



FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 2207

Date Filmed 1/29/87 Camera No. --- 2

Cameraman AS

87040624633

MAR 22 07

FEDERAL ELECTION COMMISSION

- Routing cards assignment sheets
- circulation sheet
- objection sheet
- 12 Day Report comment sheets

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

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

Signed S. Barr
 date 7/14/87

FEC 9-21-77

TWO 11/20/87

87040524634



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 12, 1986

Ronald Ginsbach
6901 A Esther Street
Pensacola, Florida 32565

RE: MUR 2207
Ronald Ginsbach

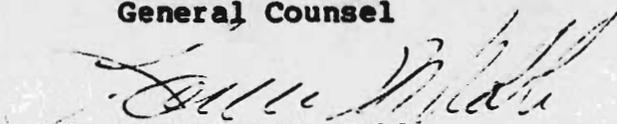
Dear Mr. Ginsbach:

On August 1, 1986, the Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on November 4, 1986, determined that on the basis of the information in the complaint, and information provided by you 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 Lawrence M. Noble
Deputy General Counsel

Enclosure
General Counsel's Report

87040524635

plm

Mem



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 12, 1986

Robert Crongeyer, Esquire
Beggs and Lane
7th Floor, Blount Building
P.O. Box 12950
Pensacola, Florida 32576-2950

Re: MUR 2207

Dear Mr. Crongeyer:

The Federal Election Commission reviewed the allegations of your complaint submitted on behalf of your client, Vince Whibbs, dated July 18, 1986, 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

Lawrence M. Noble
By Lawrence M. Noble
Deputy General Counsel

Enclosure
General Counsel's Report

87040524636



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Robert Crongeyer, Esquire
Beggs and Lane
7th Floor, Blount Building
P.O. Box 12950
Pensacola, Florida 32576-2950

Re: MUR 2207

Dear Mr. Crongeyer:

The Federal Election Commission reviewed the allegations of your complaint submitted on behalf of your client, Vince Whibbs, dated July 18, 1986, 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 Lawrence M. Noble
Deputy General Counsel

Enclosure
General Counsel's Report

DN
11/7/86

Reg 11/7/86

87040524637



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ronald Ginsbach
6901 A Esther Street
Pensacola, Florida 32565

RE: MUR 2207
Ronald Ginsbach

Dear Mr. Ginsbach:

On August 1, 1986, the Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on November 4, 1986, determined that on the basis of the information in the complaint, and information provided by you 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 Lawrence M. Noble
Deputy General Counsel

Enclosure
General Counsel's Report

DW 11/7/86

rec 11/8/86

870440524638

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2207
Ronald Ginsbach)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of November 4, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in the MUR 2207:

1. Find no reason to believe that Ronald Ginsbach violated 2 U.S.C. § 437(g)(a)(12)(A).
2. Close the file.
3. Direct the Office of General Counsel to send appropriate letters.

Commissioners Aikens, Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision.

Attest:

11-06-86
Date

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

87040524639

SENSITIVE

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION:

MUR # 2207
DATE COMPLAINT RECEIVED
BY OGC: 7/24/86
DATE OF NOTIFICATION
RESPONDENT: 8/1/86
STAFF MEMBER: Garr

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY
869000215 P.3:47

COMPLAINANT'S NAME: Vince Whibbs
RESPONDENT'S NAME: Ronald Ginsbach
RELEVANT STATUTE: 11 C.F.R. § 111.21(a), 2 U.S.C. § 437g(a) (12) (A)
INTERNAL REPORTS CHECKED: MURS 1244, 1266, 1275, 1506, 1607, 2142
FEDERAL AGENCIES CHECKED: NA

SUMMARY OF ALLEGATIONS

On July 22, 1986, a complaint was filed by counsel on behalf of Vince Whibbs, Mayor of Pensacola, Florida, against Ronald E. Ginsbach. The complaint alleges that Mr. Ginsbach violated 11 C.F.R. § 111.21(a) by "releasing to the news media the fact that an 'investigation' of Mr. Whibbs and Mrs. Rittenhouse" was being conducted by the Federal Election Commission which "subjected these people to public suspicion and embarrassment and besmirched their good names here in this community."^{1/}

^{1/} Mr. Ginsbach filed three complaints (MURS 2168, 2169, and 2170) alleging that the Escambia County Republican Executive Committee and Mr. Whibbs and Mrs. Rittenhouse, as co-chairmen, violated the FECA by accepting contributions which were designated for the "Victory '84 Fund" and depositing the funds into the Escambia County Republican Executive Committee account. On September 16, 1986, the Commission found no reason to believe that the Escambia County Republican Executive Committee violated the Act.

R 7 0 4 0 5 2 4 6 4 0

According to counsel, Mr. Ginsbach released information to the news media without the consent of either respondent. This resulted in the airing of public news reports on at least one local radio station which discussed the reports that both Mr. Whibbs and Mrs. Rittenhouse were the subjects of an FEC investigation.

Enclosed with the complaint was a transcript of the news copy aired by radio station WCOA on June 11 and 12, 1986. The copy in part reads:

The complaint was filed by a fellow Republican ... a local G.O.P precinct committeeman, Ron Ginsbach. Officials of the Federal Election Commission confirm such a complaint naming Rittenhouse and Whibbs has been received ... and is the subject of investigation ... But the specifics are not being made public.

Attachment I (8).

Counsel also provided a cassette recording of the 9:00 a.m. WCOA newscast of June 12, 1986. The release, which discussed a "split in local party ranks" stated that "co-leaders Vince Whibbs and Dianne Rittenhouse, as leaders of two GOP efforts here, were named in a complaint now under review by a federal complaint board ..." Attachment I (10).

The Commission received a response to its notification of complaint on September 12, 1986, from Ronald Ginsbach.^{2/}

2/ On August 21, 1986, Mr. Ginsbach contacted the Commission to request an extension of time to respond to the complaint, to
(continued)

R 7 0 4 0 5 2 4 6 4 1

Mr. Ginsbach claims that he had contacted the Commission on June 9 and 11, 1986, to determine how best to handle any inquiries regarding the complaint. On June 11, 1986, he continued, he was contacted by a representative of WCOA Radio News and was asked to confirm the report that an "election violation complaint" had been filed. Mr. Ginsbach acknowledged the complaint, then referred the reporter to the Commission's Press Office.

LEGAL ANALYSIS

The confidentiality of Commission notifications and investigations is addressed at 2 U.S.C. § 437g(a)(12) and 11 C.F.R. § 111.21(a). Section 437g(a)(12) states:

(12) (A) Any notification or investigation made under this section shall not be made public by the Commission or by any person without the written consent of the person receiving such notification or the person with respect to whom such investigation is made.

11 C.F.R. § 111.21(a) implements the statutory confidentiality provision with the following language:

(a) Except as provided in 11 C.F.R. § 111.23, no complaint filed with the

2/ (footnote 2 continued)

obtain copies of the Act and Regulations, and to obtain a copy of the news release referred to in the complaint. Mr. Ginsbach's request for additional time was granted until September 5, 1986. While this Office was able to provide copies of the Act and Regulations at that time, the Commission had still not received a transcribed copy of the cassette recording from the complainant. Upon its arrival on August 27, 1986, a copy was forwarded to Mr. Ginsbach.

87040524642

Commission, nor any notification sent by the Commission, nor any investigation conducted by the Commission, nor any findings made by the Commission shall be made public by the Commission or by any person or entity without the written consent of the respondent with respect to whom the complaint was filed, the notification sent, the investigation conducted, or the finding made.

While the statute prohibits against making public, without the written permission of the respondent, "any notification" or "any investigation," the regulations at 11 C.F.R. § 111.21(a) has added "any complaint filed with the Commission."

The complainant argues that Mr. Ginsbach's failure to obtain the written consent of both Mr. Whibbs and Mrs. Rittenhouse prior to notifying the news media of the Commission's investigation with respect to MURs 2168, 2169, and 2170, is in violation of 2 U.S.C. § 437g(a)(12) and 11 C.F.R. § 111.21(a).

The Commission has addressed the issue of the publication of complaints by complainants in a series of MURs.^{2/} The Commission, in each of those instances, determined that the confidentiality provision of the statute does not prevent a complainant from making public the fact that he or she has filed a complaint and the complaint's substance. The statute only prohibits persons from making public a Commission notification or investigation.

In the present instance, the complaint provides no evidence that the respondent notified the news media of complaints filed

^{2/} See MURs 1244, 1266, 1275, 1506, 1607, and 2142.

87040524643

with the Commission against Mr. Whibbs and Mrs. Rittenhouse; Mr. Ginsbach has indicated that he simply acknowledged that the complaints had been filed when contacted by a local radio station.

Because there is no indication that he made public either a notification of Commission action or the details of the investigation, the Office of General Counsel finds no basis for finding a violation of 2 U.S.C. § 437g(a)(12)(A) or 11 C.F.R. § 111.21(a).

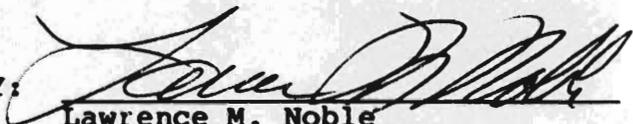
RECOMMENDATIONS

The Office of General Counsel recommends that the Commission:

1. Find no reason to believe that Ronald Ginsbach violated 2 U.S.C. § 437g(a)(12)(A) and 11 C.F.R. § 111.21(a).
2. Approve the attached letters.
3. Close the file.

Charles N. Steele
General Counsel

10/15/86
Date

BY: 
Lawrence M. Noble
Deputy General Counsel

- Attchments
1. Complaint
 2. Proposed letters

87040524644

MUR 2207

200# 979

10 JUL 27 11:54

BEGGS & LANE

ATTORNEYS AND COUNSELLORS AT LAW

SEVENTH FLOOR SLOUNT BUILDING

PENSACOLA, FLORIDA

POST OFFICE BOX 12980

PENSACOLA, FLORIDA 32576-2980

TELEPHONE (904) 432-2451

E. DIXIE BEGGS
of Counsel

BERT H. LANE
1917-1981

ROBERT P. GAINES
WILLIAM GUY DAVIS, JR.
W. SPENCER MITCHEM
JAMES M. WEBER
ROBERT L. CRONGEYER
JOHN P. WINGHAM
J. NIXON DANIEL
G. EDISON HOLLAND, JR.
RALPH A. PETERSON
RONALD L. NELSON
GARY S. LEUGHTMAN
THOMAS R. JENKINS
JEFFREY A. STONE
BARBARA W. PALMER

July 18, 1986

10 JUL 27 11:22

Ms. Shelley Garr
Staff Counsel
Office of the General Counsel
Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463

Dear Ms. Garr:

Enclosed please find an executed original and two copies of a complaint sworn to by my client, Mayor Vince Whibbs of the City of Pensacola, against the respondent Ronald E. Ginsbach, because of Mr. Ginsbach's violation of the confidentiality of proceedings before the Federal Elections Commission. I have also attached to the original complaint a statement of designation of counsel executed by Mr. Whibbs which authorizes me to act in his behalf. Also enclosed as exhibits are the "newscopy" read over the air by radio news personnel here in Pensacola and an actual tape recording of one broadcast.

