Under both federal and state laws, in the event a class action is filed, the Courts allow the discovery of the names and addresses of members of the class and allow counsel to speak directly to them for the purpose of investigating the nature and extent of the allegations of the complaint. Therefore, whether the list was disclosed prior to or subsequent to filing a lawsuit, the plain fact remains that it would have been disclosed in order to prevent the type of conduct engaged in by Campaigner Publication and the La Rouche Campaign.

3 5 0 4 0 5 2 4 2 1 9

The clear intent and purpose of preventing a "commercial use" of the list is to prevent businesses, who for profit conduct mail order and catalog sales and the like, from using the list to sell their wares to persons who have made campaign contributions. It is not the purpose of the law to prevent redress of or stop crimes against the very persons who have unknowingly become victims of a wholesale fraud by persons running for office and their surrogate entities. Obviously, Miss Hock and Mr. Lerner are very much aligned with the authorities and the Federal Election Commission in seeking to stop the conduct of the La Rouche Campaign Committee and their various entities. It would be somewhat ironic if the perpetrators of such a scheme, who used the processes of the Federal Election in the pursuit of their fraudulent objective, be allowed to maintain a complaint with the Federal Election Commission against the very parties whom they defrauded. It is an outrage that the Commission has allowed itself to be used in this fashion. For the Federal Election Commission to continue to pursue this matter against Miss Hock and Mr. Lerner would be a gross miscarriage of justice, and I am confident that you will see fit to dismiss this matter immediately.

Sincerely,

RICHARD A. STONE

RAS:si
encl.

bc: Marlene Hock

8504052420

[illegible] PROVIDED UPON CONTRACT
[illegible] 1985
[illegible] EXCLUSIVE USE OF SUBSCRIBER [redacted]

ATTN: [illegible]

[illegible]

[illegible] 4211
[illegible] DIAMOND, INC
[illegible] 19 [illegible]

[illegible]
[illegible] 19
[illegible] 1990

DATE PROVIDED
JAN 10 1989

MEMBERSHIP
MAGAZINE PUBLISHERS

SIC NOS.
27 11 27 21

RATING

STARTED [illegible]
PAYMENTS SE WEEK
EMPLOYS 10
HISTORY [illegible]

[illegible] HOARD SPARKING, [illegible]

[illegible] may be rounded to nearest figure in prescribed [illegible]

[illegible]	HIGH CREDIT	NOW OWES	PAST DUE	SELLING TERMS	[illegible]
[illegible]	1000	1000	750		[illegible]
[illegible]	1000	1000	1000	N7	[illegible]

[illegible] present experience reflect how bills are met in [illegible] terms quoted. In some instances amount beyond terms can be due [illegible] disputes over merchandise, missed invoices etc.

[illegible] 27 1988 [illegible] terms, stabilization, deferred [illegible].

[illegible] 1987, [illegible] in the amount of $4,289 was [illegible] Publications Inc. 304 W 58th St. New York NY [illegible] of action was judgment.
Oct 20 1981, a suit in the amount of $1,686 was [illegible] Publications Inc by Noble P. Stires Inc. Cause of [illegible] Public records show not satisfied as of [illegible] 1987.
[illegible] 25 1981, a suit in the amount of $3,088 was [illegible] Publications Inc by TDX Systems Inc. Cause of [illegible] Public records show suit was made into a judgment. Not satisfied as of Jan 14 1990.
[illegible] Dec 09 1980 a judgment was entered in the amount of [illegible] (Consigner Publications, Inc in favor of Trans World [illegible] York Supreme Court (Entry #[illegible]-83). Foreign [illegible] ordered.

[illegible] Financing Statement #[illegible] filed 09-04-84 with Secretary, State [illegible] Debtor: Consumer Publications, Inc. New York, NY. Secured [illegible] Water Lease Corporation, Palm Coast, FA. Collateral: [illegible] machines/equipment.
[illegible] Financing Statement #[illegible] filed 07-20-82 with Secretary, State [illegible] Debtor: Consumer Publications, Inc. New York, NY. Secured

8504052422 1

[illegible] JAN 20 1983

[illegible] Subsidiary [illegible] Assigned to Comm[illegible]
[illegible] Overland [illegible] Collateral specified [illegible]
[illegible] judgment.
[illegible] of Mar 28 [illegible] show judgment entered against [illegible]
[illegible] in favor [illegible] M. Cameron Supply Inc [illegible]
[illegible] $[illegible] CCM.
[illegible] show a judgment entered against Cameron [illegible]
[illegible] favor of Corinth [illegible] Railway in the amount of [illegible]
Filed CCM.
[illegible] Feb 2 1983 it was learned that a suit for $1,07[illegible] [illegible]
Cameron Publications Inc by Delta Airlines [illegible]
[illegible] Public records show not satisfied as of [illegible]
[illegible] suit was entered on Jun 27 [illegible]
[illegible] $1,07[illegible] against Cameron Publications, Inc [illegible]
[illegible] for work [illegible] and services and material [illegible]
[illegible] suit was filed [illegible] 2 1983 for $1,[illegible]
[illegible] Airlines against Cameron Publications [illegible]
[illegible] of Feb 7 1983 show a tax warrant for $1,614 [illegible]
Cameron Publications Inc. [illegible] W 54th St, New [illegible]
City of New York
[illegible] of Aug 16 [illegible] show a tax warrant for $2,[illegible] [illegible]
Cameron Publications Inc in favor of City of [illegible]
[illegible] of Dec 10 1981 show a tax warrant for $1,[illegible] [illegible]
Cameron Publications Inc in favor of the City [illegible]

[illegible] [illegible] DOYD, SEC
[illegible] THE [illegible] and David Stephen Pepper. [illegible]
[illegible] Nancy [illegible] Linda Fr[illegible]
[illegible] incorporated New [illegible] 10 1974. Authorized capital [illegible]
[illegible] common stock, [illegible] par value.
[illegible] amended [illegible] changed authorized capital [illegible]
[illegible] par value [illegible].
[illegible] started 1974 by officers. 100% of capital [illegible]
[illegible] officers.
[illegible] assets unavailable.

[illegible] owner and managing publisher. Publishes "The [illegible]
[illegible]rity".
[illegible] total subscription. Has 1,[illegible] accounts. Sell[illegible]
[illegible]. Price range $24-$25 per yr subscription. [illegible]
[illegible] 3.
[illegible].
[illegible]: 13 [illegible] officers.
[illegible]: Rents [illegible] sq. ft. on 5th floor of mul[illegible]
[illegible] in good condition. Premises neat.
[illegible]: Central [illegible] business section on main street.
[illegible] (10) [illegible]4 001 2[illegible]

[illegible]
NEW PRODUCT MAY ALSO BE AVAILABLE ON THIS COMPANY:

COMPANY ACTIVITY REPORT

8504052422 2

THIS REPORT IS AVAILABLE BY TELEPHONE READOUT THROUGH DUNSDIA
ACCESS WITH PERMISSION OR BY USING YOUR INQUIRY TICKET.

FULL DISPLAY COMPLETE

8 5 0 4 0 5 2 4 2 2 3

GEMcD:CCD:csm
186-017-51

Washington, D.C. 20530

MAR 13 1985

Ms. Marlene Hock
3929 Gondar Avenue
Long Beach, California 90808

Dear Ms. Hock:

We have received your two letters of December 10, 1984, concerning money that you have loaned to organizations affiliated with Lyndon LaRouche.

