



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2247

DATE FILMED 9/30/17 CAMERA NO. 2

CAMERAMAN A.S.

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PUBLIC RECORD INDEX - MUR 2247

1. First General Counsel's Report, 3 Oct 86.
2. Memo, 8 Oct 86, Office of Cmsn Secretary (OCS) to Office of General Counsel (OGC), subj; Objection to MUR 2247.
3. Memo, 9 Oct 86, OCS to OGC, Subj: Objections to MUR 2247.
4. Certification of Commission Action, 22 Oct 86.
5. Notification Ltrs, 6 Nov 86, Joan D. Aikens (Chairman, FEC) to a) Wayne Reece (Treas, GA Dem Elections Committee-Federal); b) Cox Enterprises, Inc; c) Mary G. Stone (President, C. Goldstein and Sons, Inc); d) James W. Oxendine (President James W. Oxendine and Associates, P.C.); e) J.B. Brooks (President, J. Chandler Peterson Wealth Planning, Inc); f) Hansell and Post Properties Inc; g) James Chaney (President, Georgia Bankers Association); h) Henry Harsch (President, An Open Space, Ltd); i) J.R. Goldin (President, Draketown Gas Inc); j) Lillian Webb (President, Georgia Municipal Association, Inc); k) Martinez Realty Co Inc; l) Dorsey Stover (President, Stover Home Builders Inc); m) Paine, Dalis, Smith & McElreath P.C.; n) Duvall Brimer (President, Georgia Soft Drink Association, Inc); o) Jim Williams (Executive Secretary Georgia Association of Educators); p) Georgia Dilman Association; q) Amalgamated Transit Union; r) Atlanta, Georgia Labor Council, AFL - CIO; s) Southern Aggregates Co.,
6. Ltr, 10 Nov 86, Larry I. Smith (Secretary, Paine, Dalis, Smith & McElreath) to FEC.
7. Ltr, 10 Nov 86, J.L. Goldstein to FEC.
8. Ltr, 11 Nov 86, James W. Oxendine to FEC.
9. Ltr, 11 Nov 86, J.R. Goldin (Pres, Draketown Bus Co) to FEC.
10. Ltr, 14 Nov 86, David G. Steward (V.P. Atlanta Journal) to FEC.
11. Ltr, 17 Nov 86, Richard A. Ray (Pres, Atlanta Labor Council, AFL-CIO) to FEC.
12. Ltr, 20 Nov 86, Joy L. Koletsky (Counsel, Georgia Assn of Educators), to FEC.
13. Ltr, 19 Nov 86, John W. Acker to J.D. Aikens, subj: Request for pre-probable cause conciliation.
14. Ltr, 17 Nov 86, James V. Burgess, Sr (Exec Dir, Ga Municipal Assn) to FEC.

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15. Ltr, 21 Nov 86, Bryce W. Holcomb (Exec V.P., Ga Soft Drink Assn) to FEC.
16. Ltr, 20 Nov 86, M.T. Gray (Owner, Martinez Realty Co) to FEC.
17. Ltr, 19 Nov 86, Matthew Foster (Finan-Sec-Treas, Amalgamated Transit Union) to FEC.
18. Ltr, 24 Nov 86, A. Diane Baker (Hansell & Post) to FEC.
19. Ltr, 25 Nov 86, A. Diane Baker to FEC.
20. Ltr, 28 Nov 86, Joe Brannen (Exec V.P., Ga Bankers Assn) to FEC.
21. Ltr, 2 Dec 86, Lois G. Lerner (Assoc Gen Coun, FEC) to Joy Koletsky.
22. Ltr, 1 Dec 86 Wayne Reece (Ga Democratic Election Cmte-Federal) to FEC.
23. Ltr, 5 Dec 86, Harrill L. Dawkins (Counsel, Ga Oilman's Assn) to FEC.
24. Ltr, 10 Dec 86, Robert H. Chanin (Counsel, Ga Education Assn) to FEC.
25. Ltr, 23 Dec 86, Walter E. Sumner (Ga Municipal Assn) to FEC.
26. Ltr, 18 Jan 87, Harrill L. Dawkins to F.B. Hagan, subj: Georgia Oilman's Assn.
27. Ltr, 8 Jan 87, Walter E. Sumber to FEC.
28. Ltr, 12 Jan 87, Wayne Reece to FEC.
29. Memo, 5 Feb 87, Reports Analysis Division to OGC, Subj: Proposed RFAI to Georgia Democratic Elections Cmte-Federal.
30. Ltr, 10 Feb 87, Scott E. Thomas (Chairman, FEC) to Senator Sam Nunn.
31. General Counsel's Report, 25 Feb 87.
32. Certification of Commission Action, 2 March 87.

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33. Closing Ltrs, 19 March 87, Scott E. Thomas to a) J.B. Brooks (President, J. Chandler Peterson Wealth Planning, Inc) b) J.W. Oxendine (J. Oxendine and Associates, P.C.); c) John W. Acker (Secretary, Southern Aggregates Company); d) David G. Steward (V.P., The Atlanta Constitution); e) J. Joseph Brannen (Exec V.P. Georgia Bankers Assn); f) Henry Harsch (President, An Open Space, Ltd); g) J.R. Goldin (Pres, Draketown Gas Inc); h) Walter E. Sumner (Gen Counsel, Georgia Municipal Assn); i) Dorsey Stover (Pres, Stover Home Builders, Inc); j) M.T. Gray (Martinez Realty Company, Inc) k) Bryce W. Holcomb (Exec V.P., GA Soft Drink Assn); l) Harrill L. Dawkins (G.C., Georgia Oilmans Assn); m) Richard Ray (President Atlanta, Georgia Labor Council AFL-CIO); n) Matthew Foster (Financial Secretary - Treasurer Amalgamated Transit Union); o) Robert H. Chanin (NEA).
34. Ltr, 19 March 87, Lawrence M. Noble (Acting Gen Coun, FEC) to Wayne Reece.
35. General Counsel's Report, 28 April 87.
36. Memo, 4 May 87, L.M. Noble to the Commission. Subj: MUR 2247 -Briefs and Letters.
37. Ltr, 4 May 87, L.M. Noble to Larry I. Smith, w/encl (Brief).
38. Ltr, 4 May 87, L.M. Noble to A. Diane Baker, w/encl (Brief).
39. Ltr, 4 May 87, L.M. Noble to J.L. Goldstein w/encl (G.C. Brief).
40. Ltr, 4 May 87, L.M. Noble to W. Reece.
41. Ltr, 26 May 87, W. Reece to FEC.
- 41a. General Counsel's Report, 5 Jun 87.
42. Memo, 10 Jan 87, RAD to OGC, Subj: Proposed Information Notice to Georgia Democratic Elections Committee-Federal
43. Certification of Commission Action, 17 June 87.
44. Closing Ltrs, 19 June 87, L.M. Noble to a) Larry I. Smith; b) J.L. Goldstein; and c) A. Diane Baker.
45. Ltr, 19 June 87, L.M. Noble to W. Reece.
46. Ltr, 19 June 87, Wayne Reece to L.M. Noble.

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47. General Counsel's Report, 16 July 87.
48. Certification of Commission Action, 21 July 87.
49. Closing Ltrs, 23 July 87, L.M. Noble to: a) A. Diane Baker;  
b) Larry I. Smith; and c) J.L. Goldstein.
50. Ltr, 23 July 87, L.M. Noble to Wayne Reece, w/encl (Executed Conciliation Agreement).

NOTE: In preparing its file for the public record, O.G.C. routinely removes those documents in which it perceives little or no public interest, and those documents, or portions thereof, which are exempt from disclosure under the Freedom of Information Act.

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**SENSITIVE**

RECEIVED  
OFFICE OF THE FEC  
COMMISSION SECRETARY

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

86 OCT 6 P 1: 09

**FIRST GENERAL COUNSEL'S REPORT**

DATE AND TIME OF TRANSMITTAL  
BY OGC TO THE COMMISSION \_\_\_\_\_

MUR #2247  
STAFF: Frances B. Hagan

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS' NAMES: Georgia Democratic Elections Committee -  
Federal, Wayne Reece, Treasurer  
C. Goldstein & Sons  
James W. Oxendine and Associates, P.C.  
J. Chandler Peterson, Wealth Management  
Southern Aggregate Co., Savannah Division  
Atlanta Constitution, Cox Enterprises, Inc.  
Hansell and Post  
Georgia Bankers Association  
An Open Space Limited  
Draketown Gas  
Georgia Municipal Association  
Wally Stover Home Builders  
Martinez Realty Company  
Paine, Dalis, Smith & McElreath  
Georgia Soft Drink Association  
Georgia Association of Educators  
Georgia Oilmen's Association  
Atlanta, Georgia Labor Council AFL-CIO  
Amalgamated Transit Union

RELEVANT STATUTES: 2 U.S.C. § 441b(a)

INTERNAL REPORTS CHECKED: Audit Workpapers  
Disclosure Reports  
MUR 1725

FEDERAL AGENCIES CHECKED: None

**GENERATION OF MATTER**

This matter was referred to the Office of the General Counsel by the Audit Division as a result of an audit conducted pursuant to 2 U.S.C. § 438(b).

**SUMMARY OF ALLEGATIONS**

The Georgia Democratic Elections Committee - Federal ("the Committee") and Wayne Reece, as treasurer, violated

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2 U.S.C. 441b(a) by receipt of corporate and labor union contributions during 1984. Sixteen corporations and two labor unions violated 2 U.S.C. § 441b(a) by making contributions to the Committee.

**FACTUAL AND LEGAL ANALYSIS**

During the audit review of the Committee's receipt records, FEC auditors found that the Committee received contributions of \$5,050 from 16 corporations and \$600 from 2 labor unions. In response to earlier inquiries from the Reports Analysis Division, the Committee refunded three corporate contributions totaling \$1,850 and one labor contribution of \$400. Another labor contribution of \$200 was transferred to a non-federal bank account.

As for the \$3,200 in prohibited funds remaining in the Committee depository, the interim audit report recommended options:

- 1) Show that the funds were not prohibited by the Act;
- 2) Refund the prohibited contributions;
- 3) Transfer the prohibited funds to a non-federal account (or, absent sufficient funds, disclose a debt owed to the non-federal account).<sup>\*/</sup>

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<sup>\*/</sup> The Office of the General Counsel maintains the position that a transfer to a non-federal account is not the appropriate remedy for acceptance of prohibited contributions, inasmuch as 11 C.F.R. § 103.3(b) contemplates refunds of illegal receipts. However, we acknowledge that such transfers may be viewed as mitigating the violation.

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On June 30, 1986, the Committee provided a check copy to the Audit Division representing the transfer of \$3,200 to the non-federal account.

2 U.S.C. 441b(a) prohibits the making or acceptance of corporate or labor union contributions in connection with a federal election.

Because it accepted corporate and labor union contributions, the Committee and its treasurer have violated 2 U.S.C. § 441b(a).

The contributing entities are also in violation of

2 U.S.C. § 441b(a) for making prohibited contributions.

Therefore, the Office of the General Counsel is recommending findings of reason to believe in this matter.

#### RECOMMENDATIONS

1. Find reason to believe that the Georgia Democratic Elections Committee - Federal and Wayne Reece, as treasurer, violated 2 U.S.C. § 441b(a).
2. Find reason to believe that the following corporations violated 2 U.S.C. § 441b(a):
  - a) C. Goldstein & Sons
  - b) James W. Oxendine and Associates, P.C.
  - c) J. Chandler Peterson, Wealth Management
  - d) Southern Aggregate Co., Savannah Division
  - e) Atlanta Constitution, Cox Enterprises, Inc.
  - f) Hansell and Post
  - g) Georgia Bankers Association
  - h) An Open Space Limited
  - i) Draketown Gas
  - j) Georgia Municipal Association
  - k) Wally Stover Home Builders
  - l) Martinez Realty Company
  - m) Paine, Dalis, Smith & McElreath
  - n) Georgia Soft Drink Association
  - o) Georgia Association of Educators
  - p) Georgia Oilmen's Association

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3. Find reason to believe that the following unions violated 2 U.S.C. § 441b(a):
  - a) Atlanta, Georgia Labor Council AFL-CIO
  - b) Amalgamated Transit Union
4. Send the attached letters and General Counsel's Factual and Legal Analyses.

Charles N. Steele  
General Counsel

Date

10/5/86

BY:

*Lawrence M. Noble (EVE)*  
Lawrence M. Noble  
Deputy General Counsel

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Attachment(s) Letters

to General Counsel's Report

have been removed from this  
position in Public Record File.

See Index Item(s) 5

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE  
GENERAL COUNSEL  
FROM: MARJORIE W. EMMONS/CHERYL A. FLEMING *CAF*  
DATE: OCTOBER 8, 1986  
SUBJECT: OBJECTION TO MUR 2247 - FIRST GENERAL COUNSEL'S  
SIGNED OCTOBER 3, 1986

The above-captioned document was circulated to the Commission on Tuesday, October 7, 1986 at 11:00 A.M.

Objections have been received from the Commissioners as indicated by the name(a) checked:

Commissioner Aikens \_\_\_\_\_  
Commissioner Elliott \_\_\_\_\_ *y* \_\_\_\_\_  
Commissioner Josefiak \_\_\_\_\_  
Commissioner McDonald \_\_\_\_\_  
Commissioner McGarry \_\_\_\_\_  
Commissioner Thomas \_\_\_\_\_

This matter will be placed on the Executive Session agenda for Tuesday, October 21, 1986.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE  
GENERAL COUNSEL  
FROM: MARJORIE W. EMMONS/ CHERYL A. FLEMING  
DATE: OCTOBER 9, 1986  
SUBJECT: OBJECTIONS TO MUR 2247 - FIRST GC'S REPORT  
SIGNED OCTOBER 3, 1986

*CFH*

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The above-captioned document was circulated to the Commission on Tuesday, October 7, 1986 at 11:00 A.M.

Objections have been received from the Commissioners as indicated by the name(a) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____ X _____

This matter will be placed on the Executive Session agenda for Tuesday, October 21, 1986.

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Georgia Democratic Elections ) MUR 2247  
Committee - Federal, et al. )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of October 21, 1986, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 2247:

1. Find reason to believe that the Georgia Democratic Elections Committee - Federal and Wayne Reece, as treasurer, violated 2 U.S.C. § 441b(a).
2. Find reason to believe that the following corporations violated 2 U.S.C. § 441b(a):
  - a) C. Goldstein & Sons
  - b) James W. Oxendine and Associates, P.C.
  - c) J. Chandler Peterson, Wealth Management
  - d) Southern Aggregate Co., Savannah Division
  - e) Atlanta Constitution, Cox Enterprises, Inc.
  - f) Hansell and Post
  - g) Georgia Bankers Association
  - h) An Open Space Limited
  - i) Draketown Gas
  - j) Georgia Municipal Association
  - k) Wally Stover Home Builders
  - l) Martinez Realty Company
  - m) Paine, Dalis, Smith & McElreath
  - n) Georgia Soft Drink Association
  - o) Georgia Association of Educators
  - p) Georgia Oilmen's Association

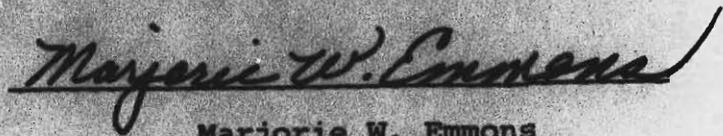
(continued)

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3. Find reason to believe that the following unions violated 2 U.S.C. § 441b(a):
  - a) Atlanta, Georgia Labor Council AFL-CIO
  - b) Amalgamated Transit Union
  
4. Send the letters and General Counsel's Factual and Legal Analyses attached to the General Counsel's report dated October 3, 1986.

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

Attest:



Marjorie W. Emmons  
Secretary of the Commission

  
10-22-86  
Date

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 6, 1986

*Alm*

Wayne Reece, Treasurer  
Georgia Democratic Elections  
Committee - Federal  
Suite 355  
1800 Peachtree Street, N.W.  
Atlanta, GA 30309

RE: MUR 2247  
Georgia Democratic  
Elections Committee -  
Federal  
Wayne Reece, as treasurer

Dear Mr. Reece:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that the Georgia Democratic Elections Committee - Federal and you, as treasurer, violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so

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that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

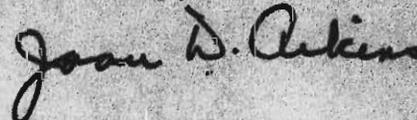
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, staff member assigned to this matter, at (202) 376-5690.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 6, 1986

Cox Enterprises, Inc.  
The Atlanta Constitution  
P.O. Box 4689  
Atlanta, GA 30302

RE: MUR 2247  
The Atlanta Constitution,  
Incorporated as Cox  
Enterprises, Inc.

Dear Sir or Madam:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that the Atlanta Constitution, incorporated as Cox Enterprises, Inc., violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

*Joan D. Aikens*  
Joan D. Aikens  
Chairman

**Enclosures**

**General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement**

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 6, 1986

Mary G. Stone, President  
C. Goldstein and Sons, Inc.  
117 S. Wayne Street, Box G  
Milledgeville, GA 31061

RE: MUR 2247  
C. Goldstein & Sons, Inc.

Dear Ms. Stone:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that C. Goldstein & Sons, Inc. violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

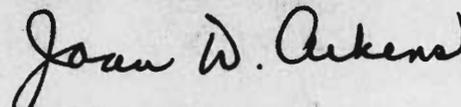
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 6, 1986

James W. Oxendine, President  
James W. Oxendine and Associates, P.C.  
5195 Jimmy Carter Blvd.  
Suite 200  
Norcross, GA 30093

RE: MUR 2247  
James W. Oxendine and  
Associates, P.C.

Dear Mr. Oxendine:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that James W. Oxendine and Associates violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

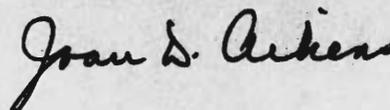
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The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

- General Counsel's Factual and Legal Analysis
- Procedures
- Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 6, 1986

J.B. Brooks, President  
J. Chandler Peterson Wealth Planning, Inc.  
700 Peachtree Center, Cain Tower  
Atlanta, GA 30043

RE: MUR 2247  
J. Chandler Peterson Wealth  
Planning, Inc.

Dear Mr. Brooks:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that J. Chandler Peterson Wealth Planning, Inc. violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

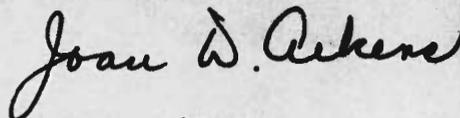
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If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications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

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

87040654616



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 6, 1986

Hansell and Post Properties, Inc.  
Suite 500  
56 Perimeter Center East  
Atlanta, GA 30346

RE: MUR 2247  
Hansell and Post Properties,  
Inc.

Dear Sir or Madam:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Hansell and Post Properties, Inc. violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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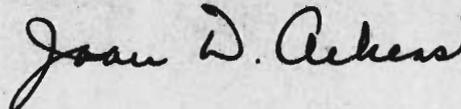
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

Enclosures

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 6, 1986

*plm*

James Chaney, President  
Georgia Bankers Association  
320 William Oliver Bldg.  
Atlanta, GA 30303

RE: MUR 2247  
Georgia Bankers Association

Dear Mr. Chaney:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that the Georgia Bankers Association violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

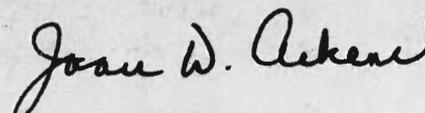
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Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 6, 1986

Henry Harsch, President  
An Open Space, Ltd.  
1834 Clairmont Road  
Decatur, GA 30033

RE: MUR 2247  
An Open Space, Ltd.