While this complaint is self-explanatory, I think that Mr. Ginsbach's action in releasing to the news media the fact that there was an "investigation" of Mr. Whibbs and Mrs. Rittenhouse by the Federal Elections Commission subjected these people to public suspicion and embarrassment and besmirched their good names here in this community. As you know, we have responded fully to Mr. Ginsbach's prior complaints to the Federal Elections Commission MUR 2168-2170, and I hope you will agree that those complaints by Mr. Ginsbach were totally frivolous and devoid of merit. Indeed Mr. Whibbs can attest that Mr. Ginsbach threatened to file such complaints with the Commission if Mr. Whibbs did not join him in a political endeavor.

T(1)

87040524645

Ms. Shelley Garr

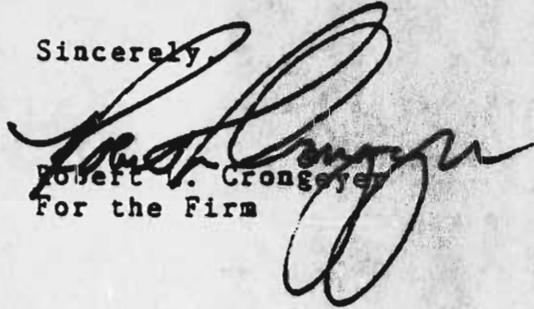
- 2 -

July 18, 1986

In any event, this breach of the confidentiality by Mr. Ginsbach is outrageous behavior of precisely the type that 11 CFR 111.21 (a) is designed to prevent. I would be pleased to speak to you further about this complaint. If you have any questions or we can provide any additional information, please feel free to contact me.

With best wishes, I remain

Sincerely,



Robert A. Grongeyer
For the Firm

RLC/pla

Enclosures

- Original & 2 copies of complaint
- Designation of counsel
- Recording of news broadcast
mailed under separate cover
- Copy of news broadcast

87040524646

I(2)

FEDERAL ELECTIONS COMMISSION
WASHINGTON, D. C.

IN RE: VINCE WHIBBS, SR.; complainant, vs.
RONALD E. GINSBACH, respondent.

C O M P L A I N T

COMES NOW the complainant, Vince Whibbs, Sr., by and through his undersigned counsel, and files this complaint with the Federal Elections Commission pursuant to the provisions of 11 CFR 111.4, stating as follows:

1. Your complainant is Vince Whibbs, Sr., 3401 Navy Boulevard, Pensacola, Florida, 32506, (904)434-3044.

2. The respondent is Ronald E. Ginsbach, 6901 - A Esther Street, Pensacola, Florida, 32505, (904)456-8820.

3. The respondent Ginsbach has brought numerous charges against the complainant Whibbs and against Diana Rittenhouse, Chairman of the Escambia County (Florida) Republican Executive Committee, filing such charges both with the State of Florida Division of Elections and the Federal Elections Commission. The pending complaints before this Commission brought by the respondent against the complainant are case numbers MUR2168 and MUR2170. The complaints brought by the respondent against Mrs. Rittenhouse are assigned pending case number 2169.

4. The complainant Whibbs and Mrs. Rittenhouse have responded to the complaint filed by the respondent Ginsbach and these above-cited cases are being reviewed on their merits by

87040524647

this Commission.

5. 11 CFR 111.21(a) specifically prohibits "any person or entity" from making public any information concerning a complaint filed with the Commission, any notification sent by the Commission, any investigation conducted by the Commission, or any findings made by the Commission, without the written consent of the respondent with respect to whom the complaint was filed, the notification sent, the investigation conducted, or the finding made.

6. Neither this complainant, Whibbs, nor Mrs. Rittenhouse, at any time executed a written consent giving anyone the right to breach the confidentiality of the complaints filed against them by Mr. Ginsbach with this Commission, or authorizing the respondent Ginsbach, or anyone else, to make public the fact that a complaint was filed with this Commission.

7. Because neither the complainant Whibbs, nor Mrs. Rittenhouse, gave written consent to release such information to the public, and because neither the complainant Whibbs nor Mrs. Rittenhouse breached the confidentiality of the matters pending before the Commission, the complainant concludes, and therefore now alleges on information and belief, that the respondent Ginsbach has released, or caused to be released, information to the news media concerning his complaints against Whibbs and Rittenhouse to the Federal Elections Commission.

8. The release of such information to the news media has

87040624648

I(4)

resulted in public "news" reports on at least one local radio station, WCOA, 1370 AM, Pensacola, Florida, broadcasting to the public that the complainant and Mrs. Rittenhouse are the subjects of complaints pending before the Federal Elections Commission. Such reports have caused the complainants embarrassment and humiliation.

9. Enclosed is a photocopy of the "news copy" read over the air by WCOA newsmen on June 11 and 12, 1986. (Exhibit "A")

10. Also enclosed is a cassette recording of the 9:00 a.m. WCOA newscast of June 12, 1986, discussing the reports that the complainant Whibbs and Mrs. Rittenhouse are the subjects of a Federal Elections Commission investigation. (Exhibit "B")

11. A material witness in this matter will be Mrs. Diana Rittenhouse, 6234 Appamattox Drive, Pensacola, Florida 32506, (904)476-3879.

12. Complainant is represented in this matter by his counsel, Robert L. Crongeyer, Esquire, Beggs & Lane, P.O. Box 12950, Pensacola, Florida, 32576-2950, (904)432-2451, and the executed statement of designation of counsel is attached hereto. Said counsel may be contacted directly concerning the subject matter of this complaint.

WHEREFORE, because it is evident that the respondent has breached the confidentiality of 11 CFR 111.21(a), subjecting the complainant and Mrs. Rittenhouse to public embarrassment, this Commission is respectfully requested to assume jurisdiction of

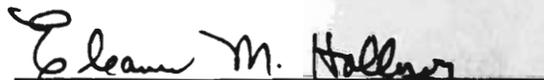
this matter and to carry out the intent of the legislation by imposing appropriate sanctions.

I, Vince Whibbs, Sr., the person bringing this complaint, being duly sworn, hereby depose on oath and state that the facts set forth in the complaint are true and correct to the best of my knowlege.



VINCE WHIBBS. SR.

Sworn to and subscribed before me this 17th day of July, 1986.



NOTARY PUBLIC

My Commission Expires 9-14-88

87040624650

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2168

NAME OF COUNSEL: Robert L. Crongeyer, Esquire

ADDRESS: P.O. Box 12950
Pensacola, Florida 32576

TELEPHONE: (904)432-2451

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.

July 16, 1986



Signature

RESPONDENT'S NAME: Vince Whibbs, Sr.

ADDRESS: 3201 Navy Boulevard
Pensacola, Florida 32505

HOME PHONE: (904)432-9724

BUSINESS PHONE: (904)434-3044

87040524651

I(7)

NEITHER VINCE WHIBBS NOR LIANE RITTENHOUSE HAVE ANY COMMENT REGARDING A FEDERAL ELECTIONS COMMISSION INVESTIGATION.

RITTENHOUSE AND WHIBBS, CO-CHAIRMAN OF THE "VICTORY '84" COMMITTEE LOCALLY, PLUS RITTENHOUSE AS DIRECTOR OF THE ESCAMBIA COUNTY REPUBLICAN EXECUTIVE COMMITTEE, ARE SUBJECT OF A COMPLAINT FILED WITH ELECTIONS OFFICIALS.

THE COMPLAINT WAS FILED BY A FELLOW REPUBLICAN, A LOCAL G-O-P PRECINCT COMMITTEEMAN, RON GINSBACK, OFFICIALS OF THE FEDERAL ELECTIONS COMMISSION CONFIRM SUCH A COMPLAINT NAMING RITTENHOUSE AND WHIBBS HAS BEEN RECEIVED, AND IS THE SUBJECT OF INVESTIGATION, BUT THE SPECIFICS ARE NOT BEING MADE PUBLIC.

WHIBBS POLITELY DECLINED COMMENT, AT LEAST FOR THE TIME BEING.

RITTENHOUSE IS IN ORLANDO AT A REPUBLICAN GATHERING. LOCAL FRIENDS SAY SHE WAS TAKEN BY SURPRISE WHEN TOLD SHE HAD BEEN NAMED IN A COMPLAINT, AND WAS TOTALLY UNANWARE OF THE SPECIFICS.

WCOA
1370 FIRST

Post Office Box 12487 • Pensacola, Florida 32573

I(8)

87040624652

BEGGS & LANE
ATTORNEYS AND COUNSELLORS AT LAW
SEVENTH FLOOR BLOUNT BUILDING
PENSACOLA, FLORIDA

ROBERT P. GAINES
WILLIAM GUY DAVIS, JR.
W. SPENCER MITCHEM
JAMES H. WEBER
ROBERT L. CRONGEYER
JOHN F. WINDHAM
J. NIKON DANHELE, III
G. EDISON HOLLAND, JR.
RALPH A. PETERSON
RONALD L. NELSON
GARY B. LEUCHTMAN
THOMAS R. JENNINS
JEFFREY A. STONE
BARBARA W. PALMER

Handwritten: Mr. Lane
FEC
6 AUG 27 49:12
POST OFFICE BOX 12980
PENSACOLA, FLORIDA 32578-2980
TELEPHONE (904) 432-2461
E. DIXIE BEGGS
of Counsel
BERT H. LANE
1917-1981

August 25, 1986

Ms Shelley Garr
Federal Elections Commission
Washington, D.C. 20463

Re: MUR 2207

Dear Ms. Garr:

Thank you for your recent telephone conversation with me about this case. I have had the "mini-tape" that we originally transmitted to you transcribed and attached you will find my sworn affidavit certifying that the quoted language is an accurate transcription of the tape recording of the 9:00 a.m. WCOA newscast of June 12, 1986. Again, it is the position of my clients, Mayor Whibbs and Mrs. Rittenhouse, that the release of this information to local news media by Mr. Ginsbach constitutes a serious breach of the "confidentiality" requirements of the Code of Federal Regulations.

If anything further is required, please advise.

Sincerely,
Robert L. Crongeyer
Robert L. Crongeyer
For the Firm

RLC/pla

Enclosure
Copy of transcription

16 AUG 27 A10: 11

87040524653

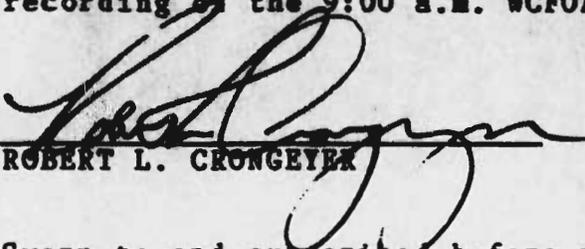
I(a)

"LOCAL ELECTIONS OFFICIALS OF THE REPUBLICAN PARTY EMPHASIZE THE FACT THAT A SIMMERING SPLIT IN LOCAL PARTY RANKS APPARENTLY ISN'T HRALED. CO-LEADERS VINCE WHIBBS AND DIANE RITTENHOUSE, AS LEADERS OF TWO GOP EFFORTS HERE, WERE NAMED IN THE COMPLAINT NOW UNDER REVIEW BY A FEDERAL COMPLAINT BOARD. AN OFFICIAL OF THAT BOARD CONFIRMED YESTERDAY THAT SUCH A COMPLAINT HAD BEEN RECEIVED. HE ALSO SAID MOST COMPLAINTS WERE POLITICAL IN NATURE AND WERE OFTEN FILED FOR THEIR NOTORIETY LEVEL, THOUGH SOME DID REACH THE FEDERAL COURT STAGE."