It appears from your correspondence that you loaned some $6,000 to the LaRouche organization, and that you received valid promissory notes in return. If the LaRouche organization fails to honor the legal obligation undertaken in these promissory notes, your recourse is to sue them in a civil court. Such matters are private in nature, and this Department has no authority to assist you in recovering the money you loaned in this manner.

You further state that after lending the LaRouche organization the $6,000, they proceeded to make an unauthorized charge of $500 to your VISA credit card. The unauthorized use of credit card accounts in this manner can involve violations of federal criminal laws dealing with fraud. We have made a copy of your correspondence available to the Federal Bureau of Investigation.

Most credit card issuers will not hold you responsible for charges made to your account number without your consent and approval. In that regard, the usual procedure is for a card holder who has been victimized by an unauthorized card use to notify the issuing bank of the unauthorized use, and to request that a credit adjustment be made to the account involved. We note from your correspondence that you have already done this.

8504052424

Thank you for bringing this incident to our attention.

Sincerely,

Gerald E. McDowell, Chief
Public Integrity Section
Criminal Division

Craig C. Donsanto

By: Craig C. Donsanto, Director
Election Crimes Branch
Public Integrity Section
Criminal Division

8504052422 5

Campaigner Publications, Inc.

304 West 58th, New York, N.Y. 10019 Tel (212) 247-8820

Dated: September 7, 1984

UNSECURED PROMISSORY NOTE

For value received, the undersigned agrees to pay to MARIANNE M. HOCK, of 3929 Gondar Avenue, Long Beach, CA. 90808, the principal sum of $5,000.00 (Five thousand and no /100 Dollars) Three Months from the date of this note.

In addition, the undersigned agrees to pay the noteholder interest at an annual rate of 12 % (Twelve percent) payable during the term of this note as follows: at the end of the term of the note.

Campaigner Publications is located at 304 West 58th Street, 5th Floor, New York, NY 10019. Both parties shall be subject to laws of the state of New York governing such contracts.

Signed for Campaigner Publications

Dorothy Andromeda

THIS NOTE MAY NOT BE ASSIGNED, TRANSFERRED OR DISCOUNTED.

8 5 0 4 0 5 2 4 2 2 6

JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE

1515 K STREET, SUITE 511
SACRAMENTO 95814
(916) 445-9555

January 2, 1985

Marlene Hock
3929 Gondar Avenue
Long Beach, CA 90808

Dear Ms. Hock:

This is in response to your letter dated December 15, 1984.

We suggest that you consult a private attorney. An attorney would directly represent your interests and is the one whose advice would be most helpful to you. If you wish, you may contact a private attorney through the lawyers reference service of your local bar association.

We regret this office could not be of more assistance to you.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Robert M. Raymer

ROBERT M. RAYMER, Analyst
Public Inquiry Unit

RMR:mec

8 5 0 4 0 5 2 4 2 2 7

WHEREFORE Respondents respectfully request an extension of ime to and including April 22, 1985, in which to mail a esponsive Brief to the General Counsel's Brief.

Respectfully submitted,

Frank E. Hamilton, III
HAMILTON & DOUGLAS, P.A.
2620 West Kennedy Boulevard
Tampa, Florida 33609
813/879-9842

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the oregoing has been furnished to Charles N. Steele, General ounsel, Federal Election Commission, Washington, D.C. 20463, this 10th day of April, 1985.

Frank E. Hamilton, III

8504052428

ATTACHMENT 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Richard A. Stone, Esq.
Stone and Lerner
9454 Wilshire Boulevard
Suite 801
Glendale Federal Building
Beverly Hills, California 90212

RE: MUR 1898
Marlene Hock
Marc Lerner

Dear Mr. Stone:

On March 1, 1985, the Commission notified your clients of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on , 1985, determined that on the basis of the information in the complaint, and information provided by your clients, there is no reason to believe that a violation of any statute within its jurisdiction has been committed. Accordingly, the Commission closed its file in this matter. This matter will become a part of the public record within 30 days.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

85040524229

ATTACHMENT 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Mr. Edward Spannaus
The LaRouche Campaign
P.O. Box 2150 GPO
New York, NY 10116

RE: MUR 1898

Dear Mr. Spannaus:

The Federal Election Commission has reviewed the allegations of your complaint dated February 20, 1985 and determined that on the basis of the information provided in your complaint and information provided by the Respondent there is no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended ("the Act") has been committed. Accordingly, the Commission has decided to close the file in this matter. The Federal Election Campaign Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention which you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,

Charles N. Steele
General Counsel

By Kenneth A. Gross
Associate General Counsel

Enclosure
General Counsel's Report

8 5 0 4 0 5 2 4 2 3 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: May 8, 1985

SUBJECT: MUR 1898 - General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[X]	Compliance	[X]
Sensitive	[X]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[ ]	Litigation	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

8504052423 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM

DATE: APRIL 18, 1985

SUBJECT: MUR 1898 - First General Counsel's Report signed April 15, 1985

The above-captioned matter was circulated to the Commission on a 24 hour no-objection basis at 11:00, April 17, 1985.

There were no objections to First General Counsel's Report at the time of the deadline.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: Office of the Commission Secretary

FROM: Office of General Counsel

DATE: April 16, 1985

SUBJECT: MUR 1898 - First General Counsel's Report

The attached is submitted as an Agenda document for the Commission Meeting of _____

Open Session _____

Closed Session _____

CIRCULATIONS		DISTRIBUTION	
48 Hour Tally Vote	[ ]	Compliance	[X]
Sensitive	[ ]		
Non-Sensitive	[ ]	Audit Matters	[ ]
24 Hour No Objection	[X]	Litigation	[ ]
Sensitive	[X]		
Non-Sensitive	[ ]	Closed MUR Letters	[ ]
Information	[ ]	Status Sheets	[ ]
Sensitive	[ ]		
Non-Sensitive	[ ]	Advisory Opinions	[ ]
Other	[ ]	Other (see distribution below)	[ ]

3504052423

SENSITIVE

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

85 APR 16 P12:59

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION 4/16/85-1:00

MUR # 1898
DATE COMPLAINT RECEIVED BY OGC: February 25, 1985
DATE OF NOTIFICATION TO RESPONDENT: March 1, 1985
STAFF: Charles Snyder

COMPLAINANT'S NAME: The LaRouche Campaign, per Edward Spannaus

RESPONDENTS' NAMES: Marlene Hock
Marc Lerner

RELEVANT STATUTE: 2 U.S.C. § 438(a)(4)
11 C.F.R. § 104.15

INTERNAL REPORTS CHECKED: The LaRouche Campaign Reports

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

The LaRouche Campaign ("TLC") filed the complaint in this case on February 25, 1985, alleging that Respondents Marc Lerner and Marlene Hock sent an anonymous letter to Stanford Holzburg, a TLC contributor, soliciting his participation in a class action suit against TLC. Subsequently, TLC forwarded to this office a copy of a letter, addressed in fact to Lynn Seeley, another TLC contributor. In essence, the letter, which was signed "Concerned Citizen" and included a return address, inquired whether the recipient had made any outstanding loans to TLC, or related organizations, and , if so, whether he would be interested in joining a class action suit to enforce repayment of such loans. Complainant believes the letter was sent by Respondent Hock. It

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is further alleged that Respondent Lerner had previously warned a TLC employee of his intent to solicit TLC contributors on Ms. Hock's behalf for the purpose of undertaking a class action suit against TLC.