Dear Mr. Harsch:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that An Open Space, Ltd. violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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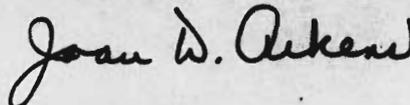
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 6, 1986

J.R. Goldin, President  
Draketown Gas, Inc.  
Route 2  
Temple, GA 30179

RE: MUR 2247  
Draketown Gas, Inc.

Dear Mr. Goldin:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Draketown Gas, Inc. violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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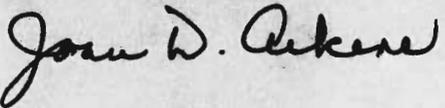
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

- General Counsel's Factual and Legal Analysis
- Procedures
- Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 6, 1986

Lillian Webb, President  
Georgia Municipal Association, Inc.  
Suite 2300  
34 Peachtree Street, NW  
Atlanta, GA 30303

RE: MUR 2247  
Georgia Municipal Association,  
Inc.

Dear Ms. Webb:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Georgia Municipal Association, Inc. violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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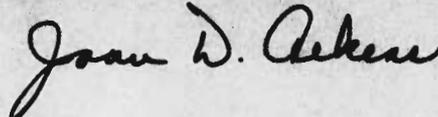
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Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 6, 1986

*plm*

Martinez Realty Co., Inc.  
3802 Washington Road  
Martinez, GA 30907

RE: MUR 2247  
Martinez Realty Co., Inc.

Dear Sir or Madam:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Martinez Realty Co., Inc. violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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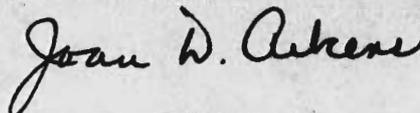
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 6, 1986

*plm*

Dorsey Stover, President  
Stover Home Builders, Inc.  
Route 2, Box 36  
Ellijay, GA 30540

RE: MUR 2247  
Stover Home Builders, Inc.

Dear Mr. Stover:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Stover Home Builders, Inc. violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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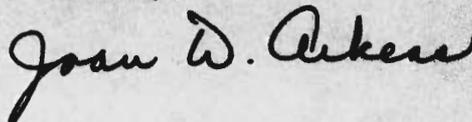
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

Enclosures

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 6, 1986

Paine, Dalis, Smith & McElreath, P.C.  
454 Greene Street  
Augusta, GA 30901

RE: MUR 2247  
Paine, Dalis, Smith &  
McElreath, P.C.

Dear Sir or Madam:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Paine, Dalis, Smith & McElreath, P.C. violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

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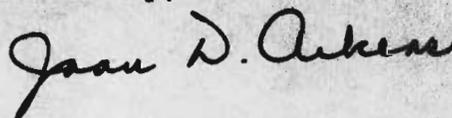
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 6, 1986

Duwall Brimer, President  
Georgia Soft Drink Association, Inc.  
2508 Carroll Avenue  
Suite 104  
Chamblee, GA 30341

RE: MUR 2247  
Georgia Soft Drink  
Association, Inc.

Dear Mr. Brimer:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Georgia Soft Drink Association, Inc. violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

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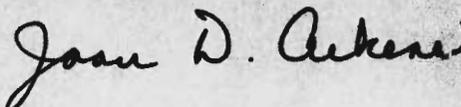
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Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

- General Counsel's Factual and Legal Analysis
- Procedures
- Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 6, 1986

*Allen*

Jim Williams, Executive Secretary  
Georgia Association of Educators  
3951 Snappfinger Parkway  
Decatur, Georgia 30035

RE: MUR 2247  
Georgia Association of  
Educators

Dear Mr. Williams:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Georgia Association of Educators violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

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pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

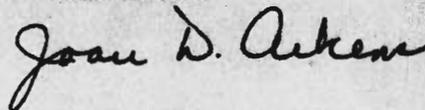
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of General Counsel is not authorized to give extensions beyond 20 days.

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.

The investigation now being conducted will be confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

Enclosures

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

87040654636



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 6, 1986

Georgia Oilmen's Association  
3300 N.E. Expressway  
Suite 8-P  
Atlanta, GA 30341

RE: MUR 2247  
Georgia Oilmen's Association

Dear Sir or Madam:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Georgia Oilmen's Association violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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5p

pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

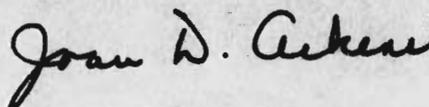
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

87040554638



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 6, 1986

Amalgamated Transit Union  
250 Tenth Street, Rm 208  
Atlanta, GA 30309

RE: MUR 2247  
Amalgamated Transit Union

Dear Sir or Madam:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Amalgamated Transit Union violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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5g

pursued. The Office of General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, requests for pre-probable cause conciliation will not be entertained after briefs on probable cause have been mailed to the respondent.

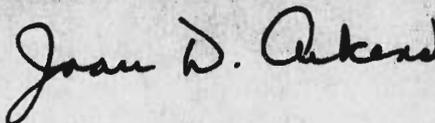
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

87040654640



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 6, 1986

*Thun*

Atlanta, Georgia Labor Council, AFL-CIO  
501 Pulliam Street, S.W., 2nd Floor  
Atlanta, GA 30312

RE: MUR 2247  
Atlanta, Georgia Labor  
Council, AFL-CIO

Dear Sir or Madam:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Atlanta, Georgia Labor Council, AFL-CIO violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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*52*

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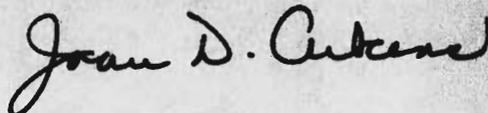
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Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

General Counsel's Factual and Legal Analysis  
Procedures  
Designation of Counsel Statement

87040554642



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

November 6, 1986

*Alum*

Southern Aggregates Company  
Savannah Division  
P.O. Box 4510  
Augusta, GA 30907

RE: MUR 2247  
Southern Aggregates Company

Dear Sir or Madam:

On October 21, 1986, the Federal Election Commission determined that there is reason to believe that Southern Aggregates Company violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials within fifteen days of your receipt of this letter.

In the absence of any additional information which demonstrates that no further action should be taken against you, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be

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*52*

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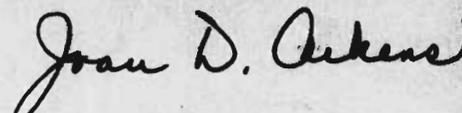
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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,



Joan D. Aikens  
Chairman

**Enclosures**

- General Counsel's Factual and Legal Analysis
- Procedures
- Designation of Counsel Statement

87040654644

CC# 1982

RECEIVED AT THE FEC

86 NOV 12 49:07

LAW OFFICES  
**PAINE, DALIS, SMITH & McELREATH**  
A PROFESSIONAL CORPORATION  
454 GREENE STREET  
AUGUSTA, GEORGIA 30901

TRAVERS W. PAINE III  
JOHN S. DALIS  
LARRY I. SMITH  
BENJAMIN F. McELREATH  
SUSAN M. REIMER

TELEPHONE  
404/722-9771  
TELECOPIER  
404/724-2848

WEST AUGUSTA OFFICE  
312 WHEELER EXECUTIVE CENTER  
3840 WHEELER ROAD  
AUGUSTA, GEORGIA 30909  
404/738-5710

November 10, 1986

REPLY TO: Greene Street

Ms. Frances B. Hagan  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

RE: MUR 2247

6 NOV 12 10:27

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

87040654645

Dear Mrs. Hagan:

This letter is a follow up to our telephone conversation of this date regarding allegations of our firm's violation of 2 U.S.C. §441b (a). It is apparently alleged that Paine, Dalis, Smith & McElreath, P.C. improperly contributed \$400.00 to the Georgia Democratic Party on March 9, 1984.

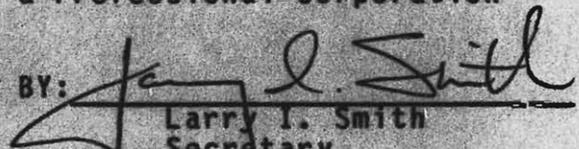
As we discussed, the attorneys in this firm practiced law and made the subject contribution in March, 1984 as a partnership, not as a corporation. Paine, Dalis, Smith & McElreath, P.C. was incorporated on November 16, 1984 and became operational on April 1, 1985. Clearly, Paine, Dalis, Smith & McElreath, P.C. made no improper contributions, nor did it violate the law in any way.

I am enclosing for your file a copy of the certificate of incorporation issued by the Secretary of State of Georgia.

This firm will now assume that the complaint made against it will be dismissed with no further action required on our part. If the Commission elects to proceed further in spite of this information, please accept this as a formal demand for notice of all further proceedings.

Yours truly,

PAINE, DALIS, SMITH & McELREATH  
a Professional Corporation

BY:   
Larry I. Smith  
Secretary

LIS/jrh

Enclosure

6



*I, Max Cleland, Secretary of State of the State of Georgia, do hereby certify that*

**"PAINE, DALIS, SMITH & MCELREATH, A PROFESSIONAL CORPORATION"**

has been duly incorporated under the laws of the State of Georgia on the 16th day of November, 19 84, by the filing of articles of incorporation in the office of the Secretary of State and the fees therefor paid, as provided by law, and that attached hereto is a true copy of said articles of incorporation.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the seal of my office, at the Capitol, in the City of Atlanta, this 16th day of November in the year of our Lord One Thousand Nine Hundred and Eighty Four and of the Independence of the United States of America the Two Hundred and Nine.

*Max Cleland*

SECRETARY OF STATE, EX-OFFICIO CORPORATION  
COMMISSIONER OF THE STATE OF GEORGIA



87040654646

C. GOLDSTEIN AND SONS, INC.

RECEIVED AT THE FEC  
GEC # 2000  
86 NOV 13 All: 53

WHOLESALE & RETAIL • P. O. BOX G • MILLEDGEVILLE, GEORGIA 31061 • BUS. PHONE (912) 452-0571

November 10, 1986

Ms. Frances B. Hagan  
Federal Election Committee  
999 E Street N. W.  
Washington, D. C. 20463

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
86 NOV 13 P 3: 33

Dear Ms. Hagan:

I am writing to you in regard to letter received today concerning check for \$100.00 written in February, 1984. I think this is your file MUR 2247. As I stated in our phone conversation, C. GOLDSTEIN & SONS is also a partnership. The check inquestion was written by me on the partnership.

Attached is a copy of the check and a front sheet of our U. S. Partnership tax return with identification number and the name of our C. P. A. that prepared it.

I trust this information will clear up this misunderstanding.

Thank you very much for your assistance on the telephone.

Sincerely,

C. GOLDSTEIN & SONS

*J. L. Goldstein*  
J. L. Goldstein

Enclosures

JLG/lv

87040654647

Form 1065

U.S. Partnership Return of Income

OMB No. 1545-0099

1984

Department of the Treasury Internal Revenue Service

For Paperwork Reduction Act Notice, see Form 1065 Instructions.

For calendar year 1984, or fiscal year beginning 1984, and ending 1984

A Principal business activity (see page 5 of Instructions) Real Estate
B Principal product or service (see page 16 of Instructions) Rental
C Business code number (see page 16 of Instructions) 6511

Use IRS label, Other-wise, please print or type. FJ 58-0525752 DEC 84 D58 L # 1 R 292 S GOLDSTEIN GOLDSTEIN & GOLDSTEIN PARTNERS C. GOLDSTEIN & SONS 117 SOUTH WAYNE STREET MILLEDGEVILLE GA 31061

D Employer identification number 58-0525752
E Date business started 1-2-67
F Enter total assets at end of tax year

G Check method of accounting: (1) Cash (2) Accrual (3) Other
H Check applicable boxes: (1) Final return (2) Change in address (3) Amended return
I Number of partners in this partnership
J Is this partnership a limited partnership?
K Is this partnership a partner in another partnership?
L Are any partners in this partnership also partnerships?
M Does the partnership meet all the requirements shown on page 5 of the Instructions under Question M.

N Was there a distribution of property or a transfer of a partnership interest during the tax year?
O At any time during the tax year, did the partnership have an interest in or a signature or other authority over a bank account, securities account, or other financial account in a foreign country?
P Was the partnership the grantor of, or transferor to, a foreign trust which existed during the current tax year, whether or not the partnership or any partner has any beneficial interest in it?
Q Check this box if the partnership has filed or is required to file Form 8264, Application for Registration of a Tax Shelter

Table with Yes/No columns for questions N, O, P, Q.

Main income and deduction table with lines 1a through 24. Includes sections for Income and Deductions.

Please Sign Here: Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief it is true, correct, and complete. Declaration of preparer (other than taxpayer) is based on all information of which preparer has any knowledge. Signature of general partner, Date, Preparer's signature, Date, Check if self-employed, Preparer's social security no., Firm's name (or yours, if self-employed) and address, E.I. No., ZIP code.

THIS CHECK IS DELIVERED IN CONNECTION WITH THE FOLLOWING ACCOUNT

GOLDSTEIN & SONS

692

TOTAL OF INVOICES	
DISCOUNT	
TOTAL DEDUCTIONS	
AMOUNT OF CHECK	

PAY TO THE ORDER OF

*Jefferson Jackson Jones*  
*John L. Jones*

DOLLARS

The MERCHANTS & FARMERS BANK

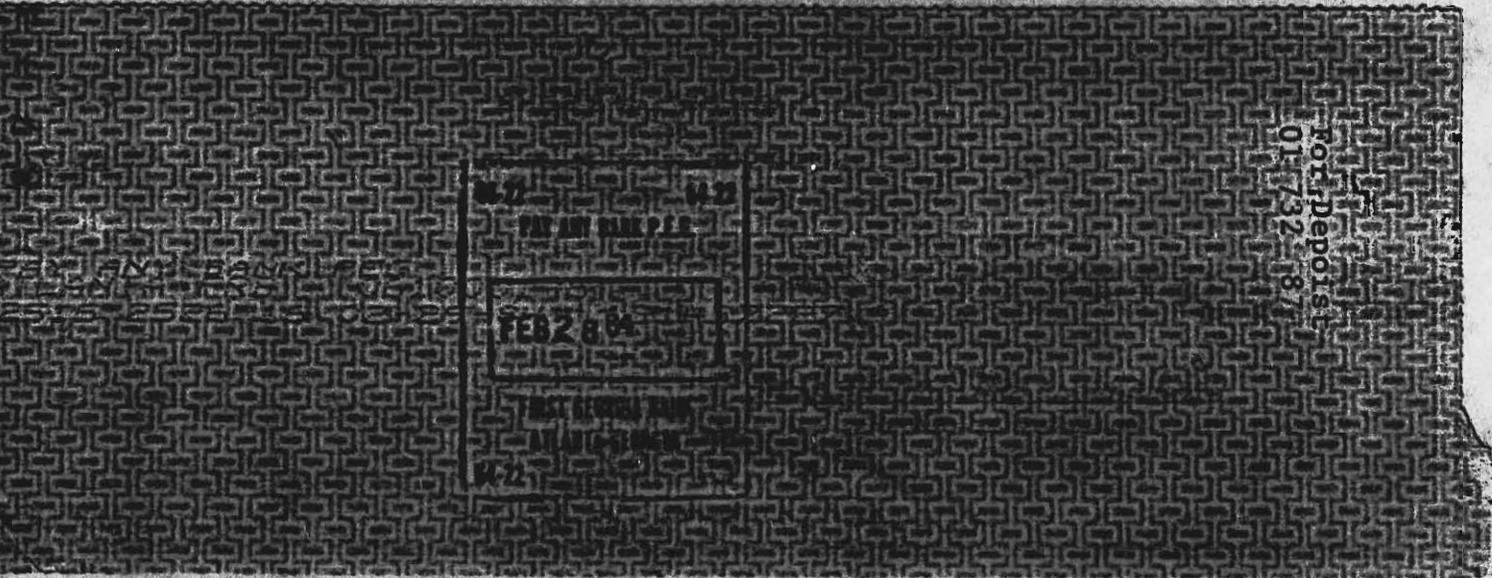
MILLEDGEVILLE, GEORGIA

*J. L. Jones*  
*J. L. Jones*

FOR

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FEB 28 1971

Post-Deposit  
01/23/71

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GCC#2011

**JAMES W. OXENDINE & ASSOCIATES, P.C.**  
ATTORNEYS AND COUNSEL  
GENERAL COUNSEL

JAMES W. OXENDINE  
LABOR LAW, CORPORATE LAW,  
AND GOVERNMENT CONTRACT LAW  
DOUGLAS E. COBB

5195 JIMMY CARTER BOULEVARD, SUITE 200  
NORCROSS, GEORGIA 30092  
(404) 448-8888

86 NOV 17 P 1: 25

November 11, 1986

OF COUNSEL  
CURTIS R. RICHARDSON

Ms. Joan D. Aikens, Chairman  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 2247  
James W. Oxendine & Associates, P.C.

86 NOV 17 P 12: 18  
RECEIVED  
OFFICE OF THE  
COMMISSIONER  
SECRETARY

Dear Ms. Aikens:

I am in receipt of your letter and the allegation of the Federal Election Commission that James W. Oxendine & Associates, P.C. violated 2 U.S.C. Section 441b(a), by making a contribution of \$200.00 to the Georgia Democratic Party. You site for authorization of the alleged violation that case cited and specified above, which states that we are prohibited from making a corporate contribution in connection with a federal election.

First of all, I understand the code section cited, and agree that that is the law. However, I disagree with the factual basis and legal analysis that your commission has reached. I site the following facts as my response to your allegations:

(1) On or about February 20, 1984, the law firm of James W. Oxendine & Associates, P.C. bought two tickets to the Jefferson-Jackson Day dinner, sponsored by the Democratic Party of Georgia. It is my understanding of the law that the Democratic Party of Georgia does not have any federal affiliation in regards to federal elections, and as such, a corporation may participate in social activities conducted by the Democratic Party, such as the Jefferson-Jackson Day dinner, an annual fundraiser for the purpose of paying operating costs of the Party. At no time did James W. Oxendine & Associates, P.C. make a contribution to any candidate running for federal office, nor did James W. Oxendine & Associates, P.C. make any contribution to any organization on behalf of any candidate for federal office.

It has long been my understanding, and I was assured by

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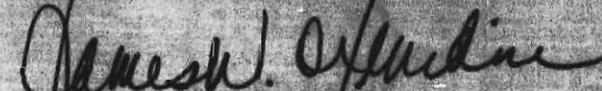
8

the Party, that a corporation could purchase tickets to the Jefferson-Jackson Day dinner. As a matter of fact, it was, and is still, my understanding that this dinner was for the purpose of paying off a debt of some \$150,000.00, and it had nothing to do with federal elections. If James W. Oxendine & Associates, P.C. has violated any law, be it federal or state, it was done without knowledge, and it was certainly not our intent to circumvent any law.

For your convenience and information I am enclosing a copy of the check voucher, as well as a copy of the check, in question. It is my hope and desire that this will help to clarify this matter, and put it to rest. If I can be of further assistance, please do not hesitate to contact me.

Sincerely,

JAMES W. OXENDINE & ASSOCIATES, P.C.