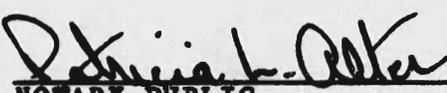
AFFIDAVIT

STATE OF FLORIDA
COUNTY OF ESCAMBIA

BEFORE ME this day personally appeared Robert L. Crongeyer who, being duly sworn, deposes and say that the foregoing document is a true and accurate transcription of a cassette recording of the 9:00 a.m. WCFOA newscast of June 12, 1986.


ROBERT L. CRONGEYER

Sworn to and subscribed before me this 25th day of August, A.D., 1986.


NOTARY PUBLIC
State of Florida

My Commission expires April 1, 1990

87040524654

36 SEP 12 P 1: 02

September 8, 1986

Ms. Shelley Garr
Office of the General Counsel
Federal Election Commission
999 "E" Street N.W.
Washington, D.C. 20463

RE: MUR2207

Dear Ms. Garr:

This is in response to Mr. Lawrence M. Nooles letters of August 1, 1986 and August 29, 1986 concerning a complaint filed by Vince Whibbs Sr. claiming I violated the confidentiality under 11CFR111.4.

I believe no action should be taken against me because I do not believe I have committed any violations and that in the incident referred to, I acted responsibly in checking with the FEC at all times.

On or about May 28, 1986, while on vacation in North Dakota I was told by telephone by my Job Supervisor that he and three other employees had been ordered off of the property at Vince Whibbs Paint and Body Shop where we were doing sub contract work under a General Contractor (Gulf Coast Building Contractor). I called Margaret Barrett at Gulf Coast Building Contractors (904-438-5410) to see what was going on, she said Vince Whibbs Sr. had told the Body Shop manager to get all of my men off his property and that he was not about to allow them there because "he had to answer a law suit" from me. She asked what it was about, if I was "suing the Mayor" and I said it was something from a few months back and dropped it. She said to give her a day or two to work with Vince Whibbs Jr.. I just let it ride and in 2 days my men were back on the job and everything settled down. I have been asked by two of the managers at Vince Whibbs Businesses what I sued "the boss" about and I said in both cases that I had not sued him and let it drop.

I returned from vacation on June 6, late at night. On June 7, 1986 I found out that at a meeting of the elected officers of the Escambia County Republican Executive Committee, Chairman Diana Ritzenhouse discussed the point that she had "the best lawyer in town. Judge Crongeyer" to answer a complaint of election violation and that it was a frivolous law suit and they were counter suing. Both Ray Hilderbrand 904-477-4799 and Glenda Calvasina 904-478-7017 were there and told me about it. Both of these had been told I was going to file a complaint in March.

I(11)

87040524655

On June 9, 1980 I called the FEC (1-800-424-9530) and talked to Lorraine F. Ramos about what happened in both cases and asked that if someone asked me about the complaint what my reaction should be and if I could discuss the complaint if anyone asked me about it and she said yes I could since they had already talked about it.

On June 11, 1980 I received a call from Mr. Don Priest, of WCOA Radio News. Mr. Priest said he had an anonymous caller that said I had filed an election violation complaint with the Federal Elections Commission, against Diana Rittenhouse and Vince Whibbs Sr., was this true. I hesitated and finally said yes. (I did not want to be placed in a position of lying to anyone, especially a member of the press.) nor giving the impression of concealing anything based on my discussion with Ramos. Mr. Priest, as I recall, then asked the nature of the complaint and what it was about and I told him I would like to call the FEC & make sure how I should handle this and would call him back, (904-456-9203). I then placed a call to the FEC 1-800-424-9530 and asked for Mr. Charles Steele or Mr. Kenneth Gross. I was referred to Shelley Garr as I recall who in turn referred me to Mr. Fred Eiland whom I was told handles press relations for the FEC. I explained in detail what was going on, what I had done earlier in talking with Lorraine F. Ramos and what she had told me and what I had done. He told me she should not have told me that and that the respondent is the only one that can release the information but that so far I was probably alright. He said I could refer Mr. Priest to him. I called Mr. Priest back and suggested that he call Mr. Eiland at 202-376-3155 and ask him the questions. I told Mr. Priest that I was not trying to evade his questions, but that it was a touchy situation and he said he was not trying to and did not want to get anyone in trouble. The next thing I knew someone called me and told me to listen to WCOA at 12:30p.m. (on the 12th of June I believe) and what I heard was that the FEC had confirmed that I had filed a complaint of election violations against Mayor Vince Whibbs and Diana Rittenhouse, Chairman of the Escambia Republican Party. I did not in any way intend to violate the FEC Regulations or any statutes relating to it. This can be verified by notes your personnel should have kept concerning telephone call conversation with me as stated. I felt that the respondents had both already made the complaint public by discussing it with others and that is why I had called Ms. Ramos on June 9, 1980. However, when it came to the press covering it I felt that needed further verification. That is why I called the FEC on June 11, 1980.

97040624656

In regard to the statement that my original charges were frivolous, I do not consider the mysterious handling of several thousand dollars in campaign contributions frivolous. Nor do I consider the placement of political funds collected for one cause into the treasury of another cause as devoid of merit. I sincerely hope the Federal Elections Commission doesn't either.

I told Mr. Whibbs that Diana Rittenhouse's total disregard for proper procedures for handling money, and running the Escambia County Republican Committee and party had to be stopped and it would be better to clean the party from within than to have someone

else have to do it. I told him that if he would not help clean it up then someone else would get it done. The complaint was mailed during the week immediately following Diana Rittenhouses narrow re-election.

I felt at the time the main concern was stopping the sort of questionable practices she was doing from continuing. When it became obvious this was not going to happen because many new people brought onto the Executive Committee would not believe the things she had done or was doing, filing the complaints was the only other hope. Had I wanted to do it for publicity, I would have announced to the press before I filed them.

Should you have any further questions, please call me at 904-438-4475- my office or 904-450-8820- my home.

Thank you for the materials and information to help me reply to this complaint.

Sincerely,

Ronald E. Ginsbach

Ronald E. Ginsbach
6901-A Esther Street
Pensacola, Florida 32506

Sworn to and subscribed before me this 11 day of September 1986.

[Signature]
NOTARY PUBLIC

My Commission Expires

NOTARY PUBLIC STATE OF FLORIDA
COMMISSION EXPIRES MAR. 31, 1989
BONDED THROUGH AMERICAN ASSURANCE CO. OF AMERICA, INC.

87040524657

GC#1495
FEC
Garr
06 SEP 12 P 1:02

September 8, 1986

Ms. Shelley Garr
Office of the General Counsel
Federal Election Commission
999 "E" Street N.W.
Washington, D.C. 20403

RE: MUR2207

Dear Ms. Garr:

This is to authorize the Federal Elections Commission to release any and all correspondence to the public concerning complaint MUR2207. This includes the complaint in its entirety, the accompanying letter from Robert L. Crongeyer and my reply to the complaint in its entirety.

Sincerely,

Ronald E. Ginsbach

Ronald E. Ginsbach
6901-A Esther Street
Pensacola, Florida 32500

16 SEP 12 P 3:35

GENERAL COUNSEL

87040524658

I(14)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ronald Ginsbach
6901 A Esther Street
Pensacola, Florida 32565

RE: MUR 2207
Ronald Ginsbach

Dear Mr. Ginsbach:

On August 1, 1986, the Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

The Commission, on _____, 1986, determined that on the basis of the information in the complaint, and information provided by you 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 **Lawrence M. Noble**
Deputy General Counsel

Enclosure
General Counsel's Report

II (15)

87040524659



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Robert Crongeyer, Esquire
Beggs and Lane
7th Floor, Blount Building
P.O. Box 12950
Pensacola, Florida 32576-2950

Re: MUR 2207

Dear Mr. Crongeyer:

8
7
0
4
0
5
2
4
6
6
0

The Federal Election Commission reviewed the allegations of your complaint submitted on behalf of your client, Vince Whibbs, dated July 18, 1986, 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 Lawrence M. Noble
Deputy General Counsel

Enclosure
General Counsel's Report

TT(16)

CCC#1495
RECEIVED AT THE FEC

86 SEP 12 P 1: 02

September 8, 1936

Ms. Shelley Garr
Office of the General Counsel
Federal Election Commission
999 "E" Street N.W.
Washington, D.C. 20463

RE: MUR2207

Dear Ms. Garr:

This is to authorize the Federal Elections Commission to release any and all correspondence to the public concerning complaint MUR2207. This includes the complaint in its entirety, the accompanying letter from Robert L. Crongeyer and my reply to the complaint in its entirety.

Sincerely,

Ronald E. Ginsbach

Ronald E. Ginsbach
6901-A Esther Street
Pensacola, Florida 32506

87040524661

86 SEP 12 P 3: 35

RECEIVED
GENERAL COUNSEL

86 SEP 12 P 1: 02

September 8, 1986

Ms. Shelley Garr
Office of the General Counsel
Federal Election Commission
999 "E" Street N.W.
Washington, D.C. 20463

RE: MUR2207

Dear Ms. Garr:

This is in response to Mr. Lawrence M. Nobles letters of August 1, 1986 and August 29, 1986 concerning a complaint filed by Vince Whibbs Sr. claiming I violated the confidentiality under 11CFR111.4.

I believe no action should be taken against me because I do not believe I have committed any violations and that in the incident referred to, I acted responsibly in checking with the FEC at all times.

On or about May 28, 1986, while on vacation in North Dakota I was told by telephone by my Job Supervisor that he and three other employees had been ordered off of the property at Vince Whibbs Paint and Body Shop where we were doing sub contract work under a General Contractor (Gulf Coast Building Contractor). I called Margaret Barrett at Gulf Coast Building Contractors (904-438-5416) to see what was going on, she said Vince Whibbs Sr. had told the Body Shop Manager to get all of my men off his property and that he was not about to allow them there because "he had to answer a law suit" from me. She asked what it was about, if I was "suing the Mayor" and I said it was something from a few months back and dropped it. She said to give her a day or two to work with Vince Whibbs Jr.. I just let it ride and in 2 days my men were back on the job and everything settled down. I have been asked by two of the managers at Vince Whibbs Businesses what I sued "the boss" about and I said in both cases that I had not sued him and let it drop.

I returned from vacation on June 6, late at night. On June 7, 1986 I found out that at a meeting of the elected officers of the Escambia County Republican Executive Committee, Chairman Diana Rittenhouse discussed the point that she had "the best lawyer in town. Judge Crongeyer" to answer a complaint of election violation and that it was a frivolous law suit and they were counter suing. Both Ray Hilderbrand 904-477-4799 and Glenda Calvarina 904-478-7017 were there and told me about it. Both of these had been told I was going to file a complaint in March.