Complainant infers that Respondents had drawn the names of TLC contributors from FEC reports in order to solicit their participation in the suit just described. Presumably because Respondent Lerner would be paid for his legal services, Complainant alleges that the Respondents have thus used information copied from FEC reports for commercial purposes in violation of 2 U.S.C. § 438(a)(4).

FACTUAL AND LEGAL ANALYSIS

The complainant in the case did not include a copy of the solicitation letter that embodied the alleged violation of the statute. It was consequently unreasonable to expect Respondents to make informed responses to the allegations. On March 11, 1985, this Office contacted Complainant to advise that this Matter could not be pursued absent a copy of the relevant letter. The letter in question was thereafter supplied and, on March 27, 1985, this Office forwarded a copy of that document to each

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of the Respondents. Their responses are, therefore, now due on April 15, 1985. Upon review, this Office will prepare a report with appropriate recommendations.

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

April 15, 1985
Date

8504052423 6

8 5 0 4 0 5 2 4 2 3 7

APR 1985

US Postage

FROM » »

Law Offices
STONE AND LERNER
9454 WILSHIRE BOULEVARD
SUITE 801 GLENDALE FEDERAL BUILDING BEVERLY HILLS, CALIFORNIA 90212

TO » »

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

GCC# 7/77

85 APR 15 P1:01

LAW OFFICES
STONE AND LERNER
9454 WILSHIRE BOULEVARD
SUITE 801 GLENDALE FEDERAL BUILDING
BEVERLY HILLS, CALIFORNIA 90212

RICHARD A. STONE
MARC LERNER

AREA CODE 213
TELEPHONE 274-8749

April 11, 1985

Kennth A. Gross, Esq.
Associate General Counsel
Federal Election Commission
Washington, DC 20463

Re: MUR 1898 - Lerner/Hock

Dear Sir:

I acknowledge receipt of your letter dated March 27, 1985, in which you enclose what purports to be a copy of a document which, according to the complainant, was mailed to a contributor to the La Rouche Campaign. In response to that and your letter dated March 1, 1985, Mr. Lerner and Miss Hock categorically deny any violations of the Federal Election Laws and in particular, deny that their activities with regard to the campaign contributor list of the La Rouche Campaign, was in any way intended to or is a "commercial use" within the meaning of the Federal Election Laws and Regulations. Before setting forth the factual basis for the denial, it is perhaps important that you be aware of background regarding this matter.

The La Rouche Campaign engaged in a vigorous solicitation of funds from unsophisticated persons, particularly in the Southern California area. The solicitations took one of two approaches. First, donations were sought by persons placed at shopping centers and other major traffic areas. If the persons were unable to donate monies to the La Rouche Campaign, they were asked to charge the contribution to their credit cards. Thereafter, many of those persons who did so found unauthorized charges made against their credit cards by the Committee to Reelect La Rouche. The items were fraudulently charged to the donor without his or her knowledge in an attempt to obtain sufficient campaign funds to receive federal matching funds for the La Rouche Campaign. Currently, several states are conducting investigations into these tactics, including the Federal Election Commission. Enclosed for your review are several articles from the La Rouche publications, acknowledging such investigations and inquiries.

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Second, persons who were unable to donate money to the La Rouche Campaign were asked to loan money to Campaigner Publications in return for a Promissory Note. In fact, Campaigner Publications was without sufficient assets or funds to repay the indebtedness. Investigation reveals that it was known to Campaigner Publications at the time that it did not have the ability, nor did it ever intend to repay the Notes. Such conduct constitutes fraud in this state. Further investigation disclosed that at the time of the activity complained of by the La Rouche Party against Mr. Lerner and Miss Hock, no Notes had in fact been repaid. Attached is a Dun & Bradstreet report showing the financial status of Campaigner Publications. The whole operation had the aura of fraud in that unsuspecting persons were induced to loan money to a company in New York with minimal or no assets, from which they had absolutely no prospect of being repaid. Nor, indeed, did they have the financial wherewithal to seek redress.

Both of the above solicitation methods were used against Miss Hock. Miss Hock tried various governmental agencies in an effort to obtain redress for the wrongs committed against her. Such entities include the District Attorney and the Attorney General for the State of California, the Justice Department and the Federal Elections Commission. Enclosed are copies of some of the responses to Miss Hock's letters to these various governmental authorities. With regard to the Promissory Note, Miss Hock was referred to private counsel and in that regard consulted Mr. Lerner.

In order to investigate the extent of the fraud committed against her, Miss Hock obtained the campaign contribution list from the Federal Election Commission. The purpose of the use of the list was to find out from others whether they had suffered similar fraudulent acts against them. Obviously the more people who had suffered crimes against them, the more likely it would be that the Attorney General or Miss Hock, as a private attorney general, would be successful in convincing the Courts to redress such wrongs. It was never the intent of Congress to prevent the disclosure of persons on the campaign list against whom a crime had been committed. To do so would be to reward those committing the crime and punish those against whom the crime has been committed. Under both federal and state laws, in the event a class action is filed, the Courts allow the discovery of the names and addresses of members of the class and allow counsel to speak directly to them for the purpose of investigating the nature and extent of the allegations of the complaint. Therefore, whether the list was disclosed prior to or subsequent to filing a lawsuit, the plain fact remains that it would have been disclosed in order to prevent the type of conduct engaged in by Campaigner Publication and the La Rouche Campaign.

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The clear intent and purpose of preventing a "commercial use" of the list is to prevent businesses, who for profit conduct mail order and catalog sales and the like, from using the list to sell their wares to persons who have made campaign contributions. It is not the purpose of the law to prevent redress of or stop crimes against the very persons who have unknowingly become victims of a wholesale fraud by persons running for office and their surrogate entities. Obviously, Miss Hock and Mr. Lerner are very much aligned with the authorities and the Federal Election Commission in seeking to stop the conduct of the La Rouche Campaign Committee and their various entities. It would be somewhat ironic if the perpetrators of such a scheme, who used the processes of the Federal Election in the pursuit of their fraudulent objective, be allowed to maintain a complaint with the Federal Election Commission against the very parties whom they defrauded. It is an outrage that the Commission has allowed itself to be used in this fashion. For the Federal Election Commission to continue to pursue this matter against Miss Hock and Mr. Lerner would be a gross miscarriage of justice, and I am confident that you will see fit to dismiss this matter immediately.

Sincerely,

RICHARD A. STONE

RAS:si
encl.

bc: Marlene Hock

8 5 0 4 0 5 2 4 2 4 0

COPYRIGHT [redacted]85 D&B INC. - PROVIDED UNI[redacted] CONTRACT
FOR THE EXCLUSIVE USE OF SUBSCRIBER [redacted]

JAN 23 1985

ATTN: 20050 ALCIISSA

IN DATE

DUNS: 07-025-4211
CAMPAIGNER PUBLICATIONS, INC
304 W 58TH ST
NEW YORK NY 10019
TEL: 212 247-8820

DATE PRINTED
JAN 23 1985

NEWSPAPER &
MAGAZINE PUBLISHERS

SIC NOS.
27 11 27 21

RATING --
STARTED 1977
PAYMENTS SEE BELOW
EMPLOYS 13
HISTORY BUSINESS

CHIEF EXECUTIVE: EDWARD SPANNAUS, PRES

PAYMENTS (Amounts may be rounded to nearest figure in prescribed ranges)

REPORTED	PAYING RECORD	HIGH CREDIT	NOW OWES	PAST DUE	SELLING TERMS	LAST SALE WITHIN
1984	Slow 30-90	1000	1000	750		1 Mo
1984	Ppt-Slow 90	2500	1000	1000	N7	1 Mo

Payment experiences reflect how bills are met in relation to the terms granted. In some instances payment beyond terms can be the result of disputes over merchandise, skipped invoices etc.