JAMES W. OXENDINE  
Attorney at Law

JWO/kfc  
Enclosures

cc: Robert S. Kahn  
Director, Democratic Party  
for State of Georgia

Wayne Reece, Counsel for  
Democratic Party for  
State of Georgia

87040554651

**JAMES W. OXENDINE & ASSOCIATES, P. C.**

GENERAL ACCOUNT

6185 JIMMY CARTER BLVD. SUITE 200  
 NORCROSS, GA 30092  
 PHONE 404 448-8888

NE 2732

64-328  
 611



2732 2/20/84 \$200.00 7

Two Hundred & No/100 Dollars

594

J. J. Dimer

JAMES W. OXENDINE & ASSOCIATES, P. C.  
 GENERAL ACCOUNT

**COPY NOT NEGOTIABLE**

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JAMES W. OXENDINE & ASSOCIATES, P. C.  
 GENERAL ACCOUNT

DATE	DESCRIPTION	AMOUNT
2/20/84	J-J Dimer	\$200.00

JAMES W. OXENDINE & ASSOCIATES, P. C.  
 GENERAL ACCOUNT

EMPLOYEE

PERIOD ENDING	EXPLANATION OF YOUR EARNINGS				TOTAL EARNINGS	WE PAID OUT THE ITEMS LISTED BELOW FOR YOU					NET AMOUNT OF CHECK
	HOURS	RATE	REGULAR EARNINGS	OVERTIME AND OTHER		F.I.C.A. TAX	FEDERAL W/L TAX	STATE W/L TAX			

8

JAMES W. OXENHORN & ASSOCIATES, P. C.

NE 2732

84-528  
611



FIRST NATIONAL BANK  
OF OCONEE COUNTY  
LAURENSVILLE, GEORGIA



DATE 2/20/84  
AMOUNT \$200.00

PAY TO THE ORDER OF Two Hundred & No/100 Dollars

TO THE ORDER

JAMES W. OXENHORN & ASSOCIATES, P. C.  
GENERAL ACCOUNT

*James W. Oxenhorn*

⑆0000020000⑆

8

For Deposit Only  
0173207

Bobby Goldin  
Virginia Huicheson  
Phil Verner



RECEIVED AT THE FEC  
CCCF# 204  
NOV 17 9:21

MUR 2247

# DRAKETOWN GAS, INC.

GAS APPLIANCES, TANKS & SERVICE

Phone 582-3289

Route 2, Temple, Georgia 30179

November 11, 1986

Federal Election Commission  
Washington, D.C. 20463

ATTENTION: Frances B. Hagan

Dear Ms. Hagan:

I acknowledge receipt of your letter under date of November 6, 1986, in which you allege that Draketown Gas, Inc. made a contribution to the Georgia Democrat Elections Committee - Federal. This is inaccurate. I made a contribution through our corporation to the Georgia Democrat Party and it was for Georgia elections only. I have this date contacted the State Democrat Party and they have advised me that they made an error in applying same to the Federal elections and that they could rectify this. In any event, I have never had any intention of making any contribution to the Georgia Democrat Elections Committee - Federal, but to the Georgia Democrat Elections Committee State only.

In addition to this, this check was for two (2) tickets to the Jefferson Jackson Day Dinner which is the usual fund raiser for Georgia Democrats and has been held in that form all of my life.

I am enclosing herewith a copy of the check that was made by our corporation for your file.

If you need anything further from me, please contact me.

Yours very truly,

DRAKETOWN GAS, INC.

*J. R. Goldin*  
J. R. Goldin, President  
*J. R. Goldin*

JRG/dr

cc: Georgia State Democratic Party  
901 South Omni International  
Atlanta, Georgia 30303

87040554655

RECEIVED  
GENERAL COUNSEL  
36 NOV 17 4:35 PM '86

THIS CHECK IS DELIVERED IN CONNECTION WITH THE FOLLOWING ACCOUNT (S)

DRY TOWN GAS  
TEMPLE GA 30179

7884

TOTAL OF INVOICES	
LESS % DISCOUNT	
LESS	
TOTAL DEDUCTIONS	
AMOUNT OF CHECK	

PAY TO THE ORDER OF

552 Demo Party

3-2 1984 20000

Two Hundred & No/10

DOLLARS

FIRST NATIONAL BANK OF HARALSON COUNTY BUCHANAN-BREHEN, GEORGIA

*[Signature]*

⑆007884⑆ -⑆061⑆09593⑆

02 301⑆

⑆0000⑆⑆8800⑆

87040554656

ATLANTA, GA

For Deposit  
009-24-696

GCC# 2039

RECEIVED AT THE FEC

**The Atlanta Journal  
THE ATLANTA CONSTITUTION**

POST OFFICE BOX 4888  
ATLANTA, GEORGIA 30302

86 NOV 19 10 57 P2: 05

DAVID G. STEWARD  
VICE PRESIDENT &  
BUSINESS MANAGER

404-526-8110

November 14, 1986

Ms. Joan D. Aikens  
Chairman  
Federal Election Commission  
Washington, D. C. 20463

86 NOV 19 10 57 P3: 40

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

RE: MUR 2247  
The Atlanta Constitution  
Incorporated as Cox  
Enterprises, Inc.

Dear Ms. Aikens:

In response to your letter dated November 6, 1986, I am providing the following explanation in defense of our check payable to the Georgia Democratic Election Committee. I hope this explanation is sufficient to prevent any further action by the Commission since it was not our intention to violate any federal or state laws.

It is the practice of our newspapers to send political columnists to cover and report on numerous campaign events. On February 29, 1984, we issued a check to the Democratic Party of Georgia to cover the cost of sending our columnists to a Jefferson/Jackson campaign dinner on March 2, 1984. It is our policy to pay for admission to these events in order to avoid any infringement on the independence of the newspaper or its staff. We did not view the payment as a contribution but merely a reimbursement of cost to the payee for having our columnists attend the function. If this practice is deemed illegal by the Commission, we will take immediate action to prevent any further occurrences.

87040654657

Ms. Joan D. Aikens  
Page Two  
November 14, 1986

If you need any additional information, please give me a call. I hope my explanation will halt any further action by the Commission. Please let me know of your decision.

Sincerely,

David G. Steward

DGS:bam  
cc: Frances B. Hagan

87040654658

RECEIVED AT THE FBI

86 NOV 20 4 9: 01  
RECORDING SEC.

MARTHA TRUE  
FIN. SEC. TREAS.

HARRY BEXLEY  
COUNSEL

LONNIE PLOTT  
SERGEANT-AT-ARMS



# Atlanta, Georgia Labor Council AFL-CIO

Affiliated with:  
American Federation of Labor • Congress of Industrial Organizations • Georgia State AFL-CIO

PHONE 525-3559  
501 PULLIAM ST., S.W. • SUITE 233  
ATLANTA, GEORGIA 30312



November 17, 1986

- VICIS PRESIDENTS**  
 MICHAEL CANNON  
 THOMAS DYE  
 JACK GREEN  
 JEAN HENDRIX  
 CHARLIS KEY  
 JOHNNY LONG  
 RONALD A. NAPT  
 JAMES PARKER  
 ROBERT PRICE  
 EUGENE ROBERTS  
 MARY LOU ROMAINE  
 LESTER SHINGLES  
 RUTH STANLEY  
 WILLIAM S. STEPHENS  
 LUCY WILLIS
- CHM. BO. OF TRUSTEES**  
 WALTER RUCKER

36 NOV 20 A10: 05

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

87040654659

Ms. Frances B. Hagan  
Federal Election Commission  
999 E Street N. W.  
Room 657  
Washington, D. C. 20463

Dear Ms. Hagan:

Referring to our recent telephone conversation, I am enclosing copies of our records concerning the \$200.00 that was sent to the Georgia Democratic Party. Our records clearly show that this amount was for an ad in the program for the Jefferson-Jackson dinner.

If there is any further information that you feel that I can help you with, please feel free to call me.

Sincerely,

Richard A. Ray

- enc. Jefferson-Jackson Dinner Program
- Check #4041
- Check Stub
- Check Voucher

RAR/jb  
opeiu 21  
afl-cio

11

370 REVERSE SIDE

ATLANTA LABOR COUNCIL

Check and Voucher No. 4041

NAME George Democratic Party

ADDRESS \_\_\_\_\_

SOCIAL SECURITY NO. \_\_\_\_\_ NO. WITHHOLDING TAX EXP. \_\_\_\_\_

\* STATEMENT OF SALARY

PERIOD EMPLOYED (SHOW DATE AND HOURS) \_\_\_\_\_

\* VOID IF NOT COMPLETED ON THE REVERSE SIDE

RATE OF PAY \_\_\_\_\_ AMOUNT OF SALARY EARNED \$ \_\_\_\_\_

FOR USE IN LOCAL OFFICE ONLY

Earned Income . . . . . \$ \_\_\_\_\_

Less F.O.A.B. Tax . . . . . \$ \_\_\_\_\_

Less Withholding Tax . . . . . \$ \_\_\_\_\_

Less State Tax . . . . . \$ \_\_\_\_\_

Total Deductions . . . . . \$ \_\_\_\_\_

NET SALARY . . . . . \$ \_\_\_\_\_

STATEMENT OF EXPENSE

This form is a part of the basic records of the Council's expenditures and should, therefore, be carefully and accurately prepared. Attach invoice and/or verifying receipts.

DATE	EXPENSE INCURRED FOR	AMOUNT
2-21	Advertising ad Jefferson Jackson Day Program	\$ 200 <sup>00</sup>

(If you need additional space, use reverse side)

Total Expense . . . . . \$ \_\_\_\_\_  
Net Salary . . . . . \$ \_\_\_\_\_  
Amount of Check . . . . . \$ \_\_\_\_\_

I hereby certify that all these expenses have been incurred in behalf of ATLANTA LABOR COUNCIL.

Submitted by \_\_\_\_\_

Approved by \_\_\_\_\_  
Title \_\_\_\_\_  
Date \_\_\_\_\_

Approved by Martha D. Fine  
Title SLT  
Date 2/22/84

87040354660

87040554661

No. 4040	3/99	83
DATE 2-22-1984		
ORDER OF Internal Revenue		
FOR James J. Lee		
1563.95	1735	88
No. 4041		
DATE 2-22-1984		
ORDER OF Foreign Service Office		
FOR Adventure (Ed. Jeff Jack Harrison)		
200.00	15.45	88
No. 4042		
DATE 2-22-1984		
ORDER OF Home State Cement		
FOR Bar B. Co.		
700.00	155	88

87040654662



ATLANTA GEORGIA LABOR COUNCIL AFL-CIO  
REGULAR ACCOUNT

84-3  
810

No 4041

ATLANTA GA February 22 19 84

PAY TO THE ORDER OF Georgia Democratic Party

200.00

Two Hundred Dollars

61910002282

00/100 DOLLARS

VOID AFTER 90 DAYS

ATLANTA GEORGIA LABOR COUNCIL AFL-CIO

PRESIDENT

*Richard D. [Signature]*

TO THE THE CITIZENS & SOUTHERN NATIONAL BANK ATLANTA, GEORGIA

12061000057 036 24 25 1/8

⑈0000020000⑈

*For Deposit Only*  
0175287

07040654663

FEB 29

PM

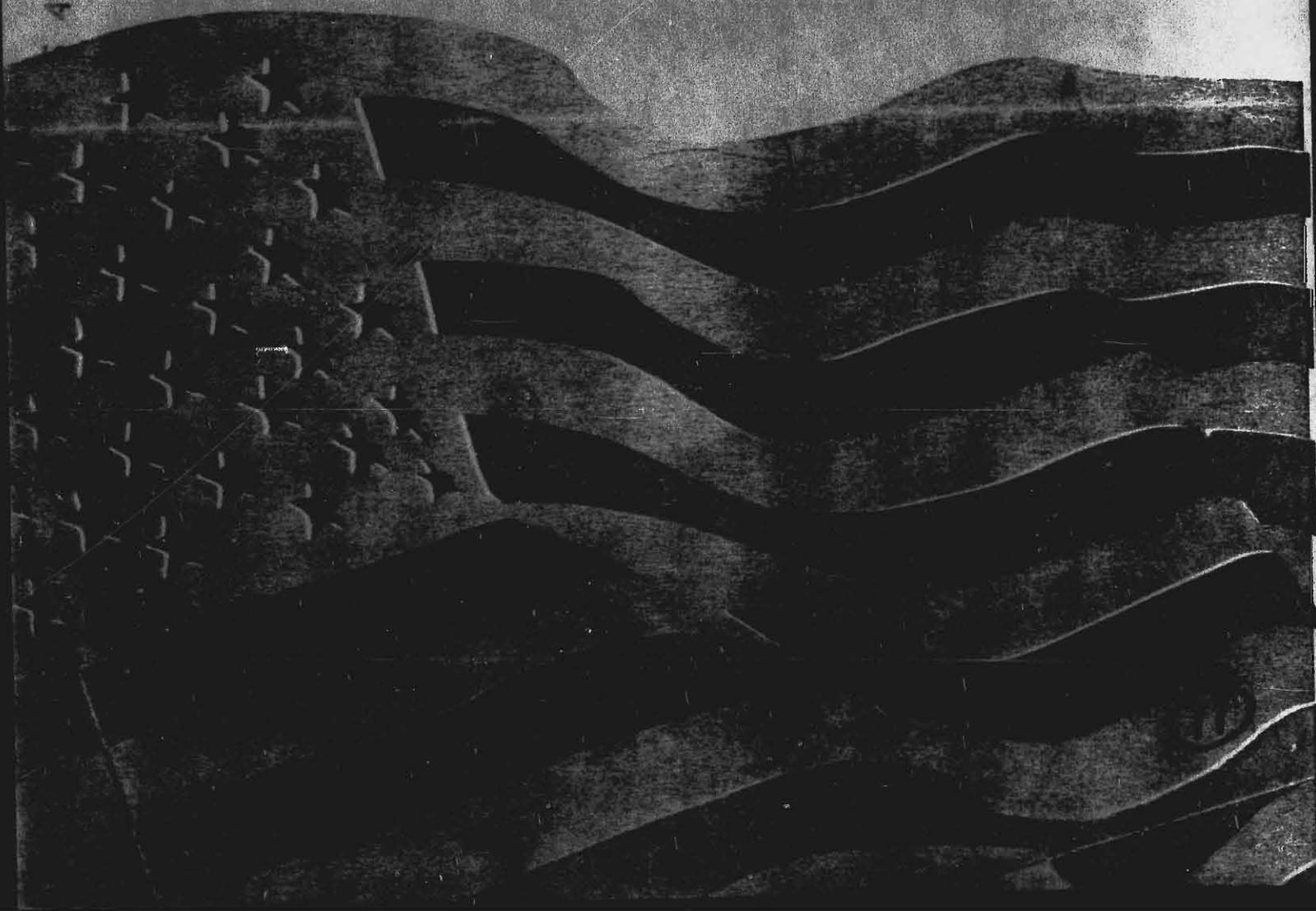
6-2  
FEB 29 1964  
FEDERAL RESERVE BANK  
ATLANTA, GA.  
6-22

0175287

11

Jefferson Jackson Dinner  
**1984**

4664





**R. B. "Ben" PORCH**  
District 3 - Vice President

**Communications  
Workers of America  
District 3**

**GENE RUSSO**  
Administrative Assistant

**AFL -  
CIO**

87040554665



**JERRY HARDIN**  
PRESIDENT

*BEST WISHES TO THE DEMOCRATIC  
PARTY OF GEORGIA FROM*

**United Food &  
Commercial Workers  
Local 1063**

*SERVING 12,000 MEMBERS*

*Atlanta  
Labor Council  
AFL-CIO*

**RICHARD A. RAY, PRESIDENT**

**MARTHA D. TRUE  
FINANCIAL SECRETARY-TREASURER**

*Best Wishes*



CCC#2051



NATIONAL EDUCATION ASSOCIATION • 1201 16th St., N.W., Washington, D C 20036-3290 • (202) 822-7035  
MARY HATWOOD FUTRELL, President  
KEITH GEIGER, Vice President  
ROXANNE E. BRADSHAW, Secretary-Treasurer  
LEGAL SERVICES  
OFFICE OF GENERAL COUNSEL  
DON CAMERON, Executive Director

November 20, 1986

Frances B. Hagan  
Office of General Counsel  
Federal Election Commission  
Washington, D. C. 20463

Re: MUR 2247 - Georgia Association of Educators

Dear Ms. Hagan:

This is to confirm that Robert Chanin and I have been retained to represent the Georgia Association of Educators ("GAE") in the above MUR (Statement of Designation of Counsel is attached) and that we would like to request a 15-day extension (i.e. until December 10, 1986) in order to prepare GAE's response. This extension is necessary because (1) we are in the process of compiling information and (2) because of prior commitments Mr. Chanin and I will be out of the office for a substantial portion of the relevant time period.

Please call if you have any questions regarding the above.

Sincerely,

*Joy Koletsky*  
Joy L. Koletsky  
Staff Counsel

JK/jp

36 NOV 20 AM 11:52

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

87040554666

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2247 - Georgia Association of Educators

NAME OF COUNSEL: Robert Chanin/Joy Koletsky

ADDRESS: National Education Association

1201 - 16th Street, N.W.

Washington, D.C. 20036

TELEPHONE: (202) 822-7035

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.

Nov 20, 1986  
Date

Jim Williams  
Signature *by JK*

RESPONDENT'S NAME: Jim Williams

ADDRESS: Georgia Association of Educators

3951 Snapfinger Parkway

Decatur, Georgia 30035

HOME PHONE: \_\_\_\_\_

BUSINESS PHONE: (404) 289-5867

87040654667



ACC#2087

Southern Aggregates Company  
P.O. Box 4510  
Augusta, Georgia 30907  
Telephone: (404) 738-6473  
800-282-2676 (GA)

November 19, 1986

Ms. Joan D. Aikens  
FEDERAL ELECTIONS COMMISSION  
Washington, D.C. 20463

Re: MUR 2247

Dear Ms. Aikens:

With respect to the Commission's allegations that Southern Aggregates Company, Savannah Division, violated 2 U.S.C. S 441b(a) by making a contribution to the Georgia Democratic Elections Committee-Federal, we are unable at the present time to confirm or deny this charge.

Since the time of the allegation occurred all of our employees with authority to make such a contribution have either resigned or been terminated and the division has been sold to an unrelated third party. As a result of that sale numerous records have either been destroyed or lost. We are unable to locate the cancelled check in question.

In light of the above stated facts we request a pre-probable cause conciliation.

Sincerely,

SOUTHERN AGGREGATES COMPANY

John W. Acker  
Secretary

c: Frances B. Hagan  
Geoff Harris

JWA/ss

95 NOV 21 P 5: 35  
60 OFFICE OF THE SEC. SECRETARY

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
96 NOV 25 P 4: 00

87040554668

13



Georgia Municipal Association Center

# GEORGIA MUNICIPAL ASSOCIATION

201 PRYOR STREET, SW  
ATLANTA, GEORGIA 30303  
404/688-0472

GC# 2059

## OFFICERS

- Bill Reynolds, President  
Mayor, Bainbridge
- Ira Jackson, First Vice President  
Councilmember, Atlanta
- Frank Elliott, Second Vice President  
Mayor, Social Circle
- Lane Pugh, Third Vice President  
Mayor, Wilkesboro
- Leona Cobb, Immediate Past President  
Mayor, Athens
- James V. Burgess, Jr., Executive Director

November 17, 1986

Ms. Joan D. Aikens  
Chairman, Federal Election Commission  
999 E Street, N.W.  
Washington, D. C. 20463

Re: MUR 2247 - Georgia Municipal Association

Dear Ms. Aikens:

The purchase of a ticket to the Jefferson-Jackson Day Dinner from the Georgia Democratic Party was not done for the purpose of providing a contribution to any election campaign, state or federal. Attendance at the dinner was considered a social activity.