87040624662

On June 9, 1986 I called the FEC (1-800-424-9530) and talked to Lorraine F. Ramos about what happened in both cases and asked that if someone asked me about the complaint what my reaction should be and if I could discuss the complaint if anyone asked me about it and she said yes I could since they had already talked about it.

On June 11, 1986 I received a call from Mr. Don Priest, of WCOA Radio News. Mr. Priest said he had an anonymous caller that said I had filed an election violation complaint with the Federal Elections Commission, against Diana Rittenhouse and Vince Whibbs Sr., was this true. I hesitated and finally said yes. (I did not want to be placed in a position of lying to anyone, especially a member of the press.) nor giving the impression of concealing anything based on my discussion with Ramos. Mr. Priest, as I recall, then asked the nature of the complaint and what it was about and I told him I would like to call the FEC & make sure how I should handle this and would call him back, (904-456-9263). I then placed a call to the FEC 1-800-424-9530 and asked for Mr. Charles Steele or Mr. Kenneth Gross. I was referred to Shelley Garr as I recall who in turn referred me to Mr. Fred Eiland whom I was told handles press relations for the FEC. I explained in detail what was going on, what I had done earlier in talking with Lorraine F. Ramos and what she had told me and what I had done. He told she should not have told me that and that the respondent is the only one that can release the information but that so far I was probably alright. He said I could refer Mr. Priest to him. I called Mr. Priest back and suggested that he call Mr. Eiland at 202-376-3155 and ask him the questions. I told Mr. Priest that I was not trying to evade his questions, but that it was a touchy situation and he said he was not trying to and did not want to get anyone in trouble. The next thing I knew someone called me and told me to listen to WCOA at 12:30p.m. (on the 12th of June I believe) and what I heard was that the FEC had confirmed that I had filed a complaint of election violations against Mayor Vince Whibbs and Diana Rittenhouse, Chairman of the Escambia Republican Party. I did not in any way intend to violate the FEC Regulations or any statues relating to it. This can be verified by notes your personnel should have kept concerning telephone call conversation with me as stated. I felt that the respondents had both already made the complaint public by discussing it with others and that is why I had called Ms. Ramos on June 9, 1986. However, when it came to the press covering it I felt that needed further verification. That is why I called the FEC on June 11, 1986.

In regard to the statement that my original charges were frivolous, I do not consider the mysterious handling of several thousand dollars in campaign contributions frivolous. Nor do I consider the placement of political funds collected for one cause into the treasury of another cause as devoid of merit. I sincerely hope the Federal Elections Commission doesn't either.

I told Mr. Whibbs that Diana Rittenhouse's total disregard for proper procedures for handling money, and running the Escambia County Republican Committee and party had to be stopped and it would be better to clean the party from within than to have someone

87040524663

else have to do it. I told him that if he would not help clean it up then someone else would get it done. The complaint was mailed during the week immediately following Diana Rittenhouses' narrow re-election.

I felt at the time the main concern was stopping the sort of questionable practices she was doing from continuing. When it became obvious this was not going to happen because many new people brought onto the Executive Committee would not believe the things she had done or was doing, filing the complaints was the only other hope. Had I wanted to do it for publicity, I would have announced to the press before I filed them.

Should you have any further questions, please call me at 904-438-4475- my office or 904-456-8820- my home.

Thank you for the materials and information to help me reply to this complaint.

Sincerely,

Ronald E. Ginsbach

Ronald E. Ginsbach
6901-A Esther Street
Pensacola, Florida 32506

Sworn to and subscribed before me this 11 day of September 1986.

[Signature]

NOTARY PUBLIC

My Commission Expires

NOTARY PUBLIC STATE OF FLORIDA AT LARGE
MY COMMISSION EXPIRES MAR. 31, 1989
BONDED THROUGH MURPHY-ASHTON, INC

87040524664

rdm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 29, 1986

Ronald E. Ginsbach
6901-A Esther Street
Pensacola, Florida 32506

RE: MUR 2207
Ronald E. Ginsbach

Dear Mr. Ginsbach:

This is in reference to your letter dated August 18, 1986, requesting a 20-day extension of time, to respond to the Commission's reason to believe notification. After considering the circumstances presented in your letter, the Commission has determined to grant you your requested extension. Accordingly, your response will be due on September 11, 1986.

Enclosed please find copies of the Code of Federal Regulations and Federal Election Campaign Laws as you have requested. A copy of the news release referenced in the complaint will be sent under separate cover.

If you have any questions, please contact Shelley Garr, the staff member assigned to this matter at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

Enclosures

87040524665

RECEIVED AT THE FEC
30041293
86 AUG 21 10:17

August 18, 1986

Federal Elections Commission
999 E. Street N.W.
Washington, D.C. 20463
ATTN: Mr. Tom Whitehead
RE: MUR2207

Dear Mr. Whitehead;

This is to request a 20 day extension in time for response to MUR2207.

I did not receive the notification of complaint until August 7, 1986 and have had some difficulty locating a copy of 11CFR. I believe I have located one but just in case could you send me a copy of 11CFR 111.21(A) and USC 437g(a) (4) B and 437 g(a) (12)A.

I would also like a hard copy of the news release mentioned in the complaint. Thank you in Advance.

Sincerely,

Ronald E. Ginsbach

Ronald E. Ginsbach
6901-A Esther Street
Pensacola, FL 32506

86 AUG 21 P 2: 53

RECEIVED
GENERAL COUNSEL

87040524666

CCC#1293

16 AUG 21 AM 11:17

Mr. Whitehead

August 18, 1986

Federal Elections Commission
999 E. Street N.W.
Washington, D.C. 20463
ATTN: Mr. Tom Whitehead
RE: MUR2207

Dear Mr. Whitehead;

This is to request a 20 day extension in time for response to MUR2207.

I did not receive the notification of complaint until August 7, 1986 and have had some difficulty locating a copy of 11CFR. I believe I have located one but just in case could you send me a copy of 11CFR 111.21(A) and USC 437g(a) (4) B and 437 g(a) (12)A.

I would also like a hard copy of the news release mentioned in the complaint. Thank you in Advance.

Sincerely,

Ronald E. Ginsbach

Ronald E. Ginsbach
0901-A Esther Street
Pensacola, FL 32500

16 AUG 21 P 2: 53

GENERAL INVESTIGATIVE DIVISION

87040624667

CCC#1335
RECEIVED THE FEC

BEGGS & LANE

ATTORNEYS AND COUNSELLORS AT LAW

SEVENTH FLOOR BLOUNT BUILDING

PENSACOLA, FLORIDA

06 AUG 27 09:12

POST OFFICE BOX 12950
PENSACOLA, FLORIDA 32576-2950
TELEPHONE (904) 432-2451

E. DIXIE BEGGS
of Counsel

BERT H. LANE
1917-1981

ROBERT P. GAINES
WILLIAM GUY DAVIS, JR.
W. SPENCER MITCHEM
JAMES M. WEBER
ROBERT L. CRONGEYER
JOHN F. WINDHAM
J. NIXON DANIEL, III
G. EDISON HOLLAND, JR.
RALPH A. PETERSON
RONALD L. NELSON
GARY B. LEUCHTMAN
THOMAS R. JENKINS
JEFFREY A. STONE
BARBARA W. PALMER

August 25, 1986

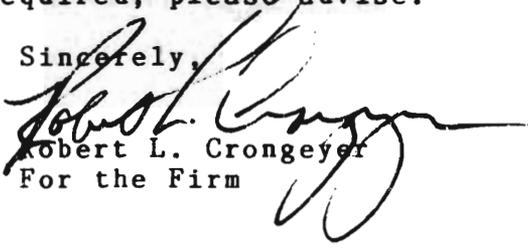
Ms Shelley Garr
Federal Elections Commission
Washington, D.C. 20463

Re: MUR 2207

Dear Ms. Garr:

Thank you for your recent telephone conversation with me about this case. I have had the "mini-tape" that we originally transmitted to you transcribed and attached you will find my sworn affidavit certifying that the quoted language is an accurate transcription of the tape recording of the 9:00 a.m. WCOA newscast of June 12, 1986. Again, it is the position of my clients, Mayor Whibbs and Mrs. Rittenhouse, that the release of this information to local news media by Mr. Ginsbach constitutes a serious breach of the "confidentiality" requirements of the Code of Federal Regulations.

If anything further is required, please advise.

Sincerely,

Robert L. Crongeyer
For the Firm

RLC/pla

Enclosure
Copy of transcription

87040524668

16 AUG 27 AID: E

RECEIVED THE FEC

gls



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 22, 1986

Mr. Ron Ginsbach
6901 N. Esther St.
Pensacola, Florida 32505

Re: MUR 2207

Dear Mr. Ginsbach:

Recently, you requested that this Office provide you with a copy of the news broadcast which was attached to the complaint in the above referenced matter and which was not previously forwarded to you. Enclosed is the requested material.

If you have any questions, please contact Shelley Garr at (202) 376-8200.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M. Noble
By: Lawrence M. Noble
Deputy General Counsel

87040524669

Enclosure



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 1, 1986

Mr. Robert Crongeyer
Beggs and Lane
Blount Building, Seventh Floor
Pensacola, FL 32576-2950

Dear Mr. Crongeyer:

This letter will acknowledge receipt of a complaint filed by your client, Vince Whibbs, which we received on July 22, 1986, alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by Mr. Ronald Ginsbach. The respondent will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on Mr. Whibbs' complaint. Should you 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 the original complaint. For your information, we have attached a brief description of the Commission's procedures for handling complaints. We have numbered this matter under review MUR 2207. Please refer to this number in all future correspondence. If you have any questions, please contact Lorraine F. Ramos at (202) 376-3110.

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosure

87040524670



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

per M

August 1, 1986

Mr. Ronald Ginsbach
6901-A Esther St.
Pensacola, FL 32505

Re: MUR 2207

Dear Mr. Ginsbach:

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 2207. 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 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.

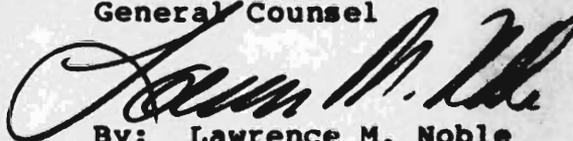
This matter will remain confidential in accordance with 2 U.S.C. §437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed 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.