FINANCE
07/84 O- SEP 27 1984 David Cherry, spokesperson, deferred all information.

PUBLIC FILINGS
07/84 On Dec 1 1981, a suit in the amount of $4,259 was filed against Campaigner Publications Inc. 304 W 58th St, New York NY by TDX Systems Inc. Cause of action was judgment.

On Oct 20 1981, a suit in the amount of $1,686 was filed against Campaigner Publications Inc by Noble R. Steres Inc. Cause of action was judgment. Public records show not satisfied as of Aug 16 1983.

On Dec 25 1981, a suit in the amount of $3,984 was filed against Campaigner Publications Inc by TDX Systems Inc. Cause of action was agreement. Public records show suit was made into a judgment on Oct 5 1981. Not satisfied as of Aug 16 1983.

07/84 On Dec 29 1983, a judgement was entered in the amount of $10,006 against Campaigner Publications, Inc in favor of Trans World Airlines Inc in New York superior Court (Entry #19411-83). Freight charges and services rendered.

UCC FILINGS
09/84 Financing Statement #292,669 filed 09-04-84 with Secretary, State of NY. Debtor: Campaigner Publications, Inc, New York, NY. Secured Party: Master Lease Corporation, Bala Cynwyd, PA. Collateral: leased business machines/equipment.

07/84 Financing Statement #116956 filed 07-22-82 with Secretary, State of NY. Debtor: Campaigner Publications, Inc, New York, NY. Secured

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Party: North Supply Co. Lenexa, KS. Assigned to Commercial Credit Svcs Corp. Overland Park, KS. Collateral: specified business machinery/equipment.

/07/84 Records of May 24 1978 show judgement entered against Campaigner Publications in favor of E. G. M. Graphics Supply Inc in the amount of $2,991. File #13291. Filed CCM.

Records show a judgement entered against Campaigner Publications Inc in favor of Continental Trailways in the amount of $7,442. File #49587. Filed CCM.

On Feb 3 1982 it was learned that a suit for $1,076 was entered against Campaigner Publications Inc by Delta Airlines for goods sold and delivered. Public records show not satisfied as of Aug 16 1983.

It was reported that a suit was entered on Jun 27 1983 in the amount of $2,076 against Campaigner Publications, Inc by Kaylin Envelope Etc for work, labor and services and materials furnished.

It was reported a suit was filed Sep 9 1983 for $1,711 for money due by United Airlines against Campaigner Publications, Inc.

Records of Feb 9 1984 show a tax warrant for $1,614 was entered against Campaigner Publications Inc, 304 W 58th St, New York, NY in favor of City of New York.

Records of Aug 16 1984 show a tax warrant for $3,115 was entered against Campaigner Publications Inc in favor of City of New York.

/84 Records of Dec 10 1984 show a tax warrant for $1,407 was entered against Campaigner Publications Inc in favor of the City of New York.

TORY
/07/84

EDWARD SPANNAUS, PRES BARBARA BOYD, SEC
DIRECTOR(S): THE OFFICER(S) and David Stephen Pepper, Paul Gallagher, Carol White, Nancy Spannaus, Linda Frommer.

Incorporated New York May 10 1974. Authorized capital consists of 200 shares common stock, no par value.

Charter amended Aug 1 1979 changing authorized capital to 10 shares common, par value $1.00.

Business started 1974 by officers. 100% of capital stock is owned by officers.

Antecedents unavailable.

ATION
/07/84 Newspaper and magazine publisher. Publishes "The Campaigner" and "New Solidarity".
Terms: Annual subscription. Has 1,850 accounts. Sells to distributors. Price range $24-$25 per yr subscriptions. Territory United States.
Nonseasonal.

EMPLOYEES: 13 including officers.

FACILITIES: Rents 850 sq. ft. on 5th floor of multi story brick building in good condition. Premises neat.

LOCATION: Central business section on main street.

01 [illegible] /13) 30614 001 21

****
THE FOLLOWING D&B PRODUCT MAY ALSO BE AVAILABLE ON THIS COMPANY: *
*
GOVERNMENT ACTIVITY REPORT *

8504052242

THIS REPORT IS AVAILABLE BY TELEPHONE READOUT THROUGH DUNSDIAL, ON LINE ACCESS VIA DUNSPRINT OR BY USING YOUR INQUIRY TICKET.

FULL DISPLAY COMPLETE

8504052243

U.S. Department of Justice

GEMcD:CCD:csm
186-017-51

Washington, D.C. 20530

MAR 13 1985

Ms. Marlene Hock
3929 Gondar Avenue
Long Beach, California 90808

Dear Ms. Hock:

We have received your two letters of December 10, 1984, concerning money that you have loaned to organizations affiliated with Lyndon LaRouche.

It appears from your correspondence that you loaned some $6,000 to the LaRouche organization, and that you received valid promissory notes in return. If the LaRouche organization fails to honor the legal obligation undertaken in these promissory notes, your recourse is to sue them in a civil court. Such matters are private in nature, and this Department has no authority to assist you in recovering the money you loaned in this manner.

You further state that after lending the LaRouche organization the $6,000, they proceeded to make an unauthorized charge of $500 to your VISA credit card. The unauthorized use of credit card accounts in this manner can involve violations of federal criminal laws dealing with fraud. We have made a copy of your correspondence available to the Federal Bureau of Investigation.

Most credit card issuers will not hold you responsible for charges made to your account number without your consent and approval. In that regard, the usual procedure is for a card holder who has been victimized by an unauthorized card use to notify the issuing bank of the unauthorized use, and to request that a credit adjustment be made to the account involved. We note from your correspondence that you have already done this.

3504052424

Thank you for bringing this incident to our attention.

Sincerely,

Gerald E. McDowell, Chief
Public Integrity Section
Criminal Division

Craig C. Donsanto

By: Craig C. Donsanto, Director
Election Crimes Branch
Public Integrity Section
Criminal Division

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Campaigner Publications, Inc.

304 West 58th, New York, N.Y. 10019 Tel (212)247-8820

Dated: September 7, 1984

UNSECURED PROMISSORY NOTE

For value received, the undersigned agrees to pay to MARLENE M. HOCK, of 3929 Gondar Avenue, Long Beach, CA. 90808, the principal sum of $5,000.00 (Five thousand and no /100 Dollars) Three Months from the date of this note.

In addition, the undersigned agrees to pay the noteholder interest at an annual rate of 12 % (Twelve percent) payable during the term of this note as follows: at the end of the term of the note.

Campaigner Publications is located at 304 West 58th Street, 5th Floor, New York, NY 10019. Both parties shall be subject to laws of the state of New York governing such contracts.

Signed for Campaigner Publications

Dorothy Anderson

THIS NOTE MAY NOT BE ASSIGNED, TRANSFERRED OR DISCOUNTED.

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JOHN K. VAN DE KAMP
Attorney General

State of California
DEPARTMENT OF JUSTICE

1515 K STREET, SUITE 511
SACRAMENTO 95814
(916) 445-9555

January 2, 1985

Marlene Hock
3929 Gondar Avenue
Long Beach, CA 90808

Dear Ms. Hock:

This is in response to your letter dated December 15, 1984.