While no intent to violate federal election laws was present, we are amenable to pursuing a pre-probable cause conciliation.

The contact person for discussions regarding the conciliation agreement will be our General Counsel, Ed Sumner.

We look forward to an early and amicable settlement of this matter.

Sincerely,

*James V. Burgess, Jr.*  
James V. Burgess, Jr.  
Executive Director

JVBjr:jb  
Attachment

cc: Ed Sumner

RECEIVED  
OFFICE OF THE  
COMMISSION SECRETARY  
36 NOV 20 P 4: 24

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OFFICE OF THE  
GENERAL COUNSEL  
36 NOV 21 P 3: 54

14

87040654669

Active Past Presidents: Georgia Innis, III, Mayor, Macon • Bob Knox, Jr., Mayor, Thomson • Hobby Stirling, Mayor, Vienna • Gerald Thompson, Mayor, Fitzgerald • John Reynolds, Mayor, Savannah  
Savannah District Officers: A. C. "Buddy" Knight, Mayor, Brunswick • Dorothy Gibson, Mayor, Fyfe • Tom Sylvania • Bill McKinch, Mayor, Moultrie • Luther Cargers, Councilmember, Bainbridge • Philip Scharif, Councilor, Columbus • Renee Griffin, Commissioner, Cordale • Ray Jenkins, Councilmember, Doraville • James "Dub" Brown, Mayor, Chamblee • Walter Pender, Mayor, East Point • Sandra Johnson, Councilmember, Alpharetta • Barney Bellman, Mayor, Hapeville • Michael Greene, Councilmember, Douglasville • Martha Kennedy, Commissioner, Rome • Jimmy Young, Mayor, Dalton • James Dean, Mayor, Alma • Carl Pabst, Mayor, Waycross • Dan Higgins, Mayor, Cornelia • Jess Collins, Mayor, Hartwell • Charles DeVaney, Mayor, Augusta • James "Buddy" Barton, Mayor, Lincoln • Albert Praska, Mayor, Dublin • Marva McGinnis, Comm. Chairman, Eastman • Director of Legal Affairs: George DeLoach, Mayor, Waynesboro • Lyle Jones, Mayor, LaFayette • Sandy Brewer, Councilmember, Hiramville • James Neal, Commissioner, Toccoa • Betty Fryer, Commissioner, Douglas • Marty Shingles, Mayor, Donalsonville • Mary Davis, Councilmember, Atlanta • John Dickerson, City Attorney, Toccoa • Clarence Bryant, City Manager, Camilla • Clarence Walker, City Clerk, Cartersville • Marshall Collins, Dir. of Electrical Utilities, East Point • Wynnan Hughes, City Engineer, LaGrange

STATEMENT OF DESIGNATION OF COUNSEL

MUR 2247

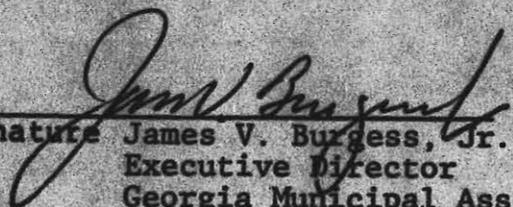
NAME OF COUNSEL: Walter Edwin Sumner

ADDRESS: 201 Pryor Street, S.W.  
Atlanta, Georgia 30303

TELEPHONE: (404) 688-0472

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.

11-17-86  
Date

  
Signature James V. Burgess, Jr.  
Executive Director  
Georgia Municipal Association

RESPONDENT'S NAME: Georgia Municipal Association

ADDRESS: 201 Pryor Street, S.W.  
Atlanta, Georgia 30303

HOME PHONE: 404 373-9555

BUSINESS PHONE: (404) 688-0472

87040654670

GEORGIA SOFT DRINK ASSOCIATION  
848 Broad Street, S.W.  
Suite 103  
Gainesville, Georgia 30501  
(404) 534-2935

CC# 2089  
RECEIVED AT THE EEC  
**HAND DELIVERED**  
86 NOV 24 AM 11:15

Former Address:  
2508 Carroll Avenue  
Suite 105  
Chamblee, GA 30341

November 21, 1986

Ms. Frances B. Hagan  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 2247  
Georgia Soft Drink  
Association, Inc.

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
86 NOV 24 P 3: 28

Dear Ms. Hagan:

Thank you for the information you were kind enough to extend to me this past Monday.

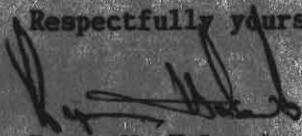
The Georgia Soft Drink Association did in fact make a corporate campaign contribution to the Georgia Democratic party on March 29, 1984. We were totally unaware that any portion of this contribution would be used in a Federal election. As I am sure you are aware, this contribution was for a Jefferson-Jackson reception and dinner, tickets which included food and beverage. We will certainly refrain from this activity in the future and simply plead innocence by virtue of ignorance.

If the enclosed information does not demonstrate that no further action be taken against us then we would of course be appreciative. On the other hand, if the commission does not see fit to totally drop this matter, then we would be interested in pursuing pre-probable cause conciliation.

Please take note of the fact that I am responding for Mr. Duvall Brimer, Past President of Georgia Soft Drink Association.

I look forward to hearing from you soon in regards to this matter.

Respectfully yours,

  
Bryce W. Holcomb  
Executive Vice President  
Georgia Soft Drink Association

BWH/sm

15

87040554671

CC# 2090  
RECEIVED AT THE FEC

Martinez Realty Company

NOV 24 11:25 AM '86

November 20, 1986

Federal Election Commission  
Washington, D.C. 20463

ATT: Frances B. Hagan

REF: MUR # 2247  
Martinez Realty Co.

Dear Ms. Hagan:

This is in response to your letter dated November 6, 1986 in reference to the above case number (\$100 contribution check given by us on February 27, 1984).

This check was written to The Democratic Party of Georgia, and was to purchase one ticket to the annual Jefferson-Jackson Dinner held in Atlanta each year. There was never any intent on our part for this money to go to the Elections Commission, and never any intent for us to be involved in any wrong-doing.

According to a Mr. Reese in the Democratic office in Atlanta, some person deposited this money into the wrong account, and not the account where it belonged. I understand that several checks were deposited into a wrong account.

I believe the Democratic Party in Atlanta is currently in the process of correcting this situation. Once again, I will add that we never had any intentions of this money to be deposited anywhere but in the Democratic Party of Georgia's account. If we can be of further assistance, please give us a call. Thanks.

87040554672

Martinez Realty Co.

*M.T. Gray*  
M. T. GRAY (Owner)

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
NOV 24 10:28

GCC# 2088



# Amalgamated Transit Union

DIVISION 732

601 PULLIAM STREET, SW SUITE 350  
ATLANTA, GEORGIA 30312  
522-0684

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
85 NOV 21 P 5: 35

FREEDOM THROUGH ORGANIZATION

November 19, 1986

Ms. Joan D. Aikens, Chairman  
Federal Election Commission  
Washington, D. C. 20463

Re: MUR 2247  
Amalgamated Transit Union

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
86 NOV 25 P 4: 00

87040654973

Dear Ms. Aikens:

We are today in receipt of your letter dated November 6, 1986. Please note for your records that our office has moved to the location listed above.

The contribution cited in your letter to the Georgia Democratic Elections Committee - Federal is not in accordance with our records.

On March 1, 1984, this Transit Union bought four tickets to the annual Jefferson-Jackson Democratic Dinner. It is our understanding that monies raised by this dinner are used exclusively for local Georgia Democratic Party purposes and are not used for any Federal campaign.

Sometime in mid 1984, the Georgia Democratic Party called us up and said that our check had, by error, been deposited into the wrong account. They asked if it would be possible if they returned the money and that we re-submit our contribution. On August 6, 1984, we re-submitted the contribution to the Georgia Democratic Party.

Enclosed is a copy of the March 1, 1984 and August 6, 1984 checks, as well as, the solicitation from the Democratic Party of Georgia.

If you have any questions, please contact me at 522-0684.

Sincerely,

Mathew Foster  
Financial Secretary-Treasurer  
For Division 732

17

MF/vsd

**DEMOCRATIC  
PARTY  
OF  
GEORGIA**

901 SOUTH TOWER  
OMNI  
INTERNATIONAL  
ATLANTA,  
GEORGIA 30303  
(404) 688-1984

February 21, 1984

*Hickes @ \$400  
pd ck #4587  
3-1-84*

To: Members of the Governor's Club

By now you should have received your invitation to the Jefferson-Jackson Dinner. If not, please contact the Democratic Party of Georgia at the above address or telephone number.

The dinner will be held at the World Congress Center on Friday, March 2 at 7:30 P.M.

The Governor's Club reception will be held prior to the dinner. The reception will be held in Room 308 (on the upper level) of the World Congress Center from 6:30 P.M. until 7:15 P.M.

Enclosed are two tickets to be presented at the door for admittance. Please RSVP to the Democratic Party of Georgia, 901 South Tower International, Atlanta, Georgia, 30303 or telephone (404) 688-1984.

We are looking forward to a renewed Governor's Club on this night of fun and fundraising.

Cordially,

*Lansing B. Lee, III*  
Lansing B. Lee, III  
Executive Director

Enclosures: 2 Tickets to Governor's Club  
Press Release

87040654674

87040554673

**AMALGAMATED TRANSIT UNION**

LOCAL DIVISION 732  
250 TENTH ST. ROOM 208  
ATLANTA, GA 30309

4587

March 1, 1984 ~~84-25~~  
610

PAY TO THE  
ORDER OF

Jefferson-Jackson Democratic Dinner

\$ 400.00

DOLLARS



National Bank of Georgia  
Atlanta, Georgia 30303

*[Handwritten Signature]*

Four Tickets

FOR

⑈004587⑈ -⑈061000256⑈00002298⑈4⑈ ⑈0000040000⑈

6  
5  
4  
6  
7  
6  
0  
4  
0  
7  
0  
4  
0

**AMALGAMATED TRANSIT UNION 732**

POLITICAL ACCOUNT  
250 TENTH ST. NE SUITE 208  
ATLANTA, GA 30309

118

August 6, 1984

84-25  
610

PAY TO THE  
ORDER OF

The Democratic Party of Georgia

400.00

\$



National Bank of Georgia  
Atlanta, Georgia 30303

DOLLARS

*[Handwritten Signature]*

FOR

⑈000118⑈ ⑆061000256⑆510001259 5⑈

⑈0000040000⑈

**HANSELL & POST**

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

56 PERIMETER CENTER EAST, N.E.  
FIFTH FLOOR  
ATLANTA, GEORGIA 30345-2283  
TELEPHONE 404 369-1800  
TELESCOPIER 404 369-1760  
TELEX 80-4886

Check # 2000  
RECEIVED AT THE FEC  
**HAND DELIVERED**  
THIRTY-THIRD FLOOR  
ATLANTA, GEORGIA 30303  
30 NOV 25 All: 10  
245 REACH TREE CENTER  
SUITE 2100  
MARKUS ONE TOWER  
ATLANTA, GEORGIA 30303  
1667 K STREET, N.W.  
SUITE 500  
WASHINGTON, D.C. 20008-1692

November 24, 1986

VIA FEDERAL EXPRESS

Federal Election Commission  
999 E Street, N.W.  
Room 657  
Washington, D.C. 20463

Attention: Ms. Frances B. Hagan

Re: NUR 2247

Dear Ms. Hagan:

We are in receipt of the letter from the Federal Election Commission (the "Commission") dated November 6, 1986 addressed to Hansell & Post Properties, Inc. The Commission's letter was received on November 10, 1986 and, as a result, this response is timely.

The General Counsel's Factual and Legal Analysis which accompanied the Commission's letter indicates that Commission auditors reviewing the records of the Georgia Democratic Elections Committee - Federal (the "Committee") have raised questions about a \$500.00 contribution to the Committee made by Hansell and Post on March 5, 1984.

As we discussed by telephone on November 19, 1986, it appears that the questions raised about this contribution are the result of erroneous reporting by the Committee and erroneous application of information obtained by the Commission from the Georgia Secretary of State's office. Hansell & Post, a law partnership, sent a \$500.00 check to the Democratic Party of Georgia (the "Party") on March 1, 1984. A copy of Hansell & Post Check Number 015633 is enclosed, along with the cover letter of the same date which explains that the Hansell & Post check represented five (5) separate contributions from individual partners. As the cover letter makes clear, no contribution was made by the partnership to the Party and the Party should have reported five (5) separate contributions by the individual

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
36 NOV 25 P 4: 18

87040654677

partners named in the cover letter, rather than one lump sum contribution by the partnership. As a matter of convenience, these contributions were transmitted by means of one partnership check; however, in each case, the contributions were made from the individual accounts of the respective partners and not from partnership funds.

Even if treated as a firm contribution, the contribution would be proper because Hansell & Post is a partnership organized under the laws of the State of Georgia, and partnership contributions are not prohibited by the Federal Election Campaign Act of 1971 (the "Act"). You have advised us that the Georgia Secretary of State's office supplied you with information on the existence of Hansell and Post Properties, Inc. in response to your inquiry. Hansell and Post Properties, Inc. was created for limited purposes in connection with one client transaction; at no time did that corporation make any political contributions, to the Party or otherwise. Therefore, its existence is in no way relevant to the Commission's investigation of this matter.

As to the legal status of Hansell & Post, the enclosed check indicates on its face that the firm is "a partnership including professional corporations." Should you wish further evidence of the firm's partnership status, we would be happy to request our professional accounting firm to provide you with a letter to that effect.

The Commission should also be aware that it was the purpose and intent of the individual partners making these contributions to make state-level contributions to the Party. Mr. Wayne Reece of the Party's Atlanta office has confirmed to us that the Party erroneously reported the partners' contributions as having been made to the Committee. The check was made out to the Party and was delivered to them subject to the understanding that it would be used and applied toward state-level contests only.

To summarize, the \$500.00 contribution in question represents five (5) separate, individual contributions by partners of Hansell & Post, a law firm organized as a partnership under the laws of the State of Georgia. Contrary to the allegations in the Commission's letter of November 6, 1986, no contribution was made by Hansell & Post Properties, Inc. and all contributions by the individual partners were made in compliance with the Act and with accepted procedure.

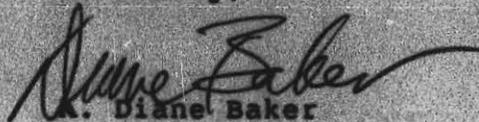
Because no corporate contribution was made in this case, we do not believe that further action is warranted and we look forward to receiving further communication from you indicating final resolution of this matter.

87040654678

Federal Election Commission  
November 24, 1986  
Page Three

In the event that you require further information or data in order to resolve this matter, please do not hesitate to contact the undersigned.

Sincerely,



K. Diane Baker

ADB:dc  
Encls.

87040654679

March 1, 1984

**DEMOCRATIC PARTY OF GEORGIA:**

The attached check in the amount of Five Hundred Dollars (\$500) represents personal individual contributions to the Democratic Party of Georgia and should not be considered as being a contribution from Hansell & Post. The names and addresses of the individual contributors are as follows:

<u>CONTRIBUTOR</u>	<u>AMOUNT</u>	<u>ADDRESS</u>
Jule W. Felton, Jr.	\$100	3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383-3101
J. William Gibson	\$100	3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383-3101
James A. Gilbert	\$100	3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383-3101
Victor Roberts	\$100	3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383-3101
Trammell E. Vickery	\$100	3300 First Atlanta Tower Two Peachtree Street Atlanta, Georgia 30383-3101

Please do not hesitate to contact me if any additional information is required.

Sincerely yours,

Robert L. Rate  
Executive Administrator

RLR/lkr

Enclosure

87040554680

18

HANSELL & POST  
A PARTNERSHIP (N.C.) UNDER PROFESSIONAL CORPORATION

015633

THIRTY THIRD FLOOR FIRST ATLANTA TOWER  
ATLANTA, GEORGIA 30383-3101  
TELEPHONE (404) 581-8000

64-1  
610

THE FIRST NATIONAL BANK OF ATLANTA  
ATLANTA, GEORGIA

March 1, 84

Five Hundred and 00/100 ----- 500.00

Democratic Party of Georgia

HANSELL & POST

BY \_\_\_\_\_  
CO-SIGNATURE REQUIRED ON CHECKS EXCEEDING \$1000.00

BY \_\_\_\_\_  
COPY - NOT NEGOTIABLE

⑆06⑆10000⑆10⑆ 07 00? 03?⑈

FILE OR ACCT. NO. DRAWS:

015633

CHG JWF 100  
JWG 100  
JAG 100  
RE/VIS VR 100  
TEV 100

OUR  
CLIENT

FOR Individual political contributions

BY RLR/lkr

HANSELL & POST

CLIENT CHARGE - RETAIN IN CLIENT FILE  
ALL OTHERS - ATTACH INVOICE & SEND TO BOOKKEEPING

18

7040654681

**HANSELL & POST**  
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

56 PERIMETER CENTER EAST, N.E.  
FIFTH FLOOR  
ATLANTA, GEORGIA 30345-2283  
TELEPHONE 404 399-1800  
TELECOPIER 404 399-1780  
TELEX 80-4485

*Goetzup*  
RECEIVED AT THE FEC  
**HAND-DELIVERED**  
THIRTY-THIRD  
ATLANTA  
245 PEACOCK BLVD  
SUITE 200  
MARIUS ONE TOWER  
ATLANTA, GEORGIA 30303  
1887 K STREET, N.W.  
SUITE 800  
WASHINGTON, D.C. 20005-1882

November 25, 1986

VIA FEDERAL EXPRESS

Federal Election Commission  
999 E Street, N.W.  
Room 657  
Washington, D.C. 20403

Attention: Ms. Frances B. Hagan

Re: MUR 2247

Dear Ms. Hagan:

Following up on my letter of November 24, 1986 concerning the above-referenced matter, further review of our records has revealed that Hansell & Post check number 015633 (a copy of which was enclosed with yesterday's letter) apparently was voided and was never sent to the Democratic Party of Georgia (the "Party"). Instead, check number 015573 (copy enclosed) was sent to the Party and was deposited and processed by the Party. The payee (the Party) and the amount (\$500.00) of each check is the same.

All other facts remain as set forth in my letter of November 24, 1986.

We trust that this information will assist you in resolving the questions raised about this contribution.

Please do not hesitate to contact the undersigned if further information is needed.

Sincerely,

*Diane Baker*  
A. Diane Baker

ADB:dc  
Enclosures

CRANES REST

23 NOV 28 10:23

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

19

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HANSELL & POST

015573

THIRTY-THIRD FLOOR FIRST ATLANTA TOWER  
ATLANTA, GEORGIA 30383-3101  
TELEPHONE 404 581-8000

84-1  
810

THE FIRST NATIONAL BANK OF ATLANTA  
ATLANTA, GEORGIA

February 29, 19 84

PAY Five Hundred and no/100-----DOLLARS \$500.00

TO THE  
ORDER OF

Democratic Party of Georgia

HANSELL & POST

BY

BY

⑈015573⑈ ⑆061000010⑆ 07 007 037⑈

⑈0000050000⑈

87040654683

HR '84' 06

ATLANTA, GA  
BY ANY BANK

HR '84' 06

PROCESSED  
FIRST NATIONAL BANK OF ATLANTA  
ATLANTA, GA

⑈061000010⑆

*For Deposit*  
*009-24-696*

19

RECEIVED AT THE FEC

GEORGIA BANKERS ASSOCIATION / 320 William-Oliver Building / Atlanta, Georgia 30303 / (404) 522-1501

86 NOV 28 4 9: 25



November 25, 1986

J. JOSEPH BRANNEN  
Executive Vice President

R. ALAN FISHER  
Vice President - Education

Ms. Frances B. Hagan  
Federal Election Commission  
Washington, D.C. 20463

RE: MUR 2247  
Georgia Bankers Association

Dear Ms. Hagan:

This letter is in response to a letter from Ms. Joan D. Aikens citing the Georgia Bankers Association for violations of a provision of the Federal Election Campaign Act of 1971.