87040524671

If you have any questions, please contact Shelley Garr, the staff member assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By: Lawrence M. Noble
Deputy General Counsel

Enclosures
Complaint
Procedures
Designation of Counsel Statement

87040524672

STATE OF THE FEC
NOV 2207 CCCC# 989

BEGGS & LANE

ATTORNEYS AND COUNSELLORS AT LAW

SEVENTH FLOOR BLOUNT BUILDING

PENSACOLA, FLORIDA

86 JUL 21 AM: 54

POST OFFICE BOX 12950
PENSACOLA, FLORIDA 32576-2950
TELEPHONE (904) 432-2451

E. DIXIE BEGGS
of Counsel

BERT H. LANE
1917-1981

ROBERT P. GAINES
WILLIAM GUY DAVIS, JR.
W. SPENCER MITCHEM
JAMES M. WEBER
ROBERT L. CRONGEYER
JOHN F. WINDHAM
J. NIXON DANIEL, III
G. EDISON HOLLAND, JR.
RALPH A. PETERSON
RONALD L. NELSON
GARY B. LEUCHTMAN
THOMAS R. JENKINS
JEFFREY A. STONE
BARBARA W. PALMER

July 18, 1986

16 JUL 22 AM: 22

GENERAL COUNSEL

Ms. Shelley Garr
Staff Counsel
Office of the General Counsel
Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463

Dear Ms. Garr:

Enclosed please find an executed original and two copies of a complaint sworn to by my client, Mayor Vince Whibbs of the City of Pensacola, against the respondent Ronald E. Ginsbach, because of Mr. Ginsbach's violation of the confidentiality of proceedings before the Federal Elections Commission .I have also attached to the original complaint a statement of designation of counsel executed by Mr. Whibbs which authorizes me to act in his behalf. Also enclosed as exhibits are the "news copy" read over the air by radio news personnel here in Pensacola and an actual tape recording of one broadcast.

While this complaint is self-explanatory, I think that Mr. Ginsbach's action in releasing to the news media the fact that there was an "investigation" of Mr. Whibbs and Mrs. Rittenhouse by the Federal Elections Commission subjected these people to public suspicion and embarrassment and besmirched their good names here in this community. As you know, we have responded fully to Mr. Ginsbach's prior complaints to the Federal Elections Commission MUR 2168-2170, and I hope you will agree that those complaints by Mr. Ginsbach were totally frivolous and devoid of merit. Indeed Mr. Whibbs can attest that Mr. Ginsbach threatened to file such complaints with the Commission if Mr. Whibbs did not join him in a political endeavor.

87040624673

FEDERAL ELECTIONS COMMISSION
WASHINGTON, D. C.

IN RE: VINCE WHIBBS, SR., complainant, vs.
RONALD E. GINSBACH, respondent.

C O M P L A I N T

COMES NOW the complainant, Vince Whibbs, Sr., by and through his undersigned counsel, and files this complaint with the Federal Elections Commission pursuant to the provisions of 11 CFR 111.4, stating as follows:

1. Your complainant is Vince Whibbs, Sr., 3401 Navy Boulevard, Pensacola, Florida, 32506, (904)434-3044.
2. The respondent is Ronald E. Ginsbach, 6901 - A Esther Street, Pensacola, Florida, 32505, (904)456-8820.
3. The respondent Ginsbach has brought numerous charges against the complainant Whibbs and against Diana Rittenhouse, Chairman of the Escambia County (Florida) Republican Executive Committee, filing such charges both with the State of Florida Division of Elections and the Federal Elections Commission. The pending complaints before this Commission brought by the respondent against the complainant are case numbers MUR2168 and MUR2170. The complaints brought by the respondent against Mrs. Rittenhouse are assigned pending case number 2169.
4. The complainant Whibbs and Mrs. Rittenhouse have responded to the complaint filed by the respondent Ginsbach and these above-cited cases are being reviewed on their merits by

87040524674

this Commission.

5. 11 CFR 111.21(a) specifically prohibits "any person or entity" from making public any information concerning a complaint filed with the Commission, any notification sent by the Commission, any investigation conducted by the Commission, or any findings made by the Commission, without the written consent of the respondent with respect to whom the complaint was filed, the notification sent, the investigation conducted, or the finding made.

6. Neither this complainant, Whibbs, nor Mrs. Rittenhouse, at any time executed a written consent giving anyone the right to breach the confidentiality of the complaints filed against them by Mr. Ginsbach with this Commission, or authorizing the respondent Ginsbach, or anyone else, to make public the fact that a complaint was filed with this Commission.

7. Because neither the complainant Whibbs, nor Mrs. Rittenhouse, gave written consent to release such information to the public, and because neither the complainant Whibbs nor Mrs. Rittenhouse breached the confidentiality of the matters pending before the Commission, the complainant concludes, and therefore now alleges on information and belief, that the respondent Ginsbach has released, or caused to be released, information to the news media concerning his complaints against Whibbs and Rittenhouse to the Federal Elections Commission.

8. The release of such information to the news media has

87040524675

resulted in public "news" reports on at least one local radio station, WCOA, 1370 AM, Pensacola, Florida, broadcasting to the public that the complainant and Mrs. Rittenhouse are the subjects of complaints pending before the Federal Elections Commission. Such reports have caused the complainants embarrassment and humiliation.

9. Enclosed is a photocopy of the "news copy" read over the air by WCOA newsmen on June 11 and 12, 1986. (Exhibit "A")

10. Also enclosed is a cassette recording of the 9:00 a.m. WCOA newscast of June 12, 1986, discussing the reports that the complainant Whibbs and Mrs. Rittenhouse are the subjects of a Federal Elections Commission investigation. (Exhibit "B")

11. A material witness in this matter will be Mrs. Diana Rittenhouse, 6234 Appamattox Drive, Pensacola, Florida 32506, (904)476-3879.

12. Complainant is represented in this matter by his counsel, Robert L. Crongeyer, Esquire, Beggs & Lane, P.O. Box 12950, Pensacola, Florida, 32576-2950, (904)432-2451, and the executed statement of designation of counsel is attached hereto. Said counsel may be contacted directly concerning the subject matter of this complaint.

WHEREFORE, because it is evident that the respondent has breached the confidentiality of 11 CFR 111.21(a), subjecting the complainant and Mrs. Rittenhouse to public embarrassment, this Commission is respectfully requested to assume jurisdiction of

87040524676

this matter and to carry out the intent of the legislation by imposing appropriate sanctions.

I, Vince Whibbs, Sr., the person bringing this complaint, being duly sworn, hereby depose on oath and state that the facts set forth in the complaint are true and correct to the best of my knowlege.

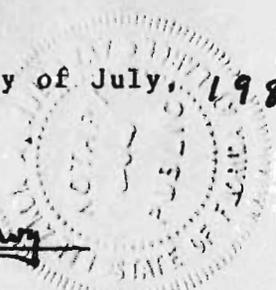
Vince Whibbs Sr

VINCE WHIBBS, SR.

Sworn to and subscribed before me this 17th day of July, 1986.

Elean M. Hollary
NOTARY PUBLIC

My Commission Expires 9-14-88



87040524677

NEITHER VINCE WHIBBS NOR DIANE RITTENHOUSE HAVE ANY COMMENT REGARDING A FEDERAL ELECTIONS COMMISSION INVESTIGATION,

RITTENHOUSE AND WHIBBS, CO-CHAIRMAN OF THE "VICTORY '84" COMMITTEE LOCALLY, PLUS RITTENHOUSE AS DIRECTOR OF THE ESCAMBLA COUNTY REPUBLICAN EXECUTIVE COMMITTEE, ARE SUBJECT OF A COMPLAINT FILED WITH ELECTIONS OFFICIALS,

THE COMPLAINT WAS FILED BY A FELLOW REPUBLICAN, A LOCAL G-O-P PRECINCT COMMITTEEMAN, RON GENSBACK, OFFICIALS OF THE FEDERAL ELECTIONS COMMISSION CONFIRM SUCH A COMPLAINT NAMING RITTENHOUSE AND WHIBBS HAS BEEN RECEIVED, AND IS THE SUBJECT OF INVESTIGATION, BUT THE SPECIFICS ARE NOT BEING MADE PUBLIC,

WHIBBS POLITELY DECLINED COMMENT, AT LEAST FOR THE TIME BEING, RITTENHOUSE IS IN ORLANDO AT A REPUBLICAN GATHERING, LOCAL FRIENDS SAY SHE WAS TAKEN BY SURPRIZE WHEN TOLD SHE HAD BEEN NAMED IN A COMPLAINT, AND WAS TOTALLY UNANWARE OF THE SPECIFICS,

WCOA
1370 FIRST

Post Office Box 12487 • Pensacola, Florida 32573

87040524678

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2168

NAME OF COUNSEL: Robert L. Crongeyer, Esquire

ADDRESS: P.O. Box 12950
Pensacola, Florida 32576

TELEPHONE: (904)432-2451

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.



Signature

July 16, 1986

RESPONDENT'S NAME: Vince Whibbs, Sr.
ADDRESS: 3201 Navy Boulevard
Pensacola, Florida 32505
HOME PHONE: (904)432-9724
BUSINESS PHONE: (904)434-3044

87040524679

BEGGS & LANE

ATTORNEYS AND COUNSELLORS AT LAW
SEVENTH FLOOR SLOUNT BUILDING
PENSACOLA, FLORIDA

ROBERT F. GAINES
WILLIAM GUY DAVIS, JR.
W. SPENCER MITCHEM
JAMES M. WEBER
ROBERT L. CRONGEYER
JOHN F. WINDHAM
J. NIXON DANIEL, III
G. EDISON HOLLAND, JR.
RALPH A. PETERSON
RONALD L. NELSON
GARY S. LEUCHTMAN
THOMAS R. JENKINS
JEFFREY A. STONE
BARBARA W. PALMER

000#989
06 JUL 21 AM: 54

POST OFFICE BOX 12250
PENSACOLA, FLORIDA 32575-2550
TELEPHONE (904) 432-2451

E. SIMIE BEGGS
of Counsel

BERT H. LANE
(917-1961)

July 18, 1986

06 JUL 22 AM: 22

Ms. Shelley Garr
Staff Counsel
Office of the General Counsel
Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463

Dear Ms. Garr:

Enclosed please find an executed original and two copies of a complaint sworn to by my client, Mayor Vince Whibbs of the City of Pensacola, against the respondent Ronald E. Ginsbach, because of Mr. Ginsbach's violation of the confidentiality of proceedings before the Federal Elections Commission. I have also attached to the original complaint a statement of designation of counsel executed by Mr. Whibbs which authorizes me to act in his behalf. Also enclosed as exhibits are the "news copy" read over the air by radio news personnel here in Pensacola and an actual tape recording of one broadcast.

While this complaint is self-explanatory, I think that Mr. Ginsbach's action in releasing to the news media the fact that there was an "investigation" of Mr. Whibbs and Mrs. Rittenhouse by the Federal Elections Commission subjected these people to public suspicion and embarrassment and besmirched their good names here in this community. As you know, we have responded fully to Mr. Ginsbach's prior complaints to the Federal Elections Commission MUR 2168-2170, and I hope you will agree that those complaints by Mr. Ginsbach were totally frivolous and devoid of merit. Indeed Mr. Whibbs can attest that Mr. Ginsbach threatened to file such complaints with the Commission if Mr. Whibbs did not join him in a political endeavor.