We suggest that you consult a private attorney. An attorney would directly represent your interests and is the one whose advice would be most helpful to you. If you wish, you may contact a private attorney through the lawyers reference service of your local bar association.

We regret this office could not be of more assistance to you.

Very truly yours,

JOHN K. VAN DE KAMP
Attorney General

Robert M. Raymer

ROBERT M. RAYMER, Analyst
Public Inquiry Unit

RMR:mec

8504052247

NEWS Service Photo

Demonstration outside FEC headquarters in Washington, D.C.

Election Commission Joins NBC's Drive Against LaRouche

by Mary Jane Freeman

Dec. 29 (NSIPS)—Following the lead of NBC-TV and Boston U.S. Attorney William Weld, the Federal Election Commission has now jumped on the "credit card fraud" bandwagon attempting a frameup of the 1984 LaRouche campaign committees. On Dec. 11, the commission voted to open an investigation of "unauthorized" credit card charges, without any evidence whatsoever to back up their charges.

A joint command structure is now in place, consisting of, at least, the National Broadcasting Company (NBC), U.S. Attorney Weld and the FBI, and the FEC's General Counsel, Charles N. Steele. Their self appointed task: to eliminate the political machine built by Lyndon LaRouche over the past 10 years once and for all.

Over the last five days, LaRouche supporters notified campaign headquarters that they have received letters from the FEC inquiring about their $40 and $100 contributions to The LaRouche Campaign (A far cry from Mondale's hundreds of thousands of dollars of actually illegal contributions.) The witchhunt nature of the investigation into The LaRouche Campaign by the FEC is evidenced by the fact that the letters so far received by contributors ask if they have ever had contact or made contributions to "any other organizations related to Lyndon LaRouche."

NBC-FEC

Just before election day, NBC's Boston affiliate, WBZ, ran a consumer fraud smear alleging credit card fraud by The LaRouche Campaign (TLC) and Independent Democrats for LaRouche (IDL). It was of course NBC that authored a 20-minute defamation against LaRouche at the outset of his campaign on its now-defunct First Camera program. Days after the WBZ smear, U.S. Attorney Weld launched a grand jury investigation of the LaRouche campaign committees the effect of which was to close down the campaign's bank account just before IDL was to pay for an election eve nationwide TV broadcast. The bank, in effect stole over $200,000 in LaRouche campaign funds, some of which was never recovered.

Next in line was the FEC. Even before TLC received notification of the opening of the new investigation, TLC contributors were receiving letters from the FEC. This renewed fishing expedition into TLC supporters gives the best evidence to date of the blatant political motivation behind this triumvirate's actions.

Who Owns the FEC?

The FEC—the brainchild of the McGovern reformers of the 1970s—was reputedly established to clear out the smoke-filled backrooms where the "bosses" were making deals. Today, the partisanship of

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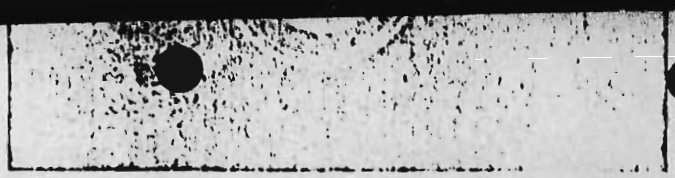

FBI Director William Webster— his men have run amok, to the great benefit of the Soviet KGB.

FBI Goes On Int'l Rampage Against LaRouche

Special to New Solidarity

Jan. 27 (NSIPS)—Judge William Webster's Federal Bureau of Investigations has been once again implicated in criminal activities directed against associates of Lyndon and Helga Zepp-LaRouche. Since Nov. 1, 1984 when the FBI joined forces with elements within the U.S. private banking community linked to Caribbean and Puerto American drug trafficker Robert Vesce to steal over $250,000 from Lyndon LaRouche's campaign chest, Bureau officials have been continuously engaged in a financial warfare conspiracy violating the federal RICO (Racketeering and Interstate Criminal Organization) statutes.

Now, that anti-LaRouche effort has been extended into Western Europe where a string of illegal financial warfare actions have been launched since the first of the year against the Schiller Institute, the Club of Life and the European Bureau of Executive Intelligence Review. These actions precisely parallel the tactics employed inside the United States by the FBI and interfaced private channels—including the Anti-Defamation League of B'nai B'rith, the League for Industrial Democracy, the National Data Corporation, Chemical Bank and VISA International—since election eve.

In one recent instance in which officials of the French DST paid a series of intimidation visits to the owners of a Paris-based transportation company that had recently done business with the Schiller Institute, NSIPS has learned that the harassment was initiated out of the Washington, D.C. headquarters of the FBI. According to French intelligence sources, FBI officials bypassing normal channels solicited the pressure tactics from second level DST agents who "owe favors" to the Bureau.

U.S. sources have backed up these reports with additional information that a six-person special unit has been constituted at FBI headquarters exclusively to carry out pressure tactics against supporters, clients and vendors of any one of a dozen companies and associations targeted in a recent series of Washington Post articles as "LaRouche-connected." This special unit is reportedly in regular receipt of detailed reports on all of the credit card and banking transactions of the targeted list of institutions. The two prime candidates suspected of illegally providing this confidential business data to the FBI are the National Data Corporation of Atlanta, Ga. and the VISA International Corporation, a service branch of VISA. The National Data Corporation is a quasi-government agency handling personal financial data on virtually every American citizen, as well as every candidate for federal office. Founded by a group of "retired" Air Force systems analysts, NDC has been eden-

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Politically Suspicious Break-In in Boston

FLASH Jan. 30 (NSIPS)—On Wednesday, Jan. 30, a politically motivated federal Grand Jury out of Boston, Massachusetts issued subpoenas attempting to garner every financial record under the sun from a number of organizations associated with former presidential candidate Lyndon H. LaRouche, Jr. The Grand Jury, under the direction of liberal Republican William Weld, has been sitting for three months. The Grand Jury was triggered by an NBC-TV broadcast on its WBZ affiliate in Boston right after the November presidential elections. Now, three months later, the new subpoenas demonstrate that Weld is engaged in nothing but a totally broad fishing expedition because he has come up with no evidence whatsoever of any wrongdoing on the part of LaRouche campaign organizations.

BOSTON, Jan. 27 (NSIPS)—The office of the Schiller Institute here was broken into and burglarized in the small hours of this morning, in what Institute spokesmen describe as a "politically suspicious" manner. The break-in occurred 12 days after the Institute brought 10,000 people from throughout the country to Washington, D.C., including a sizeable delegation from Boston, for a demonstration in favor of using American technology to feed and develop Africa, and to build defenses against nuclear missiles, the President's Strategic Defense Initiative.

The crime also comes during the same week that a wave of dirty tricks has been executed against organizations associated with economist and Democratic Party leader Lyndon LaRouche internationally, including Cointelpro style incidents in France which this news service has learned were initiated out of the FBI offices in Washington, D.C.

The Schiller Institute was founded in May 1984 by LaRouche's wife, Helga Zepp-LaRouche.

The break-in and burglary, the night after a successful motorcade and rally in this city sponsored by the Institute, involved the following elements:

1) The theft of communications equipment essential for the day-to-day operations of the internationally coordinated Schiller Institute;

2) Sifting through of wastepaper trash for documents;

3) The theft of numerous items of little monetary value—items, however, essential for the Institute's current campaign to bring 1 million citizens to Washington, D.C. on April 13 to shut-down the meeting of the Interim Committee of the genocidal International Monetary Fund.