We have discussed the allegations with the Democratic Party of Georgia. Mr. Wayne Reese, Legal Counsel for the Democratic Party and Treasurer for the year in question, has confirmed the error to be the responsibility of the Democratic Party. Apparently, the check was deposited in the wrong account. We understand Mr. Reese is planning a response to the Federal Election Commission.

The response from the Democratic Party should conclude the investigation of the Georgia Bankers Association by the FEC. Should you need additional information or further clarification, please contact me.

Sincerely,

  
Joe Brannen

JB:rw

cc: Joan Aiken  
Bonnie Wilson

87040654684

86 NOV 28 4 10: 22

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

20

*JLm*



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 2, 1986

Joy Koletsky, Esquire  
National Education Association  
1201 Sixteenth St., N.W.  
Washington, D.C. 20036

Re: MUR 2247  
Georgia Association of  
Educators

Dear Ms. Koletsky:

This is in reference to your letter dated November 20, 1986, requesting an extension until December 10, 1986 to respond to the Commission's notice of reason to believe. Your requested extension has been granted. Accordingly, your response will be due on December 10, 1986.

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

Sincerely,

Charles N. Steele  
General Counsel

*Lois G. Lerner*  
By: Lois G. Lerner  
Associate General Counsel

87040654685

GCC# 2169

WAYNE REECE, P.C.  
ATTORNEYS & COUNSELORS - AT - LAW  
SUITE 355  
1800 PEACHTREE STREET, N.W.  
ATLANTA, GEORGIA 30309  
(404) 351-0388

RECEIVED  
STATE OF THE FEC  
COMMISSION SECRETARY

36 DEC 3 P 4: 29

36 DEC 4 11: 00

December 1, 1986

The Honorable Joan D. Aikens  
Chairman  
Federal Elections Commission  
Washington, D.C. 20463

Re: MUR 2247  
Georgia Democratic Elections Committee - Federal  
Wayne Reece, Treasurer

Dear Chairman Aikens:

This is in response to your letter of November 6, 1986, in which you stated that the Federal Elections Commission has determined that there is reason to believe that the Georgia Democratic Elections Committee - Federal has violated 2 U.S.C. Section 441b(a) by receipt of corporate and labor contributions during 1984.

As was noted in the General Counsel's Factual and Legal Analysis regarding this matter, all of these contributions have either been refunded or transferred to nonfederal accounts pursuant to the recommendations of the interim audit report. The receipt of these contributions constituted an error that was made by the clerical staff of the Democratic Party of Georgia. You will note that although we have had problems in our accounting in the past, we have made significant improvements in these areas. These improvements have been the result of the change of Party staff and the implementation of new procedures.

I hope that you will also take into account, that the audit staff did not realize that some of these contributions were corporate contributions until after they had gone to great length to investigate the nature of the contributing entity. I submit to you that these mistakes were honest mistakes that could have been made by anyone.

I would hope that you and the commission would consider the fact that we have made wholesale changes in both our staff and in our accounting procedures since these errors occurred in 1984. We have undergone major staff changes on both the executive and the clerical

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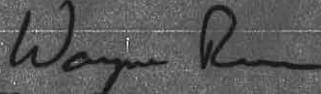
Ms. Joan D. Alkens  
Page 2

levels within our Party organization. In addition, we have now contracted the services of an outside certified public accountant to further avoid such errors in the future.

We hereby express our desire to enter into conciliation at this time in order that we may have a clear slate upon which to continue forward.

With kindest regards, I am

Sincerely,



Wayne Reese

87040654687

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ROC#2192  
86 DEC 5 PJ2: 00

LAVIGNO, DAWKINS & SERIO  
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

*Attorneys at Law*  
1445A OLD McDONOUGH ROAD  
CONYERS, GEORGIA 30207

(404) 483-0882

WILLIAM W. LAVIGNO, III, P.C.  
HARRILL L. DAWKINS, P.C.  
SALVATORE J. SERIO, P.C.

November 26, 1986

Ms. Francis B. Hagan  
Federal Election Commission  
Washington, D.C. 20463

Re: Georgia Oilmen's Association  
MUR 2247

Dear Ms. Hagan:

Subsequent to our telephone conversation, I would like to formally request as attorney for the Georgia Oilmen's Association a twenty (20)-day extension of time in which to submit factual and legal materials in order to demonstrate that no action should be taken against the GOA.

It will be several days before I can investigate this matter and contact the parties involved. As I said in our phone conversation, I will attempt to respond within a week, but it will take me that long to obtain enough facts to be able to intelligently respond.

I appreciate your cooperation in this matter. I will forward Statement of Designation of Counsel to you next week also.

With highest personal regards, I remain

Sincerely,

Harrill L. Dawkins

kt

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
36 DEC 5 PJ1: 10

87040554688

GCC# 2236



LEGAL SERVICES  
OFFICE OF GENERAL COUNSEL

NATIONAL EDUCATION ASSOCIATION • 1201 16th St., N.W., Washington, D C 20036-3290 • (202) 822-7035

MARY HATWOOD FUTRELL, President  
KEITH GEIGER, Vice President  
ROXANNE E. BRADSHAW, Secretary-Treasurer

DON CAMERON, Executive Director

December 10, 1986

16 DEC 10 AM 11:23

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL

Joan D. Aikens  
Chairman  
Federal Election Commission  
Washington, D. C. 20463

Re: MUR 2247  
Georgia Association of Educators

Dear Ms. Aikens:

On November 6, 1986, you wrote to Jim Williams, Executive Secretary, Georgia Association of Educators ("GAE"), informing him that the Commission had "determined that there is reason to believe that Georgia Association of Educators violated 2 U.S.C. § 441b(a)." You also sent to Mr. Williams a copy of the General Counsel's factual and legal analysis, which formed the basis for the Commission's finding. GAE was invited to "demonstrate that no action should be taken against [it]", and in this connection, "to submit any factual or legal materials . . . relevant to the Commission's consideration of this matter." We have been authorized to represent the Georgia Association of Educators (GAE) (a Designation of Counsel statement has been filed), and this response is submitted in its behalf.

MUR 2247 is based on an FEC audit of the Georgia Democratic Elections Committee - Federal ("Committee"), which revealed that a \$1200 check drawn by GAE on February 16, 1984 was deposited into the Committee's account and subsequently refunded. The Commission contends that this transaction constituted a prohibited contribution by GAE. Although GAE did draw a \$1200 check that was deposited in the Committee's account, for the reasons set forth below, this did not constitute a violation of the Act by GAE.

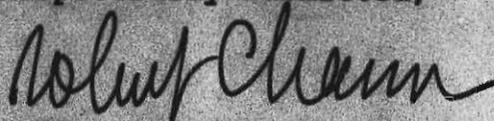
There is nothing in the Act, or in Georgia law, which prohibits labor organizations from making contributions to state political parties to be used in state and local elections. The Democratic Party of Georgia ("Party") has separate accounts for federal and state elections. The check at issue, which was drawn in connection with a Jefferson-Jackson Dinner sponsored by the Party to raise money for both its federal and state accounts, was made payable to the Party -- not, as the General Counsel's Analysis suggests, to the "Democratic Elections

87040654689

Committee - Federal". As the attached Declaration of James H. Williams indicates, the check was authorized on the basis of GAE's belief and understanding that the money would go only to the state, and not to the federal, account. Instead, apparently because of a clerical error by a Party staff person, the check was deposited by mistake into the federal account. Since GAE intended to contribute only to the state, and not the federal, account, and since, through no fault of its own, the check was mistakenly deposited into the federal account, GAE did not violate the Act. In any event, since the check was refunded promptly after discovery by the Party of its error, and the amount involved is small, we do not believe further action by the Commission is warranted.

For the foregoing reasons, we urge the Commission to find no probable cause. At the least, we urge the Commission to take no further action against GAE.

Respectfully submitted,



Robert H. Chanin  
Joy L. Koletsky  
Counsel for GAE

JK/jp

cc: Jim Williams

87040654690

BEFORE THE FEDERAL ELECTION COMMISSION:  
MUR 2247 GEORGIA ASSOCIATION OF EDUCATORS

DECLARATION OF JAMES H. WILLIAMS

1. I am the Executive Director -- i.e., the chief administrative officer -- of the Georgia Association of Educators ("GAE").

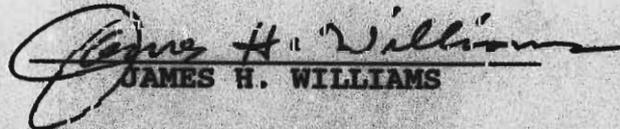
2. It has been my understanding that the Democratic Party of Georgia maintains separate accounts for contributions for state and local elections and those for federal elections.

3. In February 1984 I authorized a GAE check for \$1200 payable to the Democratic Party of Georgia to enable GAE to participate in the Party's Jefferson-Jackson Dinner.

4. I was informed by representatives of the Party that the check would be deposited into its state elections account, and it was on this basis that I authorized the check.

5. Until the Party returned the check, I did not know that the check had been deposited into the federal account.

I hereby declare under penalty of perjury that to the best of my knowledge and belief the foregoing is true and correct.

  
JAMES H. WILLIAMS

December 9, 1986

87040654691



Georgia Municipal Government Center

# GEORGIA MUNICIPAL ASSOCIATION

201 PRYOR STREET, SW  
ATLANTA, GEORGIA 30303  
404/688-0472

## OFFICERS

- Bill Reynolds, President  
Mayor, Bainbridge
- Ray Jackson, First Vice President  
Councilmember, Atlanta
- Frank Stewart, Second Vice President  
Mayor, Social Circle
- Leslie Pettit, Third Vice President  
Mayor, Wilkes County
- Lauren Cullen, Immediate Past President  
Mayor, Athens
- James V. Burgess, Jr., Executive Director

2303  
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16 DEC 29 49:0

December 23, 1986

Ms. Frances B. Hagan  
Federal Election Commission  
999 E Street, N.W.  
Washington, D. C. 20463

Re: MUR 2247 - Georgia Municipal Association

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
16 DEC 29 AIO: 59

Dear Ms. Hagan:

I contacted your office regarding the above matter but was informed that you were on leave until the 29th. I will be on annual leave commencing December 26 and will not be in the office until the 5th of January 1987.

We would like to go ahead and resolve this matter through a preprobable cause conciliation agreement if at all possible.

I will call you immediately upon my return to the office on January 5. If for some reason you need to discuss the file prior to that time, please feel free to talk with Ms. Janet Bolt, who is an attorney in our Legal Department. Thank you.

Sincerely,

*Walter E. Sumner*

Walter E. Sumner  
General Counsel

WES:jb

cc: Janet Bolt

25

87040654692

Active / Past Presidents: Georgia Inland, Et. Mayor, Macon • Bob Koss, Jr. Mayor, Thomson • Hobbs Brasing, Mayor, Vienna • Gerald Thompson, Mayor, Fitzgerald • John Reynolds, Mayor, Savannah / District Officers: A. C. "Buddy" Knight, Mayor, Brunswick • Dorothy Glass, Mayor Pro Tem, Sylvester • Bill McIntosh, Mayor, Moultrie • Luther Conyers, Councilmember, Bainbridge • Philip Salsanah, Councilor, Columbus • Ramona Griffin, Commissioner, Cordova • Ray Jackson, Councilmember, Doraville • Johnson "Dab" Brown, Mayor, Chamblee • Walter Pender, Mayor, East Point • Sandra Johnson, Councilmember, Alpharetta • Benney Sellsman, Mayor, Hopewell • Michael Gross, Councilmember, Douglasville • Martha Kennedy, Commissioner, Rome • Jimmy Young, Mayor, Dalton • James Dean, Mayor, Alma • Carl Platt, Mayor, Waycross • Dan Higgins, Mayor, Cornelia • Jean Saliba, Mayor, Hartwell • Charles DeVaney, Mayor, Augusta • James "Buddy" Marlow, Mayor, Lincolnton • Albert Prumbo, Mayor, Dublin • Marcus McNeill, Comm. Chairman, Eastman • Directors of Large: George DeLoach, Mayor, Waynesboro • Lyle Jones, Mayor, LaFayette • Sandy Brewer, Councilmember, Hinesville • James Neal, Commissioner, Toccoa • Betty Fryer, Commissioner, Douglas • Mark Shingle, Mayor, Donaldsonville • Mary Davis, Councilmember, Atlanta • John DiCherico, City Attorney, Toccoa • Clarence Bryant, City Manager, Cornelia • Clarence Walker, City Clerk, Cartersville • Marshall Collins, Dir. of Electrical Utilities, East Point • Wynne Hughes, City Engineer, LaGrange

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GCC#2365  
86 DEC 29 49:36

LAVIGNO, DAWKINS & SERIO  
AN ASSOCIATION OF PROFESSIONAL CORPORATIONS

*Attorneys at Law*  
1445A OLD MCDONOUGH ROAD  
CONYERS, GEORGIA 30207

(404) 483-0882

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
16 DEC 29 A10:59

WILLIAM W. LAVIGNO, III, P.C.  
HARRILL L. DAWKINS, P.C.  
SALVATORE J. SERIO, P.C.

December 18, 1986

Ms. Francis Hagan  
Federal Election Commission  
Washington, D.C. 20463

Re: Georgia Oilmen's Association  
MUR 2247

Dear Ms. Hagan

I mailed the Attorney Representation Form to my client for signature and they have mailed same back to me, but it apparently has been misplaced in the Santa Claus rush of Christmas mail. However, I am general counsel for the GOA, and I am authorized to respond to the above on their behalf.

After carefully reviewing the facts, I find it hard to believe that you are actually generating all this paperwork and are proceeding against the various contributors in this matter, including my client, for what seems to be a clerical error totally out of their control. My client merely responded to a state Democratic Party request for tickets to the 1984 Jefferson Jackson Dinner, a state Democratic Party function. These funds were inadvertently placed in a federal account by a clerk for the Democratic Party. Upon an audit by your office and discovery, these funds were returned to the contributors, including my client.

Since a violation of 2 USC §44-1b(a) requires intent, and since my client's intent was obviously to purchase tickets to a state Democratic function and since my client obviously does not control the clerical staff of the Democratic Party, there could have been no intent to violate said section. In fact, my client made no contribution to a federal election period, much less knowingly and with intent make said contribution.

If you farther examine the statute, I do not really understand how you can say even the Democratic Party of Georgia violated this section, but certainly the contributors, including my client, did

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Ms. Francis Hagan  
December 18, 1986  
Page Two

not. It is my understanding that Wayne Reese, attorney for the Democratic Party of Georgia, informed you in writing in the first week of December that this situation was indeed the result of their clerical error - not the fault of the contributors.

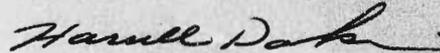
Considering these facts, your investigation of my client seems to be much ado about nothing. I really do not understand how even your own auditors could have requested further action against totally innocent contributors, but obviously I do not fully understand the workings of the Commission.

I certainly hope that you find that there is no reason to believe a possible violation of FECA has occurred in regard to my client and close the file on this matter. I simply do not believe any further action should be taken. I certainly hope the Commission makes the same decision.

Please copy my office on any further communication. I will forward Statement of Designation of Counsel to you upon my receipt of same. Please advise as to your future plans of action.

With highest personal regards, I remain

Sincerely,



Harrill L. Dawkins

kt

CC: Mr. Roger Lane

87040654694



GMA Municipal Government Center

# GEORGIA MUNICIPAL ASSOCIATION

201 PRYOR STREET, SW  
ATLANTA, GEORGIA 30303  
404/688-0472

566#2464  
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## OFFICERS

- Bill Reynolds, President
- Joe Jackson, Vice President
- Councilmember, Atlanta
- Frank Sherrill, Second Vice President
- Mayor, Social Circle
- Leo Petch, Third Vice President
- Mayor, Wilkes County
- Lauren Galla, Immediate Past President
- Mayor, Athens
- James V. Burgess, Jr., Executive Director

January 8, 1987

Ms. Frances B. Hagan  
Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 2247 - Georgia Municipal Association

Dear Ms. Hagan:

In accordance with your request please find attached a copy of the cancelled check for the purchase of the ticket to the Jefferson-Jackson Day dinner. I agree with your assessment that the check for the dinner was erroneously placed in the Federal Election Committee account by the Georgia Democratic Party.

If any future purchases of Jefferson-Jackson Day dinner tickets are made, I will suggest to my client that they specifically state that no portion of proceeds from the ticket purchase may be used in connection with any federal election.

I await your response with regard to any further action in relation to this matter. Thank you.

Sincerely,

Walter E. Sumner  
General Counsel

WES:jb  
Attachment

cc: James V. Burgess, Jr., Executive Director

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OFFICE OF THE  
GENERAL COUNSEL  
- JAN 12 P 4: 28

87040554693

27

Active Past Presidents: George Israel, III, Mayor, Macon • Bob Kees, Jr. Mayor, Thomson • Hobbs Stripling, Mayor, Vienna • Gerald Thompson, Mayor, Fitzgerald • John Reynolds, Mayor, Savannah  
District Officers: A. C. "Buddy" Knight, Mayor, Brunswick • Beverly Gilman, Mayor Pro Tem, Sylvester • Bill Minkush, Mayor, Moultrie • Luther Campers, Councilmember, Bainbridge • Philip Scales, Councilor, Columbus • James Gills, Commissioner, Cordes • Ray Justice, Councilmember, Doraville • Johnson "Dad" Brown, Mayor, Chamblee • Walter Pender, Mayor, East Point • Sandra Johnson, Councilmember, Alpharetta • Barry Sullivan, Mayor, Hapeville • Michael Greene, Councilmember, Douglasville • Marita Kennedy, Commissioner, Rome • Jimmy Young, Mayor, Dalton • James Dean, Mayor, Alma • Carl Fitzell, Mayor, Waycross • Don Higgins, Mayor, Cornelia • Jean Salles, Mayor, Hartwell • Chester DeVaney, Mayor, Augusta • James "Buddy" Markes, Mayor, Lincolnton • Albert Pratts, Mayor, Dublin • Maria McCall, Comm. Chairman, Eastman • Directors of Large Georgia DeLoach, Mayor, Waynesboro • Lyle Jones, Mayor, LaFayette • Sandy Brewer, Councilmember, Hinesville • James Neal, Commissioner, Toccoa • Betty Frier, Commissioner, Douglas • Mary Bligher, Mayor, Donaldsonville • Mary Boris, Councilmember, Atlanta • John DiLorenza, City Attorney, Toccoa • Clarence Bryant, City Manager, Camilla • Clarence Walker, City Clerk, Cartersville • Marshall Collins, Dir. of Electrical Utilities, East Point • Wynne Hughes, City Engineer, LaGrange

GEORGIA MUNICIPAL ASSOCIATION

ATLANTA, GA 30303

44111

FEBRUARY 29, 19 84 545  
810

PAY TO THE ORDER OF THE DEMOCRATIC PARTY OF GEORGIA

\$ 100.00

GEORGIA MUNICIPAL ASSN. 100 DOLS 00 CTS

DOLLARS

C&S The Citizens and Southern National Bank Atlanta, Georgia

GEORGIA MUNICIPAL ASSOCIATION EXECUTIVE DIRECTOR

*James W. Boyd*

FOR (1) Ticket-Jefferson-Jackson Dinner

⑆044111⑆ ⑆061000052⑆ 048 58 247⑆ ⑆0000010000⑆

MR 84 08

PAID

MR 84 08

RECEIVED BY  
CLASSIFIED BY  
AT ANY TIME

*269-72-500*  
*24696*  
*for deposit*

87040554696

RECEIVED AT THE FEC  
**HAND DELIVERED**  
87 JAN 13 AID: 31  
GCC# 2977

**WAYNE REECE, P.C.**  
ATTORNEYS & COUNSELORS - AT - LAW  
SUITE 355  
1800 PEACHTREE STREET, N.W.  
ATLANTA, GEORGIA 30309  
(404) 351-0388

January 12, 1987

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
- JAN 13 P 3: 38

Frances B. Hagan, Esquire  
Federal Elections Commission  
999 E. Street, N.W.  
6th Floor  
Washington, D.C. 20463

Re: MVR2247

Dear Fran:

Enclosed are invitations to the Democratic Party of Georgia's 1984 and 1986 Jefferson Jackson Dinners.