87040524680

Ms. Shelley Garr

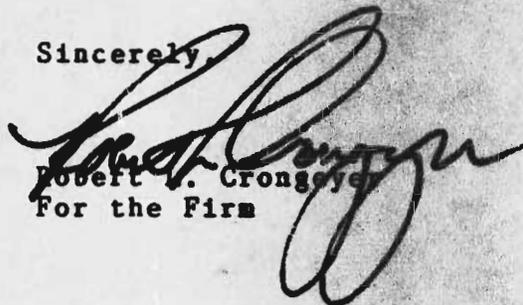
- 2 -

July 18, 1986

In any event, this breach of the confidentiality by Mr. Ginsbach is outrageous behavior of precisely the type that 11 CFR 111.21 (a) is designed to prevent. I would be pleased to speak to you further about this complaint. If you have any questions or we can provide any additional information, please feel free to contact me.

With best wishes, I remain

Sincerely,



Robert W. Crongeyer
For the Firm

RLC/pla

Enclosures

- Original & 2 copies of complaint
- Designation of counsel
- Recording of news broadcast
mailed under separate cover
- Copy of news broadcast

87040624681

FEDERAL ELECTIONS COMMISSION
WASHINGTON, D. C.

IN RE: VINCE WHIBBS, SR., complainant, vs.
RONALD E. GINSBACH, respondent.

C O M P L A I N T

COMES NOW the complainant, Vince Whibbs, Sr., by and through his undersigned counsel, and files this complaint with the Federal Elections Commission pursuant to the provisions of 11 CFR 111.4, stating as follows:

1. Your complainant is Vince Whibbs, Sr., 3401 Navy Boulevard, Pensacola, Florida, 32506, (904)434-3044.

2. The respondent is Ronald E. Ginsbach, 6901 - A Esther Street, Pensacola, Florida, 32505, (904)456-8820.

3. The respondent Ginsbach has brought numerous charges against the complainant Whibbs and against Diana Rittenhouse, Chairman of the Escambia County (Florida) Republican Executive Committee, filing such charges both with the State of Florida Division of Elections and the Federal Elections Commission. The pending complaints before this Commission brought by the respondent against the complainant are case numbers MUR2168 and MUR2170. The complaints brought by the respondent against Mrs. Rittenhouse are assigned pending case number 2169.

4. The complainant Whibbs and Mrs. Rittenhouse have responded to the complaint filed by the respondent Ginsbach and these above-cited cases are being reviewed on their merits by

87040624682

this Commission.

5. 11 CFR 111.21(a) specifically prohibits "any person or entity" from making public any information concerning a complaint filed with the Commission, any notification sent by the Commission, any investigation conducted by the Commission, or any findings made by the Commission, without the written consent of the respondent with respect to whom the complaint was filed, the notification sent, the investigation conducted, or the finding made.

6. Neither this complainant, Whibbs, nor Mrs. Rittenhouse, at any time executed a written consent giving anyone the right to breach the confidentiality of the complaints filed against them by Mr. Ginsbach with this Commission, or authorizing the respondent Ginsbach, or anyone else, to make public the fact that a complaint was filed with this Commission.

7. Because neither the complainant Whibbs, nor Mrs. Rittenhouse, gave written consent to release such information to the public, and because neither the complainant Whibbs nor Mrs. Rittenhouse breached the confidentiality of the matters pending before the Commission, the complainant concludes, and therefore now alleges on information and belief, that the respondent Ginsbach has released, or caused to be released, information to the news media concerning his complaints against Whibbs and Rittenhouse to the Federal Elections Commission.

8. The release of such information to the news media has

87040624683

resulted in public "news" reports on at least one local radio station, WCOA, 1370 AM, Pensacola, Florida, broadcasting to the public that the complainant and Mrs. Rittenhouse are the subjects of complaints pending before the Federal Elections Commission. Such reports have caused the complainants embarrassment and humiliation.

9. Enclosed is a photocopy of the "news copy" read over the air by WCOA newsmen on June 11 and 12, 1986. (Exhibit "A")

10. Also enclosed is a cassette recording of the 9:00 a.m. WCOA newscast of June 12, 1986, discussing the reports that the complainant Whibbs and Mrs. Rittenhouse are the subjects of a Federal Elections Commission investigation. (Exhibit "B")

11. A material witness in this matter will be Mrs. Diana Rittenhouse, 6234 Appamattox Drive, Pensacola, Florida 32506, (904)476-3879.

12. Complainant is represented in this matter by his counsel, Robert L. Crongeyer, Esquire, Beggs & Lane, P.O. Box 12950, Pensacola, Florida, 32576-2950, (904)432-2451, and the executed statement of designation of counsel is attached hereto. Said counsel may be contacted directly concerning the subject matter of this complaint.

WHEREFORE, because it is evident that the respondent has breached the confidentiality of 11 CFR 111.21(a), subjecting the complainant and Mrs. Rittenhouse to public embarrassment, this Commission is respectfully requested to assume jurisdiction of

87040524684

STATEMENT OF DESIGNATION OF COUNSEL

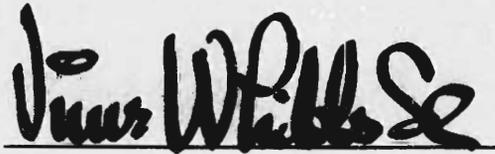
MUR 2168

NAME OF COUNSEL: Robert L. Crongeyer, Esquire

ADDRESS: P.O. Box 12950
Pensacola, Florida 32576

TELEPHONE: (904)432-2451

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.



Signature

July 16, 1986

RESPONDENT'S NAME: Vince Whibbs, Sr.
ADDRESS: 3201 Navy Boulevard
Pensacola, Florida 32505
HOME PHONE: (904)432-9724
BUSINESS PHONE: (904)434-3044

87040624685

NEITHER VINCE WHIBBS NOR DIANE RITTENHOUSE HAVE ANY COMMENT REGARDING A FEDERAL ELECTIONS COMMISSION INVESTIGATION.

RITTENHOUSE AND WHIBBS, CO-CHAIRMEN OF THE "VICTORY '84" COMMITTEE LOCALLY, PLUS RITTENHOUSE AS DIRECTOR OF THE ESCAMBLA COUNTY REPUBLICAN EXECUTIVE COMMITTEE, ARE SUBJECT OF A COMPLAINT FILED WITH ELECTIONS OFFICIALS.

THE COMPLAINT WAS FILED BY A FELLOW REPUBLICAN, A LOCAL G-O-P PRECINCT COMMITTEEMAN, RON GENSBACK, OFFICIALS OF THE FEDERAL ELECTIONS COMMISSION CONFIRM SUCH A COMPLAINT NAMING RITTENHOUSE AND WHIBBS HAS BEEN RECEIVED, AND IS THE SUBJECT OF INVESTIGATION, BUT THE SPECIFICS ARE NOT BEING MADE PUBLIC.

WHIBBS POLITELY DECLINED COMMENT, AT LEAST FOR THE TIME BEING, RITTENHOUSE IS IN ORLANDO AT A REPUBLICAN GATHERING, LOCAL FRIENDS SAY SHE WAS TAKEN BY SURPRIZE WHEN TOLD SHE HAD BEEN NAMED IN A COMPLAINT, AND WAS TOTALLY UNANWARE OF THE SPECIFICS.

WCOA
1370 FIRST

Post Office Box 12487 • Pensacola, Florida 32573

870405246686

MUR 2207

Doc# 989

BEGGS & LANE

ATTORNEYS AND COUNSELLORS AT LAW

SEVENTH FLOOR SLOUNT BUILDING

PENSACOLA, FLORIDA

JUL 24

ALL: 24

POST OFFICE BOX 18500

PENSACOLA, FLORIDA 32578-2800

TELEPHONE (904) 532-2491

E. DIXIE BEGGS
of Counsel

BERT H. LANE
1917-1981

ROBERT P. GAINES
WILLIAM GUY DAVIS, JR.
W. SPENCER MITCHEM
JAMES M. WEBER
ROBERT L. CRONSEYER
JOHN P. WINDHAM
J. NIXON DANIELLE
S. EDISON HOLLAND, JR.
RALPH A. PETERSON
RONALD L. NELSON
GARY S. LEUCHTMAN
THOMAS R. JENKINS
JEFFREY A. STONE
BARBARA W. PALMER

July 18, 1986

JUL 22
ALL: 22

Ms. Shelley Garr
Staff Counsel
Office of the General Counsel
Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463

Dear Ms. Garr:

Enclosed please find an executed original and two copies of a complaint sworn to by my client, Mayor Vince Whibbs of the City of Pensacola, against the respondent Ronald E. Ginsbach, because of Mr. Ginsbach's violation of the confidentiality of proceedings before the Federal Elections Commission. I have also attached to the original complaint a statement of designation of counsel executed by Mr. Whibbs which authorizes me to act in his behalf. Also enclosed as exhibits are the "newscopy" read over the air by radio news personnel here in Pensacola and an actual tape recording of one broadcast.

While this complaint is self-explanatory, I think that Mr. Ginsbach's action in releasing to the news media the fact that there was an "investigation" of Mr. Whibbs and Mrs. Rittenhouse by the Federal Elections Commission subjected these people to public suspicion and embarrassment and besmirched their good names here in this community. As you know, we have responded fully to Mr. Ginsbach's prior complaints to the Federal Elections Commission MUR 2168-2170, and I hope you will agree that those complaints by Mr. Ginsbach were totally frivolous and devoid of merit. Indeed Mr. Whibbs can attest that Mr. Ginsbach threatened to file such complaints with the Commission if Mr. Whibbs did not join him in a political endeavor.

87040524687

Ms. Shelley Garr

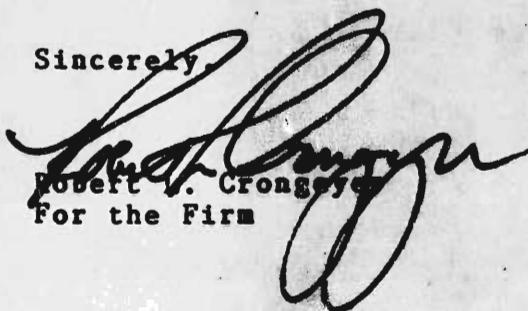
- 2 -

July 18, 1986

In any event, this breach of the confidentiality by Mr. Ginsbach is outrageous behavior of precisely the type that 11 CFR 111.21 (a) is designed to prevent. I would be pleased to speak to you further about this complaint. If you have any questions or we can provide any additional information, please feel free to contact me.

With best wishes, I remain

Sincerely,


Robert W. Grongoye
For the Firm

RLC/pla

Enclosures

Original & 2 copies of complaint
Designation of counsel
Recording of news broadcast
mailed under separate cover
Copy of news broadcast

87040524688

FEDERAL ELECTIONS COMMISSION
WASHINGTON, D. C.

IN RE: VINCE WHIBBS, SR., complainant, vs.
RONALD E. GINSBACH, respondent.