The Boston office of the FBI, in particular dirty-tricks specialist Richard Egan, is already under investigation for ordering a New Jersey bank to unlawfully withhold hundreds of thousands of dollars in deposits by LaRouche's presidential campaign committee, forcing cancellation of an election-eve television broadcast, and for undertaking a groundless, Cointelpro-style "investigation" of LaRouche's campaign committee for credit-card fraud.

Richard Black, local Institute spokesman, said that the mass Movement for the Inalienable Rights of Man being built by the Schiller Institute "will bring the perpetrators of such crimes—be they on or off the FBI payroll—to justice. The enemies of Dr. Martin Luther King, this time, will be stopped."

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Boston U.S. Attorney William Weld. What next, indeed—now that he's been caught involved in covering up a giant dirty money scandal?

Corrupt Boston Prosecutor Tied To Threat to Pope

Feb. 12 (NSIPS)—This past week Justice Department prosecutors in Boston, Mass. allowed the whitewash of what is probably the biggest case of money laundering in recent history. The chief prosecutor involved is William F. Weld, U.S. Attorney there.

William Weld is a key figure in financial warfare operations against former presidential candidate Lyndon H. LaRouche.

A look at Weld's supporters and patrons explains the dirty-money coverup he is now involved in. The networks to whom Weld is beholden—from the European oligarchy to the Ibero-American drug mafia—are networks whose business depends on this type of money laundering, and are the figures this news service exposed in recent plots on the life of Pope John Paul II during his Ibero-American tour.

Hot Money

Although the First National Bank of Boston pleaded guilty for failing to report some $[illegible] billion in cash transactions from 1980 through 1984, the bank was allowed to plea bargain, on a technical violation: the bank wound up with only a $500,000 fine. U.S. Attorney Weld, whose office participated in the investigation as part of the Financial Investigative Task Force set up in Boston last year, told the press he is unlikely to bring other charges against the bank or its personnel in the near future.

This despite the fact that Weld himself had charged that 73% of the $528.5 million in foreign deposits made at the bank between July 1, 1980 and Sept. 30, 1984 was in small bills of $50 or less, and, of the $690.1 million in withdrawals, 79% was in bills of $100 or more! None of this money—most of it from Swiss banks—was reported by First National Bank of Boston to the Internal Revenue Service, as the law requires.

In fact, the prosecutors first became aware of the overseas currency transactions of First National Boston in connection with a criminal probe into cashier check purchases by members of a reputed organized crime family.

Family Ties

Weld and his family ties have been under investigation by this news service since he became the point man for a financial harassment operation and fishing expedition against the 1979 Independent Democratic presidential campaign of Lyndon H. LaRouche, and organizations associated with LaRouche.

An immediately relevant fact: Among the three major Swiss banks with which First National Boston was dealing was Credit Suisse of Zurich, Switzerland. Credit Suisse now owns prosecutor William Weld's family investment house, White Weld. Aside from this direct conflict of

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S. Postal Service Makes Free Speech a Criminal Offense

by Sanford Roberts

(NSIPS)—Most Americans be- r rights of free speech and press ected by the First Amendment S. Constitution. This belief is not by the United States Postal Ser- 1978, the Postal Service passed tion prohibiting electioneering, tion of funds by political groups, er forms of First Amendment ac- postal premises. Now the Postal is using the 1978 regulation to ly prosecute members of a politi- p because they solicited monies organization on postal proper-

. 15, 1985, the United States At- Atlanta handed down a 26-count ion against five political organ- ociated with the National Dem- Policy Committee (NDPC). The ion, filed in the case of United Belsky, et al., alleged the five ts had solicited funds or aided and abetted the solicitation of funds in violation of the federal postal regulation and 18 U.S.C. 2, a statute which proscribes giving assistance to anyone who violates a federal law. Incredibly enough, the Atlanta U.S. Attorney's foreboding information does nothing more than charge the NDPC organizers with engaging in activity which the Supreme Court has said for over 40 years is protected by the First Amendment!

In the seminal 1943 case of Murdock v. Pennsylvania, the U.S. Supreme Court decided the protections of the First Amendment should be extended to religious and political groups who solicit funds from the public. As the Murdock Court stated, it "should be remembered that the pamphlets of Thomas Paine were not distributed free of charge." What the Murdock Court remembered, today's U.S. Postal Service has either forgotten or deliberately chosen to ignore.

Like Thomas Paine, the National Democratic Policy Committee is engaged in educating the citizens of this nation to understand and act upon the principles of what used to be known as the American System. NDPC members and volunteers use public places to discuss the vital political questions of the day with the general public; to distribute and sell political literature; and to raise funds. This activity takes place in specific public areas which the courts, guided by the First Amendment, have termed public forums. As a matter of constitutional law, the U.S. Supreme Court recognizes that any species of public property is a public forum provided that the exercise of free speech on the premises is not "basically incompatible" with the purpose to which the public property is devoted.

Despite the fact that postal property is clearly a public forum, the U.S. Postal Service, for several months prior to the filing of the 26-count information, waged a campaign of illegal harassment against the NDPC in Atlanta. Atlanta postmasters and other postal officials confiscated card tables, literature, signs, and even a tape recorder from NDPC organizers who merely exercised their free speech rights on postal property. The prosecution of the NDPC activists brings the Postal Service's mini-guerrilla war against the organization into the public domain. Following yesterday's hearing, an NDPC spokesman vowed to fight the brazenly unconstitutional conduct of the Postal Service all the way to the U.S. Supreme Court if necessary.

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 1985

Mr. Edward Spannaus
P.O. Box 2150
GPO
New York, NY 10116

RE: MUR 1898

Dear Mr. Spannaus:

This Office acknowledges receipt of the letter that you had intended to attach to your complaint in the above-captioned matter. We have forwarded copies to the Respondents.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 1985

Richard A. Stone, Esq.
Stone and Lerner
9454 Wilshire Blvd.
Suite 801
Glendale Federal Building
Beverly Hills, CA 90212

RE: MUR 1898
Marc Lerner

Dear Mr. Stone:

In response to your letter of March 6, 1985 pointing out the absence of the letter Complainant had apparently intended to attach to his complaint in the above-captioned matter, please find enclosed a copy of the letter in question.

Your response to the complaint is now due within fifteen days of your receipt of this letter.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8504052254

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 27, 1985

Ms. Marlene Hock
3929 Gondar Avenue
Long Beach, CA 92621

RE: MUR 1898

Dear Ms. Hock:

With reference to the complaint, that you recently received, in the above-captioned matter, Complainant had omitted to attach a letter relevant to his claim. We have now received a copy of that letter, which we are enclosing for your information.

You now have fifteen days from receipt of the present letter in which to respond to the complaint.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure

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Concerned Citizen
481 W. Willow St.
Suite #204
Long Beach, CA 90806

February 11, 1985

Lynn Seeley
363 El Verano
Palo Alto Ca 94306

Dear Ms. Seeley:

I am writing to you for the purpose of inquiring as to whether you have loaned money to The Independent Democrats for LaRouche, National Democratic Policy Committee, or the LaRouche Campaign, which loans have not been repaid.

I loaned $5,000.00 to Campaigner Publications, which I believe to be related to the other three entities soliciting on behalf of Mr. LaRouche. The note provided that I be repaid on December 8, 1984.

To this date I have not received the whole or any part of the sum I loaned.