Please let me know if you need further information in connection with the above-referenced matter.

With kindest personal regards, I am

Sincerely,

*Wayne*  
Wayne Reece

WR:ct

Enclosures

87040554697

BATHMORE WRITING  
25% COTTON FIBER USA

Jefferson-Jackson Democratic Dinner  
Georgia World Congress Center, Atlanta  
Friday, March 2, 1984

To receive your tickets you must fill out this Reservation Form and return it in the enclosed envelope to the State Democratic Party Office.

A check in the amount of \$ \_\_\_\_\_ is enclosed for the following:

- \_\_\_\_\_ packets of ten tickets @ \$1,000.00.  
 \_\_\_\_\_ tickets @ \$100.00 each.  
 I regret that I cannot attend, but enclosed is my contribution of \$ \_\_\_\_\_.

Name \_\_\_\_\_ Title \_\_\_\_\_

Organization/Firm \_\_\_\_\_

Address \_\_\_\_\_ Tel. No. \_\_\_\_\_  
(Please include area code)

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Please make checks payable to:  
**Democratic Party of Georgia**  
901 South Omni International  
Atlanta, Georgia 30303  
(404) 688-1984

Tickets may be purchased with:  
VISA  
MASTER CHARGE  
or C&S  
(see reverse side)

(Contributions up to \$100.00 are tax deductible)



87040654698



*Joe Frank Harris, Governor*  
and

*Bert Lance, Chairman*

*cordially invite you to attend the 1984*

*Democratic Party of Georgia*

*Jefferson Jackson Dinner*

*Friday, March 2*

*Georgia World Congress Center, Atlanta*

*Reception: 7:00 p.m.*

*Dinner: 8:00 p.m.*



*Tickets*

*\$100.00 per person*

*R.S.V.P. Card Enclosed*

28

**Jefferson-Jackson Democratic Dinner**  
Thomas B. Murphy Ballroom, Georgia World Congress Center, Atlanta  
Friday, February 28, 1986

To receive your tickets you must fill out this Reservation Form and return it in the enclosed envelope to the State Democratic Party Office.

A check in the amount of \$ \_\_\_\_\_ is enclosed for the following:

- \_\_\_\_\_ packets of ten tickets @ \$1,000.00.  
 \_\_\_\_\_ tickets @ \$100.00 each.  
 I regret that I cannot attend, but enclosed is my contribution of \$ \_\_\_\_\_.

Name \_\_\_\_\_ Title \_\_\_\_\_

Organization/Firm \_\_\_\_\_ Retired \_\_\_\_\_

Address \_\_\_\_\_ Tel. No. \_\_\_\_\_  
(Please include area code)

City \_\_\_\_\_ State \_\_\_\_\_ Zip \_\_\_\_\_

Please make checks payable to:

**DEMOCRATIC PARTY OF GEORGIA**  
1252 W. Peachtree Street  
Suite 305  
Atlanta, Georgia 30309

To charge tickets  
(Visa & Master Card)  
Call (404) 875-1986

(see reverse side)



**Joe Frank Harris, Governor**  
and

**John Henry Anderson, Chairman**  
cordially invite you to attend the 1986

**Democratic Party of Georgia**

**Jefferson-Jackson Dinner**

**Friday, February 28**

**Thomas B. Murphy Ballroom**

**Georgia World Congress Center Atlanta**

Dinner: 7:00 p.m.

Tickets  
\$100.00 per person  
Card Enclosed for Ticket Orders

28

87040554699



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 5, 1987

MEMORANDUM

TO: CHARLES STEELE  
GENERAL COUNSEL

ATTENTION: FRAN HAGAN

FROM: OSCELYN A. ANDERSON *OA*  
COMPLIANCE CLERK  
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2247

Please review the attached Request for Additional Information which is to be sent to the Georgia Elections Committee-Federal for the 30 Day Post-General Report. If no response or an inadequate response is received, a Second Notice will be sent.

Any comments which you may have must be forwarded to RAD in writing by 11:00 a.m. on Monday, February 9, 1987.

If comments are not received in writing by the above date and time, the RFAI notice will be sent.

If you have any questions, please contact Oscelyn A. Anderson at 376-2490. Thank you.

COMMENTS:

Attachment

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-2

Wayne Reece, Treasurer  
Georgia Elections Committee-Federal  
1252 West Peachtree Street, Suite 305  
Atlanta, GA 30309

Identification Number: C00041269

Reference: 30 Day Post-General Report (10/16/86-11/24/86)

Dear Mr. Reece:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Please clarify all expenditures made for phone banks. If a portion or all of these expenditures were made on behalf of specifically identified Federal candidates, they should be disclosed on Schedule B or F for Line 21 or 23 and include the amount, name, address and office sought by each candidate. 11 CFR 104.3(b) and 106.1.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Federal Election Commission within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Alva E. Smith  
Reports Analyst  
Reports Analysis Division

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

February 10, 1987

The Honorable Sam Nunn  
United States Senate  
c/o Room 930  
275 Peachtree Street, N.E.  
Atlanta, Georgia 30303

ATTN: Mimi Flaherty

Dear Senator Nunn:

This is in response to your letter of January 27, 1987, on behalf of The Honorable Harrill Dawkins, requesting information pertaining to a pending enforcement matter.

The Federal Election Campaign Act requires that Commission activity concerning an enforcement matter be kept strictly confidential until the case is resolved. Therefore, we are precluded from providing any specific information at this time. I have asked Tina VanBrakle, our Congressional Affairs Officer, to notify you when the matter has been decided.

For your information, I have enclosed a copy of the Commission's enforcement procedures. Please note that in any enforcement matter a Commission determination that there is reason to believe a violation occurred must be made in order to conduct an investigation of the facts. After the investigation is completed, the Commission decides whether a matter should be pursued further.

I trust this information is useful. Please do not hesitate to contact the Commission any time you believe we can be of assistance.

Sincerely,

Scott E. Thomas  
Chairman

Enclosure

87040654702

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of )

- Georgia Democratic Elections Committee - Federal )
- Wayne Reece, Treasurer )
- C. Goldstein and Sons )
- James W. Oxendine and Associates, P.C. )
- J. Chandler Peterson, Wealth Management )
- Southern Aggregate Co., Savannah Division )
- Atlanta Constitution, Cox Enterprises, Inc. )
- Hansell and Post )
- Georgia Bankers Association )
- An Open Space Limited )
- Draketown Gas )
- Georgia Municipal Association )
- Wally Stover Home Builders )
- Martinez Realty Company )
- Paine, Dalis, Smith & McElreath )
- Georgia Soft Drink Association )
- Georgia Association of Educators )
- Georgia Oilmen's Association )
- Atlanta, Georgia Labor Council AFL-CIO )
- Amalgamated Transit Union )

MUR 2247

07 FEB 25 12:57

RECEIVED  
OFFICE OF THE  
COMMISSIONER  
FEDERAL ELECTION COMMISSION

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GENERAL COUNSEL'S REPORT

I. BACKGROUND

On October 21, 1986, the Commission found reason to believe that the Georgia Democratic Elections Committee - Federal ("the Committee"), Wayne Reece, as treasurer, along with 16 corporations and two labor organizations violated 2 U.S.C. § 441b(a).

This matter was referred to the Office of the General Counsel by the Audit Division as a result of an audit conducted pursuant to 2 U.S.C. § 438(b). During the audit review of the Committee's receipt records, FEC auditors found that the Committee received contributions of \$5,050 from 16 corporations and \$600 from 2 labor unions.

In response to earlier inquiries from the Reports Analysis Division, the Committee refunded three corporate contributions totaling \$1,850 and one labor contribution of \$400. Another labor contribution of \$200 was transferred to a non-federal bank account. In response to audit recommendations, the Committee transferred the remaining \$3,200 to the non-federal account.

## II. LEGAL ANALYSIS

In response to the Commission's finding, the Committee stated, "the receipt of these contributions constituted an error that was made by the clerical staff of the Democratic Party of Georgia." The Committee acknowledged previous accounting problems, but stated that "We have undergone major staff changes on both the executive and the clerical levels within our Party organization. In addition, we have now contracted the services of an outside certified public accountant to further avoid such errors in the future." The Committee requested settlement of this issue through pre-probable cause conciliation.

The contributor/respondents (all but three responded) indicated that they had no intention of violating the Act, that their contributions were made in connection with the Party's annual, general fundraising event, the 1984 Jefferson-Jackson Day dinner. They further indicated that they did not know their funds would be deposited into an account used for federal activity.

The solicitation invitation to the 1984 fundraising dinner, obtained from the Committee, offered tickets at \$100 each, but

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gave no indication that funds were to benefit both state and federal elections. Checks were to be made payable to the "Democratic Party of Georgia" with no mention of the Committee's involvement. The reservation forms and monies were to be returned to the "State Democratic Party Office."

Because the solicitation did not notify the contributor of the federal Committee's connection with the fundraiser (Attachments A7-8), the Office of the General Counsel recommends that the Commission take no further action against fifteen of the contributors in this matter.\*/ Furthermore, the Committee accepted responsibility for improperly depositing prohibited contributions into the federal account.

**III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY**

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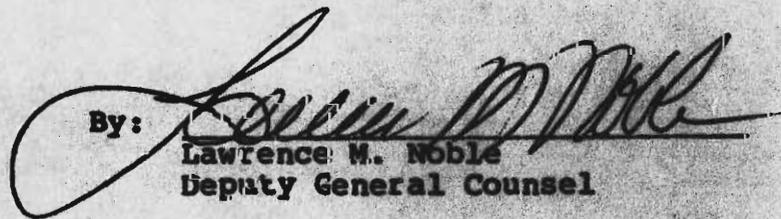
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**IV. RECOMMENDATION**

1. Enter into conciliation with the Georgia Democratic Elections Committee - Federal and Wayne Reece, as treasurer, prior to a finding of probable cause to believe.
2. Take no further action and close the file as it relates to the following for violations of 2 U.S.C. § 441b(a):
  - a) James W. Oxendine and Associates, P.C.
  - b) J. Chandler Peterson, Wealth Management
  - c) Southern Aggregate Co., Savannah Division
  - d) Atlanta Constitution, Cox Enterprises, Inc.
  - e) Georgia Bankers Association
  - f) An Open Space Limited
  - g) Draketown Gas
  - h) Georgia Municipal Association
  - i) Wally Stover Home Builders
  - j) Martinez Realty Company
  - k) Georgia Soft Drink Association
  - l) Georgia Association of Educators
  - m) Georgia Oilmen's Association
  - n) Atlanta Georgia Labor Council AFL-CIO
  - o) Amalgamated Transit Union
3. Approve the attached proposed conciliation agreement.
4. Approve and send the attached letters.

Charles N. Steele  
General Counsel

Date 2/25/87

By:   
Lawrence M. Noble  
Deputy General Counsel

**Attachments**  
Proposed Conciliation Agreement and Respondent's Request and Submission  
Letters to Respondents

87040654707

Attachment(s) 1

to General Counsel's Report

have been removed from this  
position in Public Record File.

See Index Item(s) 22

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Attachment(s) 2  
to General Counsel's Report  
have been removed from this  
position in Public Record File.  
See Index Item(s) 28

87040654709

Attachment(s) 3

to General Counsel's Report

have been removed from this  
position in Public Record File.

See Index Item(s) 33

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )

Georgia Democratic Elections Committee - )  
Federal )

MUR 2247

Wayne Reece, Treasurer )

C. Goldstein and Sons )

James W. Oxendine and Associates, P.C. )

J. Chandler Peterson, Wealth Management )

Southern Aggregate Co., Savannah Division )

Atlanta Constitution, Cox Enterprises, Inc. )

Hansell and Post )

Georgia Bankers Association )

An Open Space Limited )

Draketown Gas )

Georgia Municipal Association )

Wally Stover Home Builders )

Martinez Realty Company )

Paine, Dalis, Smith & McElreath )

Georgia Soft Drink Association )

Georgia Association of Educators )

Georgia Oilmen's Association )

Atlanta, Georgia Labor Council AFL-CIO )

Amalgamated Transit Union )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 2, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2247:

1. Enter into conciliation with the Georgia Democratic Elections Committee - Federal and Wayne Reece, as treasurer, prior to a finding of probable cause to believe.

(continue)

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2. Take no further action and close the file as it relates to the following for violations of 2 U.S.C. § 441b(a):
- a) James W. Oxendine and Associates, P.C.
  - b) J. Chandler Peterson, Wealth Management
  - c) Southern Aggregate Co., Savannah Division
  - d) Atlanta Constitution, Cox Enterprises, Inc.
  - e) Georgia Bankers Association
  - f) An Open Space Limited
  - g) Draketown Gas
  - h) Georgia Municipal Association
  - i) Wally Stover Home Builders
  - j) Martinez Realty Company
  - k) Georgia Soft Drink Association
  - l) Georgia Association of Educators
  - m) Georgia Oilmen's Association
  - n) Atlanta Georgia Labor Council AFL-CIO
  - o) Amalgamated Transit Union
3. Approve the proposed conciliation agreement, as recommended in the General Counsel's Report signed February 25, 1987.
4. Approve and send the letters, as recommended in the General Counsel's Report signed February 25, 1987.

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

Attest:

*Marjorie W. Emmons*

Marjorie W. Emmons  
Secretary of the Commission

87040654711

3/2/87  
Date

Received in the Office of Commission Secretary: Wed., 2-25-87, 2:57  
Circulated on 48 hour tally basis: Thurs., 2-26-87, 11:00  
Deadline for vote: Mon., 3-02-87, 11:00



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 19, 1987

J.B. Brooks, President  
J. Chandler Peterson Wealth Planning, Inc.  
700 Peachtree Center, Cain Tower  
Atlanta, GA 30043

RE: MUR 2247  
J. Chandler Peterson  
Wealth Planning, Inc.

Dear Mr. Brooks:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 19, 1987

James W. Oxendine, Esquire  
James W. Oxendine and Associates, P.C.  
5195 Jimmy Carter Blvd., Suite 200  
Norcross, Georgia 30093

RE: MUR 2247  
James W. Oxendine and  
Associates, P.C.

Dear Mr. Oxendine:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 19, 1987

John W. Acker, Secretary  
Southern Aggregates Company  
P.O. Box 4510  
Augusta, GA 30907

RE: MUR 2247  
Southern Aggregates  
Company

Dear Mr. Acker:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

March 19, 1987

David G. Steward, Vice President  
The Atlanta Constitution  
Cox Enterprises, Inc.  
P.O. Box 4689  
Atlanta, GA 30302

RE: MUR 2247  
The Atlanta Constitution  
Incorporated as Cox  
Enterprises, Inc.

Dear Mr. Steward:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 19, 1987

J. Joseph Brannen, Executive Vice President  
Georgia Bankers Association  
320 William-Oliver Building  
Atlanta, GA 30303

RE: MUR 2247  
Georgia Bankers  
Association

Dear Mr. Brannen:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 19, 1987

Henry Harsch, President  
An Open Space, Ltd.  
1834 Clairmont Road  
Decatur, GA 30033

RE: MUR 2247  
An Open Space, Ltd.

Dear Mr. Harsch:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 19, 1987

J.R. Goldin, President  
Draketown Gas, Inc.  
Route 2  
Temple, GA 30179

RE: MUR 2247  
Draketown Gas, Inc.

Dear Mr. Goldin:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 19, 1987

Walter E. Sumner, General Counsel  
Georgia Municipal Association  
201 Pryor Street, S.W.  
Atlanta, GA 30303

RE: MUR 2247  
Georgia Municipal  
Association

Dear Mr. Sumner:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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*Delmar*



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 19, 1987

Dorsey Stover, President  
Stover Home Builders, Inc.  
Route 2, Box 36  
Ellijay, GA 30540

RE: MUR 2247  
Stover Home Builders,  
Inc.

Dear Mr. Stover:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 19, 1987

M.T. Gray  
Martinez Realty Company, Inc.  
P.O. Box 4182  
Martinez, GA 30907

RE: MUR 2247  
Martinez Realty Company,  
Inc.

Dear Mr. Gray:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 19, 1987

Bryce W. Holcomb, Executive Vice President  
Georgia Soft Drink Association  
848 Broad Street, S.W.  
Suite 105  
Gainesville, GA 30501

RE: MUR 2247  
Georgia Soft Drink  
Association

Dear Mr. Holcomb:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

March 19, 1987

*Plan*

Harrill L. Dawkins, General Counsel  
Georgia Oilmen's Association  
Lavigno, Dawkins, and Serio  
1445A Old McDonough Road  
Conyers, GA 30207

RE: MUR 2247  
Georgia Oilmen's  
Association

Dear Mr. Dawkins:

On October 21, 1986, the Commission found reason to believe that your corporation had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your corporation.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott B. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 19, 1987

Richard A. Ray, President  
Atlanta, Georgia Labor Council, AFL-CIO  
501 Pulliam Street, S.W., Suite 233  
Atlanta, GA 30312

RE: MUR 2247  
Atlanta, Georgia Labor  
Council, AFL-CIO

Dear Mr. Ray:

On October 21, 1986, the Commission found reason to believe that your union had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your union.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 19, 1987

Matthew Foster  
Financial Secretary-Treasurer  
Amalgamated Transit Union  
501 Pulliam Street, S.W., Suite 350  
Atlanta, GA 30312

RE: MUR 2247  
Amalgamated Transit Union

Dear Mr. Foster:

On October 21, 1986, the Commission found reason to believe that your union had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your union.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

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87040654725

rem



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 19, 1987

Robert H. Chanin, Esquire  
National Education Association  
1201 16th Street, N.W.  
Washington, D.C. 20036-3290

RE: MUR 2247  
Georgia Association of  
Educators

Dear Mr. Chanin:

On October 21, 1986, the Commission found reason to believe that your clients had violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act") in connection with the above referenced MUR. However, after considering the circumstances of this matter, the Commission has determined to take no further action and on March 2, 1987, closed its file as it pertains to your clients.

The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any materials to appear on the public record, please do so within 10 days of your receipt of this letter.

The confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter is closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please direct them to Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas  
Chairman

87040654726

330

*plm*



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 19, 1987

Wayne Reece, Treasurer  
Georgia Democratic Elections  
Committee - Federal  
Suite 355  
1800 Peachtree Street, N.W.  
Atlanta, Georgia 30309

RE: MUR 2247  
Georgia Democratic  
Elections Committee -  
Federal  
Wayne Reece, as treasurer

Dear Mr. Reece:

On October 31, 1986, the Commission found reason to believe that your committee and you, as treasurer violated 2 U.S.C. § 441b(a). At your request, the Commission determined on March 2, 1987, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
Acting General Counsel

Enclosures

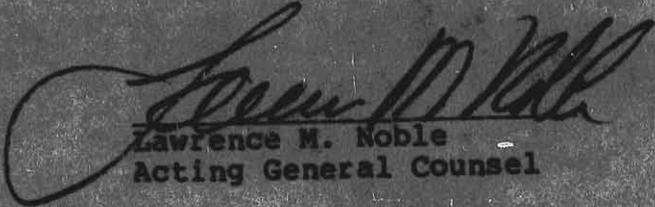
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87040654727

The Office of the General Counsel is prepared to close the investigation in this matter as to C. Goldstein and Sons, Inc., Hansell and Post, and Paine, Dalis, Smith and McElreath, based on the assessment of the information presently available.

87040654728

4/28/87  
Date

  
Lawrence M. Noble  
Acting General Counsel



35

SENSITIVE



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

87 MAY 4 P 2:40

RECEIVED  
OFFICE OF THE SEC  
COMMISSIONER SECRETARY

May 4, 1987

MEMORANDUM

TO: The Commission  
FROM: Lawrence M. Noble *LM*  
Acting General Counsel

SUBJECT: MUR #2247

Attached for the Commission's review are briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of these briefs and a letter notifying the respondents of the General Counsel's intent to recommend to the Commission a finding of no probable cause to believe was mailed on May 4, 1987. Following receipt of the respondents' replies to these notices, this Office will make a further report to the Commission.

- Attachments  
Briefs  
Letters to respondents

87040654729



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 4, 1987

Larry I. Smith, Secretary  
Paine, Dalis, Smith and McElreath, P.C.  
454 Greene Street  
Augusta, GA 30901

RE: 2247  
Paine, Dalis, Smith and McElreath

Dear Mr. Smith:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on October 21, 1986, found reason to believe that your corporation violated 2 U.S.C. § 441b(a), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

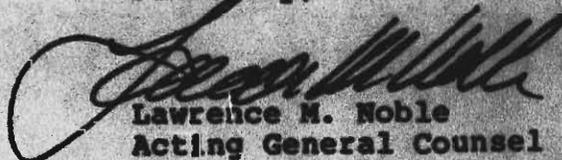
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If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days. All requests for extension of time must be submitted in writing five days prior to the due date. Further, good cause must be shown.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Anne A. Weissenborn, the staff member assigned to handle this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
Acting General Counsel

Enclosure  
Brief

87040654731

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Paine, Dalis, Smith and McElreath ) MUR 2247  
)  
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GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

During an FEC audit of the Georgia Democratic Elections Committee - Federal ("the Committee"), FEC auditors reviewed a check copy showing that Paine, Dalis, Smith and McElreath contributed \$400 to the Committee on March 5, 1984. According to the Corporate Division, Office of Secretary of State, an entity with that name is incorporated in the State of Georgia. Because corporate contributions are prohibited in connection with federal elections, the corporation apparently had violated 2 U.S.C. § 441b(a). Therefore, the Office of the General Counsel recommended a finding of reason to believe in this matter. On October 21, 1986, the Commission found reason to believe that the corporation violated 2 U.S.C. § 441b(a).

II. ANALYSIS

2 U.S.C. § 441b(a) prohibits the making or acceptance of corporate or labor union contributions in connection with a federal election.

In response to the reason to believe finding, the corporation provided evidence that at the time of the contribution, Paine, Dalis, Smith and McElreath was a partnership. The corporation provided a copy of the certificate of incorporation from the Georgia Secretary of State attesting

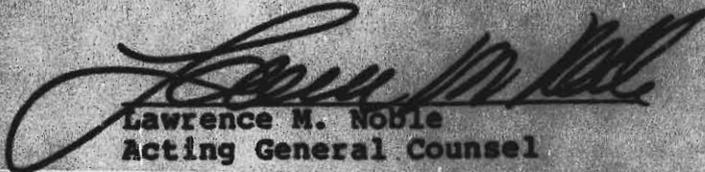
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that the entity became incorporated on November 16, 1984, eight months after the contribution was made. Based on this evidence, it appears that no violation of 2 U.S.C. § 441b(a) occurred.

III. GENERAL COUNSEL'S RECOMMENDATION

Find no probable cause to believe that Paine, Dalis, Smith and McElreath violated 2 U.S.C. § 441b(a).

Date 5/1/87

  
Lawrence M. Noble  
Acting General Counsel

87040654733



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 4, 1987

A. Diane Baker, Esquire  
Hansell and Post  
56 Perimeter Center East, N.E.  
Atlanta, GA 30346-2283

RE: MUR 2247  
Hansell and Post

Dear Ms. Baker:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on October 21, 1986, found reason to believe that your client violated 2 U.S.C. § 441b(a), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

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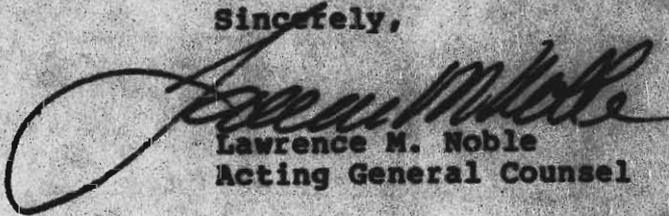
Letter to A. Diane Baker, Esquire  
Page 2

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days. All requests for extension of time must be submitted in writing five days prior to the due date. Further, good cause must be shown.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Anne A. Weissenborn, the staff member assigned to handle this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
Acting General Counsel

Enclosure  
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of  
Hansell and Post

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)  
)

MUR 2247

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

During an FEC audit of the Georgia Democratic Elections Committee - Federal ("the Committee"), FEC auditors reviewed a check copy showing Hansell and Post contributed \$500 to the Committee on March 5, 1984. According to the Corporate Division, Office of Secretary of State, an entity with this name is incorporated in the State of Georgia. Because corporate contributions are prohibited in connection with federal elections, Hansell and Post apparently had violated 2 U.S.C. § 441b(a). Therefore, the Office of the General Counsel recommended a finding of reason to believe in this matter. On October 21, 1986, the Commission found reason to believe that the corporation violated 2 U.S.C. § 441b(a).

II. ANALYSIS

2 U.S.C. § 441b(a) prohibits the making or acceptance of corporate or labor union contributions in connection with a federal election.

In response to the reason to believe finding, the respondent explained that the contribution in question represented individual contributions from five partners of the law firm of Hansell and Post. Respondent stated that one check had been written from the partnership account rather than from the related corporate entity "Hansel and Post Properties, Inc." which,

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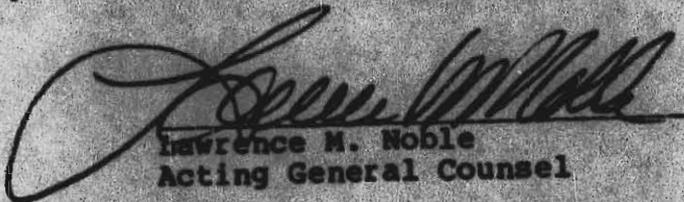
according to the respondent, "was created for limited purposes in connection with one client transaction; at no time did that corporation make any political contributions. . . ." The response also included a copy of the check and the letter transmitting the contribution to the Democratic Party of Georgia, naming the five individual contributors. Based on this evidence, it appears that no violation of 2 U.S.C. § 441b(a) occurred.

**III. GENERAL COUNSEL'S RECOMMENDATION**

Find no probable cause to believe that Hansell and Post violated 2 U.S.C. § 441b(a).

Date

5/1/87

  
Lawrence M. Noble  
Acting General Counsel

87040654737



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 4, 1987

Mr. J.L. Goldstein  
C. Goldstein and Sons, Inc.  
P.O. Box G  
Milledgeville, GA 31061

RE: MUR 2247  
C. Goldstein and Sons, Inc.

Dear Mr. Goldstein:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on October 21, 1986, found reason to believe that your corporation violated 2 U.S.C. § 441b(a), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

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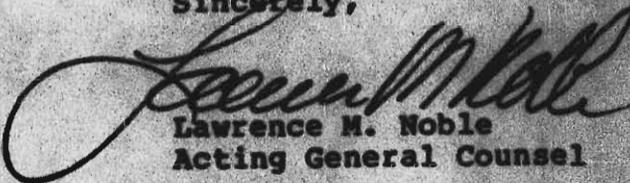
Letter to J.L. Goldstein  
Page 2

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days. All requests for extensions of time must be submitted in writing five days prior to the due date. Further, good cause must be shown.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Anne A. Weissenborn, the staff member assigned to handle this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
Acting General Counsel

Enclosure  
Brief

87040654739

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of  
C. Goldstein and Sons, Inc.

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MUR #2247

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

During an FEC audit of the Georgia Democratic Elections Committee-Federal ("the Committee"), FEC auditors reviewed a check copy showing that C. Goldstein and Sons contributed \$100 to the Committee on February 28, 1984. According to the Corporate Division, Office of Secretary of State, C. Goldstein and Sons is incorporated in the State of Georgia. Because corporate contributions are prohibited in connection with a federal election, the corporation apparently had violated 2 U.S.C. § 441b(a). Therefore, the Office of the General Counsel recommended a finding of reason to believe in this matter. On October 21, 1986, the Commission found reason to believe that the corporation violated 2 U.S.C. § 441b(a).

II. ANALYSIS

2 U.S.C. § 441b(a) prohibits the making or acceptance of corporate or labor union contributions in connection with a federal election.

In response to the reason to believe finding, C. Goldstein and Sons stated that C. Goldstein and Sons is a partnership related to C. Goldstein and Sons, Inc., and that the contribution check was drawn on the partnership account rather than on the corporate account. The respondent provided a

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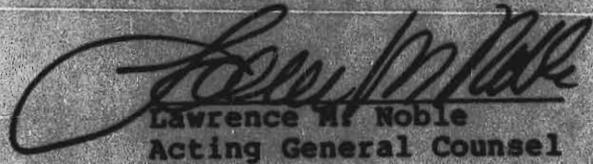
copy of the canceled check labeled C. Goldstein and Sons (without the "Inc.") and a copy of the first page of the 1984 partnership tax return. Based on this evidence, it appears that the contribution to the Committee was not a corporate contribution and that no violation of 2 U.S.C. § 441b(a) occurred.

**III. GENERAL COUNSEL'S RECOMMENDATION**

Find no probable cause to believe that C. Goldstein and Sons, Inc. violated 2 U.S.C. § 441b(a).

Date

5/1/87

  
Lawrence M. Noble  
Acting General Counsel

87040654741



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

May 4, 1987

Wayne Reece, Treasurer  
Georgia Democratic Elections Committee - Federal  
Suite 355  
1900 Peachtree Street, N.W.  
Atlanta, GA 30309

RE: MUR 2247  
Georgia Democratic Elections  
Committee - Federal  
Wayne Reece, as treasurer

Dear Mr. Reece:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on October 21, 1986, found reason to believe that your committee and you, as treasurer, violated 2 U.S.C. § 441b(a), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred only as it relates to contributions received from the following: a) C. Goldstein and Sons, b) Hansell and Post, and c) Paine, Dalis, Smith and McElreath. You were previously notified that on March 2, 1987, the Commission approved your request for negotiations toward probable cause conciliation concerning receipts from other contributors.

The Commission may or may not approve the General Counsel's recommendation. Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within 15 days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. (Three copies of such brief should also be forwarded to the Office of the General Counsel, if possible.) The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of whether there is probable cause to believe a violation has occurred.

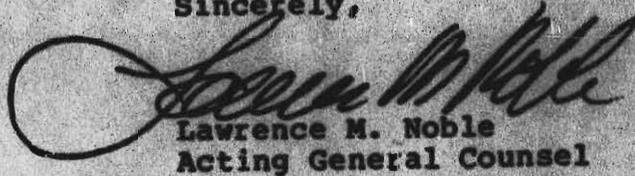
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If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days. All requests for extension of time must be submitted in writing five days prior to the due date. Further, good cause must be shown.

A finding of probable cause to believe requires that the Office of the General Counsel attempt for a period of not less than 30, but not more than 90 days, to settle this matter through a conciliation agreement.

Should you have any questions, please contact Anne A. Weissenborn, the staff member assigned to handle this matter, at (202) 376-8200.

Sincerely,



Lawrence M. Noble  
Acting General Counsel

Enclosure  
Brief

87040654743

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Georgia Democratic Elections Committee- ) MUR 2247  
Federal )  
Wayne Reece, as treasurer )

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

During the audit of the Georgia Democratic Elections Committee - Federal ("the Committee"), FEC auditors found evidence that the Committee had received contributions of \$5,050 from 16 corporations and \$600 from 2 labor unions. In response to earlier inquiries from the Reports Analysis Division, the Committee refunded three corporate contributions totaling \$1,850 and one labor contribution of \$400. Another labor contribution of \$200 was transferred to a non-federal bank account. Subsequently, the Committee transferred the remaining \$3200 to the non-federal account. On October 21, 1986, the Commission found reason to believe that the Committee violated 2 U.S.C. § 441b(a).

On March 2, 1987, the Commission agreed to begin pre-probable cause conciliation with the Committee as to 13 corporate and two union receipts prohibited pursuant to 2 U.S.C. § 441b(a). However, three of the 16 corporations have provided evidence that no violation of 2 U.S.C. § 441b(a) occurred as to their contributions.

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II. ANALYSIS

Contributor C. Goldstein and Sons provided a copy of its canceled check for \$100.00 dated 2-23-84 to the "Jefferson - Jackson Dinner" fundraiser. The check and a copy of the 1984 partnership tax return showed that the check was drawn on the partnership account for C. Goldstein and Sons, a partnership related to the incorporated "C. Goldstein and Sons, Inc."

Contributor Hansell and Post provided a copy of its contribution check of \$500 drawn on a partnership account (rather than on the related Hansell and Post Properties, Inc. account) and a contemporaneous transmittal letter to the Georgia Democratic Party stating that the funds represented contributions from five individual partners.

Contributor Paine, Dalis, Smith and McElreath provided a certificate from the Georgia Secretary of State showing that the contributor was incorporated on November 16, 1984, eight months after making the questioned contribution of \$400.00 to the Georgia Democrats.

Based on the evidence provided, it appears that the Committee did not violate 2 U.S.C. § 441b(a) in connection with receipt of these three contributions.

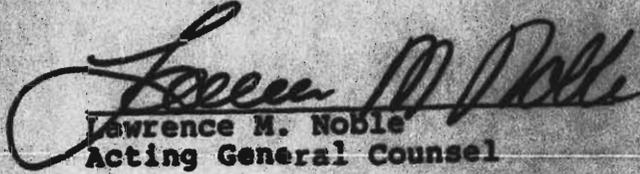
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**III. GENERAL COUNSEL'S RECOMMENDATION**

Find no probable cause to believe that the Georgia Democratic Elections Committee - Federal and Wayne Reece, as treasurer, violated 2 U.S.C. § 441b(a) in connection with contributions received during 1984 from the following:

- a) C. Goldstein and Sons
- b) Hansell and Post
- c) Paine, Dalis, Smith and McElreath.

5/1/87  
Date

  
Lawrence M. Noble  
Acting General Counsel

87040654746

GCC 3444  
RECEIVED AT THE FEC  
**HAND DELIVERED**  
87 MAY 26 AM: 00

**REECE & MEADOR**  
ATTORNEYS & COUNSELORS - AT - LAW  
SUITE 355  
1800 PEACHTREE STREET, N.W.  
ATLANTA, GEORGIA 30309  
(404) 351-0388

VIA FEDERAL EXPRESS  
May 22, 1987

Ms. Anne A. Wissenborn  
Office of General Counsel  
Federal Elections Commission  
999 E Street, N. W.  
6th Floor  
Washington, D. C. 20463

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
87 MAY 26 P 3: 21

RE: MUR 2247  
Georgia Democratic Elections Committee - Federal  
Wayne Reece, as treasurer

Dear Anne:

This letter will confirm my attempts to reach you today in an effort to resolve the above-referenced matter.

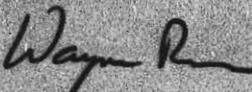
Please be advised that we have no objection to the General Counsel's Brief, dated May 1, 1987, in which the General Counsel recommended that the Commission find no probable cause to believe that the Georgia Democratic Elections Committee - Federal and Wayne Reece, as treasurer, violated 2 U.S.C. Section 441b(c) in connection with contributions received during 1984 from the following:

- a) C. Goldstein and Sons,
- b) Hansell and Post, and
- c) Paine, Dalis, Smith and McElreath.

We still have questions regarding the conciliation agreement submitted for our review by Fran Hagan on March 19, 1987, regarding MUR 2247. I had spoken with Fran prior to her leaving the Office of General Counsel for maternity leave and was awaiting her response. We are anxious to hear back from you regarding the issues which were raised with Fran in order that we can reach a final resolution on MUR 2247.

We look forward to hearing from you after the holiday.

Sincerely,

  
Wayne Reece

cc: Robert S. Kahn

87040554747

41

**SENSITIVE**

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of  
Georgia Democratic Elections  
Committee - Federal  
Wayne Reece, as treasurer  
C. Goldstein and Sons, Inc.  
Hansell and Post  
Paine, Dalis, Smith and McElreath

MUR 2247

97 JUN 5 10 51:00  
EXECUTIVE SESSION  
JUN 16 1987

**GENERAL COUNSEL'S REPORT**

**BACKGROUND**

On May 4, 1987, this Office mailed briefs to the Georgia Democratic Elections Committee - Federal ("the Committee") and to C. Goldstein and Sons, Inc., Hansell and Post, and Paine, Dalis, Smith and McElreath, recommending findings of no probable cause to believe that the named corporations had violated 2 U.S.C. § 441b by making contributions to the Committee and no probable cause to believe that the Committee had violated Section 441b by accepting such corporate contributions. 1/ A response has been received from Wayne Reece, treasurer of the Committee, stating that he and the Committee have no objections to the recommendation in the General Counsel's Brief. No responses have been received from the three corporate entities.

**ANALYSIS**

This Office's analyses of the contributions received by the Committee from C. Goldstein and Sons, Hansell and Post, and

1/ Attached to this report is a copy of the brief sent to Hansell and Post. It appears that the first page was not included in the briefs sent to the Commission on May 4, 1987.

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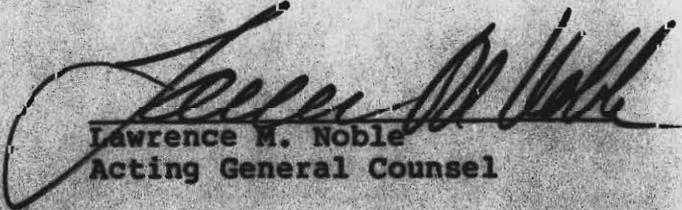
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Paine, Dalis, Smith and McElreath remain the same as those set out in the briefs submitted to these respondents. In summary, it appears that the contribution check from C. Goldstein and Sons was drawn on a partnership account; that the contribution from Hansell and Post consisted of contributions from five partners made by means of a single check drawn on the partnership account, not on a corporate account; and that at the time the contribution from Paine, Dalis, Smith and McElreath was made, that entity was a partnership. Therefore, this Office recommends that the Commission find no probable cause to believe that the Committee and the three corporate respondents violated 2 U.S.C. § 441b.