C O M P L A I N T

COMES NOW the complainant, Vince Whibbs, Sr., by and through his undersigned counsel, and files this complaint with the Federal Elections Commission pursuant to the provisions of 11 CFR 111.4, stating as follows:

1. Your complainant is Vince Whibbs, Sr., 3401 Navy Boulevard, Pensacola, Florida, 32506, (904)434-3044.
2. The respondent is Ronald E. Ginsbach, 6901 - A Esther Street, Pensacola, Florida, 32505, (904)456-8820.
3. The respondent Ginsbach has brought numerous charges against the complainant Whibbs and against Diana Rittenhouse, Chairman of the Escambia County (Florida) Republican Executive Committee, filing such charges both with the State of Florida Division of Elections and the Federal Elections Commission. The pending complaints before this Commission brought by the respondent against the complainant are case numbers MUR2168 and MUR2170. The complaints brought by the respondent against Mrs. Rittenhouse are assigned pending case number 2169.
4. The complainant Whibbs and Mrs. Rittenhouse have responded to the complaint filed by the respondent Ginsbach and these above-cited cases are being reviewed on their merits by

87040624689

this Commission.

5. 11 CFR 111.21(a) specifically prohibits "any person or entity" from making public any information concerning a complaint filed with the Commission, any notification sent by the Commission, any investigation conducted by the Commission, or any findings made by the Commission, without the written consent of the respondent with respect to whom the complaint was filed, the notification sent, the investigation conducted, or the finding made.

6. Neither this complainant, Whibbs, nor Mrs. Rittenhouse, at any time executed a written consent giving anyone the right to breach the confidentiality of the complaints filed against them by Mr. Ginsbach with this Commission, or authorizing the respondent Ginsbach, or anyone else, to make public the fact that a complaint was filed with this Commission.

7. Because neither the complainant Whibbs, nor Mrs. Rittenhouse, gave written consent to release such information to the public, and because neither the complainant Whibbs nor Mrs. Rittenhouse breached the confidentiality of the matters pending before the Commission, the complainant concludes, and therefore now alleges on information and belief, that the respondent Ginsbach has released, or caused to be released, information to the news media concerning his complaints against Whibbs and Rittenhouse to the Federal Elections Commission.

8. The release of such information to the news media has

R 7 0 4 0 3 2 4 6 9 0

resulted in public "news" reports on at least one local radio station, WCOA, 1370 AM, Pensacola, Florida, broadcasting to the public that the complainant and Mrs. Rittenhouse are the subjects of complaints pending before the Federal Elections Commission. Such reports have caused the complainants embarrassment and humiliation.

9. Enclosed is a photocopy of the "news copy" read over the air by WCOA newsmen on June 11 and 12, 1986. (Exhibit "A")

10. Also enclosed is a cassette recording of the 9:00 a.m. WCOA newscast of June 12, 1986, discussing the reports that the complainant Whibbs and Mrs. Rittenhouse are the subjects of a Federal Elections Commission investigation. (Exhibit "B")

11. A material witness in this matter will be Mrs. Diana Rittenhouse, 6234 Appamattox Drive, Pensacola, Florida 32506, (904)476-3879.

12. Complainant is represented in this matter by his counsel, Robert L. Crongeyer, Esquire, Beggs & Lane, P.O. Box 12950, Pensacola, Florida, 32576-2950, (904)432-2451, and the executed statement of designation of counsel is attached hereto. Said counsel may be contacted directly concerning the subject matter of this complaint.

WHEREFORE, because it is evident that the respondent has breached the confidentiality of 11 CFR 111.21(a), subjecting the complainant and Mrs. Rittenhouse to public embarrassment, this Commission is respectfully requested to assume jurisdiction of

87040524691

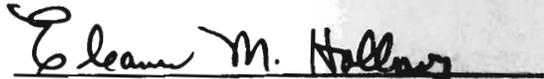
this matter and to carry out the intent of the legislation by imposing appropriate sanctions.

I, Vince Whibbs, Sr., the person bringing this complaint, being duly sworn, hereby depose on oath and state that the facts set forth in the complaint are true and correct to the best of my knowledge.



VINCE WHIBBS, SR.

Sworn to and subscribed before me this 17th day of July, ~~198~~ 1986.


NOTARY PUBLIC

My Commission Expires 9-14-88

87040524692

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2168

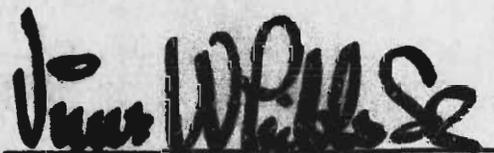
NAME OF COUNSEL: Robert L. Crongeyer, Esquire

ADDRESS: P.O. Box 12950
Pensacola, Florida 32576

TELEPHONE: (904)432-2451

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.

July 16, 1986



Signature

RESPONDENT'S NAME: Vince Whibbs, Sr.
ADDRESS: 3201 Navy Boulevard
Pensacola, Florida 32505
HOME PHONE: (904)432-9724
BUSINESS PHONE: (904)434-3044

870440624693

NEITHER VINCE WHIBBS NOR DIANE RITTENHOUSE HAVE ANY COMMENT REGARDING A FEDERAL ELECTIONS COMMISSION INVESTIGATION,

RITTENHOUSE AND WHIBBS, CO-CHAIRMEN OF THE "VICTORY '84" COMMITTEE LOCALLY, PLUS RITTENHOUSE AS DIRECTOR OF THE ESCAMBIA COUNTY REPUBLICAN EXECUTIVE COMMITTEE, ARE SUBJECT OF A COMPLAINT FILED WITH ELECTIONS OFFICIALS.

THE COMPLAINT WAS FILED BY A FELLOW REPUBLICAN, A LOCAL G-O-P PRECINCT COMMITTEEMAN, RON GINSBACK, OFFICIALS OF THE FEDERAL ELECTIONS COMMISSION CONFIRM SUCH A COMPLAINT NAMING RITTENHOUSE AND WHIBBS HAS BEEN RECEIVED, AND IS THE SUBJECT OF INVESTIGATION, BUT THE SPECIFICS ARE NOT BEING MADE PUBLIC.

WHIBBS POLITELY DECLINED COMMENT, AT LEAST FOR THE TIME BEING, RITTENHOUSE IS IN ORLANDO AT A REPUBLICAN GATHERING, LOCAL FRIENDS SAY SHE WAS TAKEN BY SURPRIZE WHEN TOLD SHE HAD BEEN NAMED IN A COMPLAINT, AND WAS TOTALLY UNANWARE OF THE SPECIFICS.

WCOA
1370 FIRST

Post Office Box 12487 • Pensacola, Florida 32573

87040524694

old docket



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

MEMORANDUM TO: THE COMMISSION

FROM: MARJORIE W. EMMONS/CHERYL A. FLEMING *CF*

DATE: JULY 24, 1986

SUBJECT: MUR 2207 - COMPLAINT

87040524695

The attached has been circulated for your information.

Attachment

MUR 2207

2004-959

JUL 21 11:54

BEGGS & LANE

ATTORNEYS AND COUNSELLORS AT LAW
SEVENTH FLOOR BLOUNT BUILDING

PENSACOLA, FLORIDA

POST OFFICE BOX 1886
PENSACOLA, FLORIDA 32578-1886
TELEPHONE (904) 432-2411

E. DIXIE BEGG
of Counsel

BERT H. LANE
(917-1981)

ROBERT P. GAINES
WILLIAM GUY DAVIS, JR.
W. SPENCER MITCHEM
JAMES M. WEBER
ROBERT L. CRONSEYER
JOHN F. WINGHAM
J. NIXON DANIELZE
G. EDISON HOLLAND, JR.
RALPH A. PETERSON
RONALD L. NELSON
GARY S. LEUCHTMAN
THOMAS R. JENKINS
JEFFREY A. STONE
BARBARA W. PALMER

July 18, 1986

JUL 22 11:22

Ms. Shelley Garr
Staff Counsel
Office of the General Counsel
Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463

Dear Ms. Garr:

Enclosed please find an executed original and two copies of a complaint sworn to by my client, Mayor Vince Whibbs of the City of Pensacola, against the respondent Ronald E. Ginsbach, because of Mr. Ginsbach's violation of the confidentiality of proceedings before the Federal Elections Commission. I have also attached to the original complaint a statement of designation of counsel executed by Mr. Whibbs which authorizes me to act in his behalf. Also enclosed as exhibits are the "newscopy" read over the air by radio news personnel here in Pensacola and an actual tape recording of one broadcast.

While this complaint is self-explanatory, I think that Mr. Ginsbach's action in releasing to the news media the fact that there was an "investigation" of Mr. Whibbs and Mrs. Rittenhouse by the Federal Elections Commission subjected these people to public suspicion and embarrassment and besmirched their good names here in this community. As you know, we have responded fully to Mr. Ginsbach's prior complaints to the Federal Elections Commission MUR 2168-2170, and I hope you will agree that those complaints by Mr. Ginsbach were totally frivolous and devoid of merit. Indeed Mr. Whibbs can attest that Mr. Ginsbach threatened to file such complaints with the Commission if Mr. Whibbs did not join him in a political endeavor.

87040524696

FEDERAL ELECTIONS COMMISSION
WASHINGTON, D. C.

IN RE: VINCE WHIBBS, SR., complainant, vs.
RONALD E. GINSEBACH, respondent.

C O M P L A I N T

COMES NOW the complainant, Vince Whibbs, Sr., by and through his undersigned counsel, and files this complaint with the Federal Elections Commission pursuant to the provisions of 11 CFR 111.4, stating as follows:

1. Your complainant is Vince Whibbs, Sr., 3401 Navy Boulevard, Pensacola, Florida, 32506, (904)434-3044.

2. The respondent is Ronald E. Ginsbach, 6901 - A Esther Street, Pensacola, Florida, 32505, (904)456-8820.

3. The respondent Ginsbach has brought numerous charges against the complainant Whibbs and against Diana Rittenhouse, Chairman of the Escambia County (Florida) Republican Executive Committee, filing such charges both with the State of Florida Division of Elections and the Federal Elections Commission. The pending complaints before this Commission brought by the respondent against the complainant are case numbers MUR2168 and MUR2170. The complaints brought by the respondent against Mrs. Rittenhouse are assigned pending case number 2169.

4. The complainant Whibbs and Mrs. Rittenhouse have responded to the complaint filed by the respondent Ginsbach and these above-cited cases are being reviewed on their merits by

87040524697

resulted in public "news" reports on at least one local radio station, WCOA, 1370 AM, Pensacola, Florida, broadcasting to the public that the complainant and Mrs. Rittenhouse are the subjects of complaints pending before the Federal Elections Commission. Such reports have caused the complainants embarrassment and humiliation.

9. Enclosed is a photocopy of the "news copy" read over the air by WCOA newsmen on June 11 and 12, 1986. (Exhibit "A")

10. Also enclosed is a cassette recording of the 9:00 a.m. WCOA newscast of June 12, 1986, discussing the reports that the complainant Whibbs and Mrs. Rittenhouse are the subjects of a Federal Elections Commission investigation. (Exhibit "B")

11. A material witness in this matter will be Mrs. Diana Rittenhouse, 6234 Appamattox Drive, Pensacola, Florida 32506, (904)476-3879.

12. Complainant is represented in this matter by his counsel, Robert L. Crongeyer, Esquire, Beggs & Lane, P.O. Box 12950, Pensacola, Florida, 32576-2950, (904)432-2451, and the executed statement of designation of counsel is attached hereto. Said counsel may be contacted directly concerning the subject matter of this complaint.