After soliciting the help of all governmental agencies and receiving either no response or no help, I contacted a private attorney with regard to my rights, because of the amount of my note and the cost of pursuing the parties who owe me the money, I have determined that it is uneconomical to proceed alone.

However, it is possible by joining forces in one collective action that the attorney I have contacted would possibly have an interest in attempting to collect my loss, as well as yours, if any, on a basis whereby the attorney will receive his fees only if he is successful in obtaaining the money;which I as well as you may have decided it is too costly to pursue alone.

In other words if there are enough people interested the attorney would be compensated only if he achieves results.

If you have any interest in pursuing this matter on a collective basis then please contact me and provide me with the following information: (1) Your telephone number (2) Copy of any written note signed on behalf of the above entities of which all or a portion is past due and owing or in the event you do not possess a copy of the note, the particulars of the transaction, including the amount you loaned.

I will forward this information to my attorney for his evaluation, and provided there are enough persons, and that there are sufficient

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Concerned Citizen
481 W. Willow St.
Suite #204
Long Beach, CA 90806

Lynn Seeley

facts to establish a basis of a law suit, I will be in touch with you concerning our next step.

Yours truly,

Concerned Citizen

8504052257

LAW OFFICES
TONE AND LERNER
9454 WILSHIRE BOULEVARD
801 GLENDALE FEDERAL BUILDING
VERLY HILLS, CALIFORNIA 90212

Federal Election Commission
Washington, D.C. 20463

GCC #6943
RECEIVED AT THE FEC

85 MAR 21 A 8:50

RICHARD A. STONE
MARC LERNER

LAW OFFICES
STONE AND LERNER
9454 WILSHIRE BOULEVARD
SUITE 801 GLENDALE FEDERAL BUILDING
BEVERLY HILLS, CALIFORNIA 90212

AREA CODE 213
TELEPHONE 274-8749

March 15, 1985

Federal Election Commission
Washington, D.C. 20463

Re: Marlene Hock - MUR 1898

Gentlemen:

I acknowledge receipt on behalf of the Respondent of your letter dated March 1, 1985 and its contents. I understand that a Complaint has been filed against my client, Marlene Hock. Enclosed in your letter to her was a photocopy of the Complaint letter dated February 20, 1985.

The Letter of Complaint dated February 20, 1985 did not include the attachments referred to. Since it is the attachment "Letter of Solicitation" which forms the basis of the Complaint of Mr. Spannaus, I must have the opportunity to review it before I can respond on behalf of Ms. Hock.

I would appreciate your forwarding to me promptly all materials that were delivered to the Commission with the Complaint Letter of February 20, 1985, so that my client's rights to have full knowledge of the charges against her will be preserved.

Very truly yours,

RICHARD A. STONE

RAS:gc

P.S. Enclosed is Statement of Designation of Counsel.

85040052429

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1898

NAME OF COUNSEL: Richard A. Stone

ADDRESS: 9454 Wilshire Blvd. #801
Beverly Hills CA 90212

TELEPHONE: (213) 274-8749

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.

3-11-85
Date

Marlene Hock
Signature

RESPONDENT'S NAME: Marlene Hock

ADDRESS: 3929 Gondar
Long Beach, CA 90808

HOME PHONE:

BUSINESS PHONE:

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2150, GPO,
N.Y. 10116

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Mr. Charles Snyder
Federal Election Commission
1325 K St. N.W.
Washington, D.C. 20463

Mel Klenetsky
National Campaign Director
Edward Spannaus
Treasurer

P.O. Box 2150, GPO, New York, N.Y. 10116, (212) 247-8820

Mr. Snyder, Please find enclosed the letter which was sent out to our contributors list which I referred to in my complaint filed with the Commission.

Edward Spannaus

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GCC-# 6886

Concerned Citizen
481 W. Willow St.
Suite #204
Long Beach, CA 90806

February 11, 1985

Lynn Seeley
363 El Verano
Palo Alto Ca 94306

Dear Ms. Seeley:

I am writing to you for the purpose of inquiring as to whether you have loaned money to The Independent Democrats for LaRouche, National Democratic Policy Committee, or the LaRouche Campaign, which loans have not been repaid.

I loaned $5,000.00 to Campaigner Publications, which I believe to be related to the other three entities soliciting on behalf of Mr. LaRouche. The note provided that I be repaid on December 8, 1984.

To this date I have not received the whole or any part of the sum I loaned.

After soliciting the help of all governmental agencies and receiving either no response or no help, I contacted a private attorney with regard to my rights, because of the amount of my note and the cost of pursuing the parties who owe me the money, I have determined that it is uneconomical to proceed alone.

However, it is possible by joining forces in one collective action that the attorney I have contacted would possibly have an interest in attempting to collect my loss, as well as yours, if any, on a basis whereby the attorney will receive his fees only if he is successful in obtaaining the money;which I as well as you may have decided it is too costly to pursue alone.

In other words if there are enough people interested the attorney would be compensated only if he achieves results.

If you have any interest in pursuing this matter on a collective basis then please contact me and provide me with the following information: (1) Your telephone number (2) Copy of any written note signed on behalf of the above entities of which all or a portion is past due and owing or in the event you do not possess a copy of the note, the particulars of the transaction, including the amount you loaned.

I will forward this information to my attorney for his evaluation, and provided there are enough persons, and that there are sufficient

8504052263

Concerned Citizen
481 W. Willow St.
Suite #204
Long Beach, CA 90806

Lynn Seeley

facts to establish a basis of a law suit, I will be in touch with you concerning our next step.

Yours truly,

Concerned Citizen

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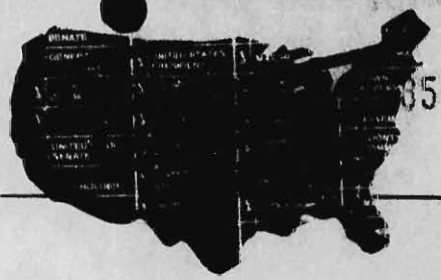
MUR 1898 GCC #6886

Mel Klenetsky
National Campaign Director
Edward Spannaus
Treasurer

P.O. Box 2150, GPO, New York, N.Y. 10116, (212) 247-8820



85 MAR 14 A8:

Mr. Snyder, Please find enclosed the letter which was sent out to our contributors list which I referred to in my complaint filed with the Commission.

Edward Spannaus

85 MAR 14 A8:44

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GCC# 6886

Concerned Citzen
481 W. Willow St.
Suite #204
Long Beach, CA 90806

February 11, 1985

Lynn Seeley
363 El Verano
Palo Alto Ca 94306

Dear Ms. Seeley:

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I will forward this information to my attorney for his evaluation, and provided there are enough persons, and that there are sufficient

8504052426 6

Concerned Citizen
481 W. Willow St.
Suite #204
Long Beach, CA 90806

Lynn Seeley

facts to establish a basis of a law suit, I will be in touch with you concerning our next step.

Yours truly,

Concerned Citizen

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LAW OFFICES
ONE AND LERNER
454 WILSHIRE BOULEVARD
OF GLENDALE FEDERAL BUILDING
RLY HILLS, CALIFORNIA 90212

3-5-0 4 0 5

PM
7 MAR
1985

Federal Election Commission
Washington, D.C. 20463

85 MAR 11 A8:32

RECEIVED BY THE FEC
MCR# 6865
85 MAR 11 A8:32

LAW OFFICES
STONE AND LERNER
9454 WILSHIRE BOULEVARD
SUITE 801 GLENDALE FEDERAL BUILDING
BEVERLY HILLS, CALIFORNIA 90212

RICHARD A. STONE
MARC LERNER

AREA CODE 213
TELEPHONE 274-8749

March 6, 1985

Federal Election Commission
Washington, D.C. 20463

Re: Marc Lerner
MUR 1898

Gentlemen:

I acknowledge receipt on behalf of the Respondent of your letter dated March 1, 1985 and its contents. I understand that a Complaint has been filed against my client, Mr. Lerner. Enclosed in your letter to him was a photocopy of the Complaint letter dated February 20, 1985.