WHEREFORE, because it is evident that the respondent has breached the confidentiality of 11 CFR 111.21(a), subjecting the complainant and Mrs. Rittenhouse to public embarrassment, this Commission is respectfully requested to assume jurisdiction of

87040624698

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2168

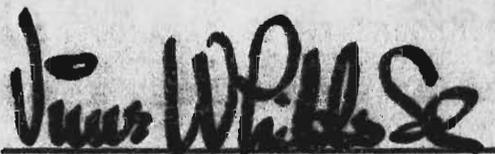
NAME OF COUNSEL: Robert L. Crongeyer, Esquire

ADDRESS: P.O. Box 12950
Pensacola, Florida 32576

TELEPHONE: (904)432-2451

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.

July 16, 1986



Signature

RESPONDENT'S NAME: Vince Whibbs, Sr.

ADDRESS: 3201 Navy Boulevard
Pensacola, Florida 32505

HOME PHONE: (904)432-9724

BUSINESS PHONE: (904)434-3044

87040324699

MUR 2207

COO# 989

06 JUL 21 AM: 54

BEGGS & LANE
ATTORNEYS AND COUNSELLORS AT LAW
SEVENTH FLOOR BLOUNT BUILDING
PENSACOLA, FLORIDA

ROBERT F. GAINES
WILLIAM GUY DAVIS, JR.
W. SPENCER MITCHEM
JAMES M. WEBER
ROBERT L. CRONSEYER
JOHN P. WINDHAM
J. NIXON DANIEL, III
G. EDISON HOLLAND, JR.
RALPH A. PETERSON
RONALD L. NELSON
GARY B. LEUGHTMAN
THOMAS R. JENKINS
JEFFREY A. STONE
BARBARA W. PALMER

POST OFFICE BOX 18860
PENSACOLA, FLORIDA 32578-2860
TELEPHONE (904) 433-2461

E. DINIE BEGGS
of Counsel
BERT H. LANE
1917-1981

July 18, 1986

6 JUL 22 AM: 22

Ms. Shelley Garr
Staff Counsel
Office of the General Counsel
Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463

Dear Ms. Garr:

Enclosed please find an executed original and two copies of a complaint sworn to by my client, Mayor Vince Whibbs of the City of Pensacola, against the respondent Ronald E. Ginsbach, because of Mr. Ginsbach's violation of the confidentiality of proceedings before the Federal Elections Commission. I have also attached to the original complaint a statement of designation of counsel executed by Mr. Whibbs which authorizes me to act in his behalf. Also enclosed as exhibits are the "newscopy" read over the air by radio news personnel here in Pensacola and an actual tape recording of one broadcast.

While this complaint is self-explanatory, I think that Mr. Ginsbach's action in releasing to the news media the fact that there was an "investigation" of Mr. Whibbs and Mrs. Rittenhouse by the Federal Elections Commission subjected these people to public suspicion and embarrassment and besmirched their good names here in this community. As you know, we have responded fully to Mr. Ginsbach's prior complaints to the Federal Elections Commission MUR 2168-2170, and I hope you will agree that those complaints by Mr. Ginsbach were totally frivolous and devoid of merit. Indeed Mr. Whibbs can attest that Mr. Ginsbach threatened to file such complaints with the Commission if Mr. Whibbs did not join him in a political endeavor.

87040524700

Ms. Shelley Garr

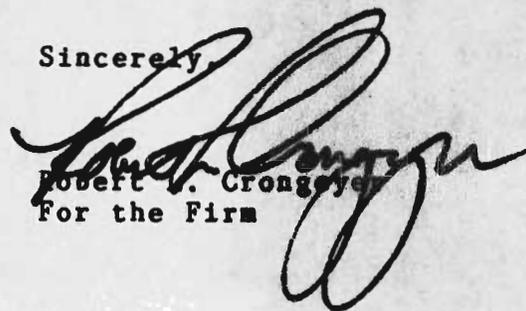
- 2 -

July 18, 1986

In any event, this breach of the confidentiality by Mr. Ginsbach is outrageous behavior of precisely the type that 11 CFR 111.21 (a) is designed to prevent. I would be pleased to speak to you further about this complaint. If you have any questions or we can provide any additional information, please feel free to contact me.

With best wishes, I remain

Sincerely,



Robert V. Cronqvist
For the Firm

RLC/pla

Enclosures

Original & 2 copies of complaint
Designation of counsel
Recording of news broadcast
mailed under separate cover
Copy of news broadcast

87040524701

FEDERAL ELECTIONS COMMISSION
WASHINGTON, D. C.

IN RE: VINCE WHIBBS, SR., complainant, vs.
RONALD E. GINSBACH, respondent.

C O M P L A I N T

COMES NOW the complainant, Vince Whibbs, Sr., by and through his undersigned counsel, and files this complaint with the Federal Elections Commission pursuant to the provisions of 11 CFR 111.4, stating as follows:

1. Your complainant is Vince Whibbs, Sr., 3401 Navy Boulevard, Pensacola, Florida, 32506, (904)434-3044.
2. The respondent is Ronald E. Ginsbach, 6901 - A Esther Street, Pensacola, Florida, 32505, (904)456-8820.
3. The respondent Ginsbach has brought numerous charges against the complainant Whibbs and against Diana Rittenhouse, Chairman of the Escambia County (Florida) Republican Executive Committee, filing such charges both with the State of Florida Division of Elections and the Federal Elections Commission. The pending complaints before this Commission brought by the respondent against the complainant are case numbers MUR2168 and MUR2170. The complaints brought by the respondent against Mrs. Rittenhouse are assigned pending case number 2169.
4. The complainant Whibbs and Mrs. Rittenhouse have responded to the complaint filed by the respondent Ginsbach and these above-cited cases are being reviewed on their merits by

87040624702

this Commission.

5. 11 CFR 111.21(a) specifically prohibits "any person or entity" from making public any information concerning a complaint filed with the Commission, any notification sent by the Commission, any investigation conducted by the Commission, or any findings made by the Commission, without the written consent of the respondent with respect to whom the complaint was filed, the notification sent, the investigation conducted, or the finding made.

6. Neither this complainant, Whibbs, nor Mrs. Rittenhouse, at any time executed a written consent giving anyone the right to breach the confidentiality of the complaints filed against them by Mr. Ginsbach with this Commission, or authorizing the respondent Ginsbach, or anyone else, to make public the fact that a complaint was filed with this Commission.

7. Because neither the complainant Whibbs, nor Mrs. Rittenhouse, gave written consent to release such information to the public, and because neither the complainant Whibbs nor Mrs. Rittenhouse breached the confidentiality of the matters pending before the Commission, the complainant concludes, and therefore now alleges on information and belief, that the respondent Ginsbach has released, or caused to be released, information to the news media concerning his complaints against Whibbs and Rittenhouse to the Federal Elections Commission.

8. The release of such information to the news media has

87040324703

resulted in public "news" reports on at least one local radio station, WCOA, 1370 AM, Pensacola, Florida, broadcasting to the public that the complainant and Mrs. Rittenhouse are the subjects of complaints pending before the Federal Elections Commission. Such reports have caused the complainants embarrassment and humiliation.

9. Enclosed is a photocopy of the "news copy" read over the air by WCOA newsmen on June 11 and 12, 1986. (Exhibit "A")

10. Also enclosed is a cassette recording of the 9:00 a.m. WCOA newscast of June 12, 1986, discussing the reports that the complainant Whibbs and Mrs. Rittenhouse are the subjects of a Federal Elections Commission investigation. (Exhibit "B")

11. A material witness in this matter will be Mrs. Diana Rittenhouse, 6234 Appamattox Drive, Pensacola, Florida 32506, (904)476-3879.

12. Complainant is represented in this matter by his counsel, Robert L. Crongeyer, Esquire, Beggs & Lane, P.O. Box 12950, Pensacola, Florida, 32576-2950, (904)432-2451, and the executed statement of designation of counsel is attached hereto. Said counsel may be contacted directly concerning the subject matter of this complaint.

WHEREFORE, because it is evident that the respondent has breached the confidentiality of 11 CFR 111.21(a), subjecting the complainant and Mrs. Rittenhouse to public embarrassment, this Commission is respectfully requested to assume jurisdiction of

87040524704

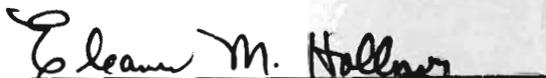
this matter and to carry out the intent of the legislation by imposing appropriate sanctions.

I, Vince Whibbs, Sr., the person bringing this complaint, being duly sworn, hereby depose on oath and state that the facts set forth in the complaint are true and correct to the best of my knowlege.



VINCE WHIBBS, SR.

Sworn to and subscribed before me this 17th day of July, 1986
1986.


NOTARY PUBLIC

My Commission Expires 9-14-88

87040524705

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2168

NAME OF COUNSEL: Robert L. Crongeyer, Esquire

ADDRESS: P.O. Box 12950
Pensacola, Florida 32576

TELEPHONE: (904)432-2451

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.

July 16, 1986



Signature

RESPONDENT'S NAME: Vince Whibbs, Sr.

ADDRESS: 3201 Navy Boulevard
Pensacola, Florida 32505

HOME PHONE: (904)432-9724

BUSINESS PHONE: (904)434-3044

87040524706

NEITHER VENCE WHIBBS NOR LIANE RITTENHOUSE HAVE ANY COMMENT REGARDING A FEDERAL ELECTIONS COMMISSION INVESTIGATION.

RITTENHOUSE AND WHIBBS, CO-CHAIRMAN OF THE "VICTORY '84" COMMITTEE LOCALLY, PLUS RITTENHOUSE AS DIRECTOR OF THE ESCAMBIA COUNTY REPUBLICAN EXECUTIVE COMMITTEE, ARE SUBJECT OF A COMPLAINT FILED WITH ELECTIONS OFFICIALS.

THE COMPLAINT WAS FILED BY A FELLOW REPUBLICAN, A LOCAL G-O-P PRECINCT COMMITTEEMAN, RON GENSBACK, OFFICIALS OF THE FEDERAL ELECTIONS COMMISSION CONFIRM SUCH A COMPLAINT NAMING RITTENHOUSE AND WHIBBS HAS BEEN RECEIVED, AND IS THE SUBJECT OF INVESTIGATION, BUT THE SPECIFICS ARE NOT BEING MADE PUBLIC.

WHIBBS POLITELY DECLINED COMMENT, AT LEAST FOR THE TIME BEING.

RITTENHOUSE IS IN ORLANDO AT A REPUBLICAN GATHERING. LOCAL FRIENDS SAY SHE WAS TAKEN BY SURPRIZE WHEN TOLD SHE HAD BEEN NAMED IN A COMPLAINT, AND WAS TOTALLY UNANWARE OF THE SPECIFICS.

87040524707

WCOA
1370 FIRST

Post Office Box 12487 • Pensacola, Florida 32573



FEDERAL ELECTION COMMISSION

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

THIS IS THE BEGINNING OF MUR # 2207

Date Filmed 1/29/87 Camera No. --- 2

Cameraman AS

87040524708