The Letter of Complaint dated February 20, 1985, did not include the attachments referred to. Since it is the attachment "Letter of Solicitation" which forms the basis of the Complaint of Mr. Spannaus, I must have the opportunity to review it before I can respond on behalf of Mr. Lerner.

I would appreciate your forwarding to me promptly all materials that were delivered to the Commission with the Complaint letter of February 20, 1985 so that my client's rights to have full knowledge of the charges against him will be preserved.

Very truly yours,

RICHARD A. STONE

RAS:L

85040052462

STATEMENT OF DESIGNATION OF COUNSEL

MUR 1898

NAME OF COUNSEL: Richard A. Stone, Esq.

ADDRESS: 9454 Wilshire Blvd., Ste. 801
Beverly Hills, CA 90212

TELEPHONE: (213) 274-8749

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.

March 6, 1985
Date

Signature

RESPONDENT'S NAME: Marc Lerner

ADDRESS: 9454 Wilshire Blvd., Ste 801
Beverly Hills, CA 90212

HOME PHONE:

BUSINESS PHONE: (213) 274-8749

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 1, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Marc Lerner, Esquire
Stone and Lerner
9454 Wilshire Boulevard
Beverly Hills, CA

Re: MUR 1898

Dear Mr. Lerner:

This letter is to notify you that on February 25, 1985 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1898. Please refer to this number in all future correspondence.

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.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form 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.

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If you have any questions, please contact Charles Snyder, the staff person assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 1, 1985

Certified Mail
Return Receipt Requested

Ms. Marlene Hock
3929 Gondar Avenue
Long Beach, CA 92621

Re: MUR 1898

Dear Ms. Hock:

This letter is to notify you that on February 25, 1985 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1898. Please refer to this number in all future correspondence.

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.

If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form 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.

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If you have any questions, please contact Charles Snyder, the staff person assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosures
1. Complaint
2. Procedures
3. Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

March 1, 1985

Edward Spannaus, Treasurer
The LaRouche Campaign
P. O. Box 2150, GPO
New York, New York 10116

Dear Mr. Spannaus:

This letter is to acknowledge receipt of your complaint which we received on February 25, 1985, against Marlene Hock and Marc Lerner, which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Cheryl R. Thomas at (202) 523-4143.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure

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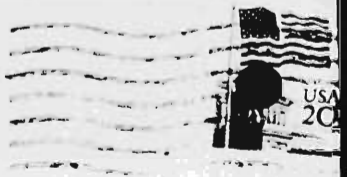

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NY, 10116

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Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street NW
Washington, DC 20463

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MCR#6769

Mel Klenetsky
National Campaign Director
Edward Spannaus
Treasurer

P.O. Box 2150, GPO, New York, N.Y. 10116, (212) 247-8820

RECEIVED AT THE FEC
25 P 1:02

February 20, 1985

Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street NW
Washington, DC 20463

Dear Mr. Steele:

This constitutes formal complaints against the following individuals: Marlene Hock, 3929 Gondar Ave., Long Beach CA 92621, and Attorney Marc Lerner, Stone and Lerner, 9454 Wilshire Blvd., Beverly Hills, CA.

On Feb. 11, 1985, a contributor to The LaRouche Campaign, Stanford Holzberg, received the attached letter of solicitation which I believe was sent by Ms. Hock. Mr. Holzberg forwarded the letter to The LaRouche Campaign. Mr. Paul Glumaz, West Coast representative of The LaRouche Campaign reported to me that Mr. Lerner had previously informed him that he intended to solicit campaign contributors on Ms. Hock's behalf for the purpose of filing a "class action" suit.

I believe that Ms. Hock and Mr. Lerner obtained Mr. Holzberg's name from the report of contributors to The LaRouche Campaign filed with the Federal Election Commission. I further believe that a number of such letters have been sent out to our contributors, in apparent violation of 11 C.F.R. 104.15 and 2 U.S.C. 438(a)(4), which prohibits the use of such information for any commercial purpose. The solicitation of contributors to support an action to collect a commercial debt from a business corporation (Campaigner Publications) is certainly a "commercial purpose," as is the soliciting of business by, or on behalf of, an attorney.

I will expect notification of your opening a Matter Under Review to be mailed to both The LaRouche Campaign and the respondents within 5 days of receipt of this complaint.

Sworn to and subscribed this
20th day of February, 1985.

Edward Spannaus

Mary Jane Freeman
Notary

MARY JANE FREEMAN
Notary Public, State of New York
No. 31-4782510
Qualified in New York County
Commission Expires March 30, 1985

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Mel Klenetsky
National Campaign Director
Edward Spannaus
Treasurer

P.O. Box 2150, GPO, New York, N.Y. 10116, (212) 247-8820

February 20, 1985

Charles N. Steele
General Counsel
Federal Election Commission
1325 K Street NW
Washington, DC 20463

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Notary Public, State of New York
No. 31-4792510
Qualified in New York County
Commission Expires March 30, 1985

85040524278

Concerned Citizen
481 W. Willow St.
Suite #204
Long Beach, CA 90806

MUR 1898

February 11, 1985

Lynn Seeley
363 El Verano
Palo Alto Ca 94306

Dear Ms. Seeley:

I am writing to you for the purpose of inquiring as to whether you have loaned money to The Independent Democrats for LaRouche, National Democratic Policy Committee, or the LaRouche Campaign, which loans have not been repaid.

I loaned $5,000.00 to Campaigner Publications, which I believe to be related to the other three entities soliciting on behalf of Mr. LaRouche. The note provided that I be repaid on December 8, 1984.

To this date I have not received the whole or any part of the sum I loaned.

After soliciting the help of all governmental agencies and receiving either no response or no help, I contacted a private attorney with regard to my rights, because of the amount of my note and the cost of pursuing the parties who owe me the money, I have determined that it is uneconomical to proceed alone.

However, it is possible by joining forces in one collective action that the attorney I have contacted would possibly have an interest in attempting to collect my loss, as well as yours, if any, on a basis whereby the attorney will receive his fees only if he is successful in obtaaining the money;which I as well as you may have decided it is too costly to pursue alone.

In other words if there are enough people interested the attorney would be compensated only if he achieves results.

If you have any interest in pursuing this matter on a collective basis then please contact me and provide me with the following information: (1) Your telephone number (2) Copy of any written note signed on behalf of the above entities of which all or a portion is past due and owing or in the event you do not possess a copy of the note, the particulars of the transaction, including the amount you loaned.

I will forward this information to my attorney for his evaluation, and provided there are enough persons, and that there are sufficient

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Concerned Citizen
481 W. Willow St.
Suite #204
Long Beach, CA 90806

Lynn Seeley

facts to establish a basis of a law suit, I will be in touch with you concerning our next step.

Yours truly,

Concerned Citizen

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Concerned Citizen

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FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

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THIS IS THE BEGINNING OF MUR # 1898

Date Filmed 6/13/85 Camera No. --- 2

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