III. RECOMMENDATIONS

1. Find no probable cause to believe that the Georgia Democratic Elections Committee - Federal and Wayne Reece, as treasurer, violated 2 U.S.C. § 441b(a) in connection contributions received during 1984 from C. Goldstein and Sons, Hansell and Post, and Paine, Dalis, Smith and McElreath.
2. Find no probable cause to believe that C. Goldstein and Sons, Inc., Hansell and Post, and Paine, Dalis, Smith and McElreath violated 2 U.S.C. § 441b(a) and close the file as to these respondents.
3. Approve the attached letter.

6/5/87  
Date

  
Lawrence M. Noble  
Acting General Counsel

Attachments  
Brief sent to Hansell and Post  
Letters to respondents (4)

41a

87040654749



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 10, 1987

MEMORANDUM

TO: LAWRENCE M. NOBLE  
ACTING GENERAL COUNSEL

ATTENTION: ANNE WEISSENBORN

FROM: OSCELYN A. ANDERSON *oa*  
COMPLIANCE CLERK  
COMPLIANCE BRANCH, REPORTS ANALYSIS DIVISION

SUBJECT: MUR 2247

Please review the attached Informational Notice which is to be sent to the Georgia Democratic Elections Committee for the amended Year End Report. Any comments which you may have must be forwarded to RAD in writing by 11:00 a.m. on Friday, June 12, 1987.

If comments are not received in writing by the above date and time, the Informational notice will be sent.

If you have any questions, please contact Oscelyn A. Anderson at 376-2490. Thank you.

COMMENTS:

Attachment

42

87040654750



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RQ-5

Wayne Reece, Treasurer  
Georgia Democratic Elections  
Committee - Federal  
1252 W. Peachtree Street  
Suite 305  
Atlanta, GA 30309

Identification Number: C00041269

Reference: Amended Year End Report (7/1/85-12/31/85 - dated  
5/4/87)

Dear Mr. Reece:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Your report discloses an apparent contribution(s) from a corporation(s) (pertinent portion attached). You are advised that a contribution from a corporation is prohibited by the Act, unless made from a separate segregated fund established by the corporation. 2 U.S.C. §441b(a).

The Commission notes the refund of the prohibited contribution(s). Although the Commission may take further legal steps concerning this matter, your prompt action in refunding the contribution(s) will be taken into consideration.

Any amendment or clarification should be filed with the Federal Election Commission. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 376-2480.

Sincerely,

Alva E. Smith  
Reports Analyst  
Reports Analysis Division

87040654751

**SCHEDULE A**

**ITEMIZED RECEIPTS**

LINE NUMBER **11K**  
 Also attach schedule for each category of the General Summary Page

Any information carried from such Reports or Statements may not be used by any person for the purpose of releasing contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee

Name of Committee (in Full)

**Georgia Federal Elections Committee**

A. Full Name, Mailing Address and ZIP Code

**Mitchell, Coppedge, Waster, Bisson & Miller, P.C.  
 P. O. Box 609  
 Dalton, Georgia 30720**

Name of Employer

Occupation

Date (month, day, year)

**10-31-85**

Amount of Each Receipt This Period

**\$250.00 +  
 NESH**

Receipt For:  Primary  General  
 Other (specify)

Aggregate Year-to-Date - \$ **250.00**

B. Full Name, Mailing Address and ZIP Code

**Maynard A. Hobley  
 5332 Orchard Place  
 Lake City, Georgia 30260**

Name of Employer

**Retired**

Occupation

Date (month, day, year)

**11/6/85**

Amount of Each Receipt This Period

**\$ 50.00**

Receipt For:  Primary  General  
 Other (specify)

Aggregate Year-to-Date - \$ **500.00**

C. Full Name, Mailing Address and ZIP Code

**This receipt was not reported but was deposited into a federal account in error. We have refunded the contribution since we could not legally deposit it into a federal account. (See attached correspondence.)**

Name of Employer

Occupation

Date (month, day, year)

**on 3-20-87**

Amount of Each Receipt This Period

Receipt For:  Primary  General  
 Other (specify)

Aggregate Year-to-Date - \$

D. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Date (month, day, year)

Amount of Each Receipt This Period

Receipt For:  Primary  General  
 Other (specify)

Aggregate Year-to-Date - \$

E. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Date (month, day, year)

Amount of Each Receipt This Period

Receipt For:  Primary  General  
 Other (specify)

Aggregate Year-to-Date - \$

F. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Date (month, day, year)

Amount of Each Receipt This Period

Receipt For:  Primary  General  
 Other (specify)

Aggregate Year-to-Date - \$

G. Full Name, Mailing Address and ZIP Code

Name of Employer

Occupation

Date (month, day, year)

Amount of Each Receipt This Period

Receipt For:  Primary  General  
 Other (specify)

Aggregate Year-to-Date - \$

**SUBTOTAL of Receipts This Page (Include 1)**

**\$500.00**

**TOTAL This Period (Use page one line number only)**

**\$1785.00**

870463534752

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Georgia Democratic Elections )  
Committee - Federal )  
Wayne Reece, as treasurer ) MUR 2247  
C. Goldstein and Sons, Inc. )  
Hansell and Post )  
Paine, Dalis, Smith, and McElreath )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of June 16, 1987, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 2247:

1. Find no probable cause to believe that the Georgia Democratic Elections Committee - Federal and Wayne Reece, as treasurer, violated 2 U.S.C. § 441b(a) in connection with contributions received during 1984 from C. Goldstein and Sons, Hansell and Post, and Paine, Dalis, Smith, and McElreath.
2. Find no probable cause to believe that C. Goldstein and Sons, Inc., Hansell and Post, and Paine, Dalis, Smith and McElreath violated 2 U.S.C. § 441b(a) and close the file as to these respondents.

(continued)

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3. Approve the letter attached to the General Counsel's report dated June 5, 1987.

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

Attest:

6/17/87

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

87040654754



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 19, 1987

Larry I. Smith, Secretary  
Paine, Dalis, Smith and  
McElreath, P.C.  
454 Greene Street  
Augusta, Georgia 30901

Re: MUR 2247  
Paine, Dalis, Smith and  
McElreath, P.C.

Dear Mr. Smith:

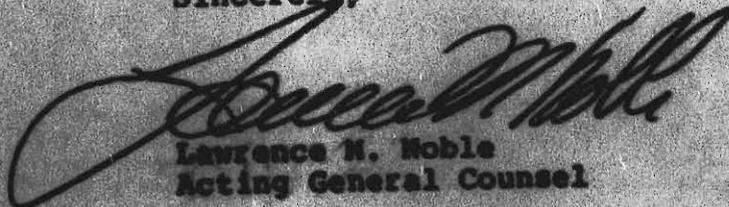
This is to advise you that, on June 16, 1987, the Federal Election Commission found that there is no probable cause to believe Paine, Dalis, Smith and McElreath, P.C. violated 2 U.S.C. § 441b(a). Accordingly, the file in this matter has been closed as it pertains to your firm.

This matter will become part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please contact Anne Weissenborn, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble  
Acting General Counsel

44a



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 19, 1987

Mr. J. L. Goldstein  
C. Goldstein and Sons, Inc.  
P.O. Box 6  
Milledgeville, Georgia 31061

Re: MUR 2247  
C. Goldstein and Sons,  
Inc.

Dear Mr. Goldstein:

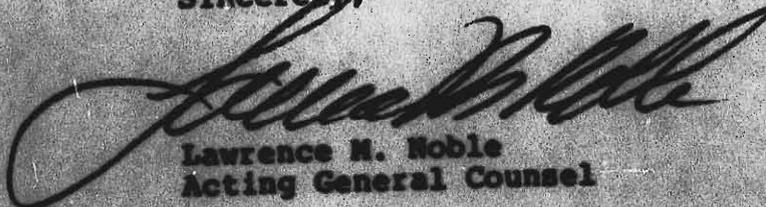
This is to advise you that, on June 16, 1987, the Federal Election Commission found that there is no probable cause to believe that C. Goldstein and Sons, Inc. violated 2 U.S.C. § 441b(a). Accordingly, the file in this matter has been closed as it pertains to your company.

This matter will become part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please contact Anne Weissenborn, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence H. Noble  
Acting General Counsel

87040654756

44 b



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

June 19, 1987

A. Diane Baker, Esquire  
Hansell and Post  
56 Perimeter Center East, N.E.  
Atlanta, Georgia 30346-3283

Re: MUR 2247  
Hansell and Post

Dear Ms. Baker:

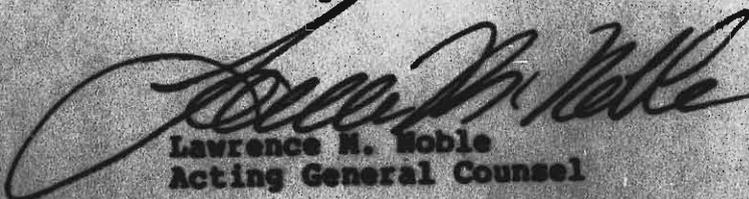
This is to advise you that, on June 16, 1987, the Federal Election Commission found that there is no probable cause to believe Hansell and Post violated 2 U.S.C. § 441b(a). Accordingly, the file in this matter has been closed as it pertains to your firm.

This matter will become part of the public record within 30 days after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, please contact Anne Weissenborn, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

  
Lawrence M. Noble  
Acting General Counsel

44c

87040654757



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 19, 1987

Wayne Reece, Treasurer  
Georgia Democratic Elections  
Committee - Federal  
Suite 355  
1800 Peachtree Street, N.W.  
Atlanta, Georgia 30309

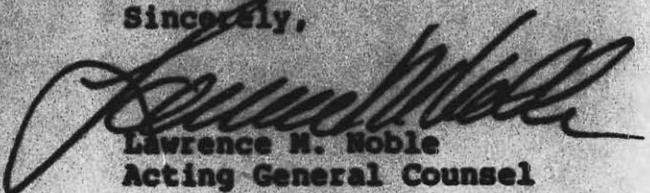
RE: MUR 2247

Dear Mr. Reece:

This is to advise you that on June 16, 1987, the Federal Election Commission found that there is no probable cause to believe that the Georgia Democratic Elections Committee -Federal, and you, as treasurer, violated 2 U.S.C. § 441b(a) in connection with contributions received during 1984 from C. Goldstein and Sons, Hansell and Post, and Paine, Dalis, Smith and McElreath.

If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

  
Lawrence M. Noble  
Acting General Counsel

87040654758

GC# 3686  
RECEIVED AT THE FEC  
**HAND DELIVERED**  
87 JUN 22 AM: 41

**REECE & MEADOR**  
ATTORNEYS & COUNSELORS - AT - LAW  
SUITE 355  
1800 PEACHTREE STREET, N.W.  
ATLANTA, GEORGIA 30309  
(404) 351-0388

RECEIVED  
OFFICE OF THE  
GENERAL COUNSEL  
87 JUN 24 9:31:29

June 19, 1987

Lawrence M. Noble, Esquire  
Acting General Counsel  
Federal Elections Commission  
Washington, D. C. 20463

RE: MDR 2247

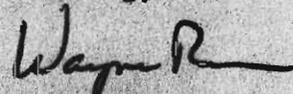
Dear Mr. Noble:

Enclosed are two executed counterparts of the Conciliation Agreement in connection with the above-referenced matter together with our check in the amount of \$1,000.00 made payable to the Federal Elections Commission.

Please return one counterpart of the Conciliation Agreement following your execution.

You will note that I have made one change on page 2 of the Agreement pursuant to my conversation with Anne Weissenborn.

We appreciate your help and look forward to having this matter resolved.

sincerely,  
  
Wayne Reece

WR/wj

cc: Robert S. Kahn

87040654759

46

GA. FEDERAL ELECTIONS COMMITTEE,  
DEMOCRATIC PARTY OF GA.  
1282 WEST PEACHTREE ST. SUITE 305  
ATLANTA, GA 30309

149

June 19, 1987

845  
810

PAY TO THE ORDER OF Federal Election Commission \$\*1,000.00\*

One Thousand and 00/100

DOLLARS

C&S The Citizens and Southern  
National Bank  
Atlanta, Georgia

GEORGIA FEDERAL ELECTIONS COMMITTEE  
DEMOCRATIC PARTY OF GEORGIA

FEC Civil Penalty (MUR 2247)

*Walt*

⑈000149⑈ ⑆061000052⑆ 060 35 507⑈

CCC# 3686

MEMORANDUM

TO: Debra A. Reed <sup>Trimiew</sup>

TO: *Cecilia Lieber*

FROM: *Cecilia Lieber*

FROM: Debra A. Reed <sup>Trimiew</sup>

87 JUN 24

CHECK NO. 149

TO MUR 2247 (Weissenborn) AND NAME Georgia Democratic Elections (a copy of which is attached) RELATING  
Comte. - Federal, Wayne Reese  
as treasurer

WAS RECEIVED ON 6/24/87 PLEASE INDICATE THE ACCOUNT INTO

WHICH IT SHOULD BE DEPOSITED:

BUDGET CLEARING ACCOUNT (#95F3875.16)

CIVIL PENALTIES ACCOUNT (#95-1099.160)

OTHER

SIGNATURE Debra A. Trimiew DATE 6/25/87

46

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE  
87 JUL 16 10 55:21

In the Matter of )  
Georgia Democratic Election Committee- ) MUR 2247  
Federal )  
Wayne Reece, as treasurer )

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Wayne Reece, treasurer of the Georgia Democratic Election Committee - Federal. (Attachment 1).

A check for the civil penalty of \$1000 has been received.

(Attachment 2).

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with the Democratic Election Committee - Federal and Wayne Reece, as treasurer.
2. Close the file in this matter.
3. Approve the attached letters.

7/16/57  
Date

  
Lawrence M. Noble  
Acting General Counsel

Attachments

1. Conciliation agreement
2. Check for civil penalty
3. Letters to respondents (4)

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Attachment(s) 123  
to General Counsel's Report  
have been removed from this  
position in Public Record File.  
See Index Item(s) 49-50

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Georgia Democratic Election Committee- ) MUR 2247  
Federal )  
Wayne Reece, as treasurer )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on July 21, 1987, the Commission decided by a vote of 6-0 to take the following actions in MUR 2247:

1. Accept the conciliation agreement with the Democratic Election Committee - Federal and Wayne Reece, as treasurer, as recommended in the General Counsel's Report signed July 16, 1987.
2. Close the file in this matter.
3. Approve the letters, as recommended in the General Counsel's Report signed July 16, 1987.

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

Attest:

July 21, 1987  
Date

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

Received in the Office of Commission Secretary: Thur., 7-16-87, 5:21  
Circulated on 48 hour tally basis: Fri., 7-17-87, 12:00  
Deadline for vote: Tues., 7-21-87, 4:00

/jw/

87040554763



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 23, 1987

A. Diane Baker, Esquire  
Hansell and Post  
56 Perimeter Center East, N.E.  
Atlanta, Georgia 30346-3283

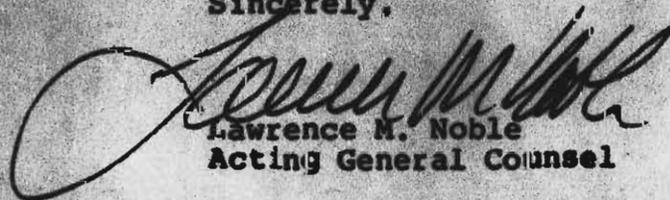
Re: MUR 2247  
Hansell and Post

Dear Ms. Baker:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

  
Lawrence M. Noble  
Acting General Counsel

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49a



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

July 23, 1987

Larry I. Smith, Secretary  
Paine, Dalis, Smith and  
McElreath, P.C.  
454 Greene Street  
Augusta, Georgia 30901

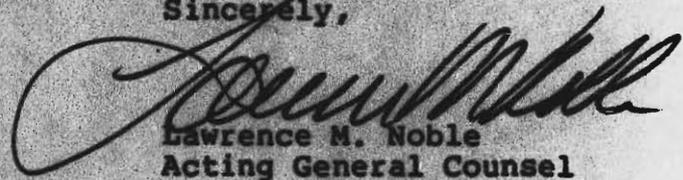
Re: MUR 2247  
Paine, Dalis, Smith and  
McElreath, P.C.

Dear Mr. Smith

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

  
Lawrence M. Noble  
Acting General Counsel

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49b

July 23, 1987

J.L. Goldstein  
C. Goldstein and Sons, Inc.  
P.O. Box 6  
Milledgeville, Georgia 31061

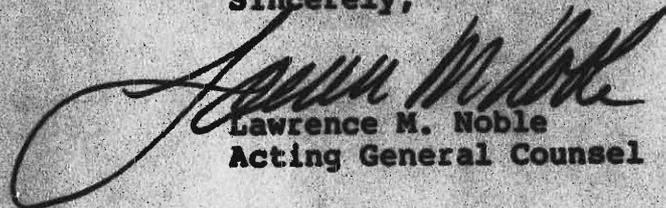
Re: MUR 2247  
C. Goldstein and Sons,  
Inc.

Dear Mr. Goldstein:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble  
Acting General Counsel

87040654766

49c



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

*Talm*

July 23, 1987

Wayne Reece, Treasurer  
Georgia Democratic Elections  
Committee - Federal  
Suite 355  
1800 Peachtree Street, N.W.  
Atlanta, Georgia 30309

RE. MUR 2247

Dear Mr. Reece:

On July 21, 1987, the Federal Election Commission accepted the signed conciliation agreement and civil penalty which you and the Georgia Democratic Election Committee - Federal have submitted in settlement of a violation of 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file in this matter has been closed. This matter will become part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Anne A. Weissenborn, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

*Lawrence M. Noble*  
Lawrence M. Noble  
Acting General Counsel

Enclosure  
Conciliation Agreement

87040654767

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Georgia Democratic Elections Committee - ) MUR 2247  
Federal )  
Wayne Reece, as treasurer )

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Georgia Democratic Elections Committee - Federal and Wayne Reece, as treasurer, ("Respondents") violated 2 U.S.C § 441b(a) by accepting corporate and labor contributions in 1984.

NOW, THEREFORE, the Commission and Respondents, having participated in informal methods of conciliation prior to a finding of probable cause to believe, do hereby agree as follows:

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

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

III. Respondents enter voluntarily into this agreement with the Commission.

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

1. Respondent, the Georgia Democratic Elections Committee - Federal is a party related political committee registered with the Commission.

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2. Respondent Wayne Reece is treasurer of the respondent Committee.

3. During 1984, the Respondents accepted contributions of \$5,050 from 16 corporations and \$600 from two labor organizations. The contributions were made in connection with a fundraising event held annually in support of federal, state and local elections. These contributions were deposited into the Respondents' federal depository.

4. In response to notices from the Federal Election Commission Reports Analysis Division and recommendations from the Audit Division, Respondents made refunds totaling \$2,250 and transferred to a non-federal account funds totaling \$3,400.

5. 2 U.S.C § 441b(a) prohibits the knowing acceptance of corporate or labor contributions in connection with a federal election.

V. Respondents accepted prohibited contributions during 1984 in violation of 2 U.S.C § 441b(a). Respondents contend that the violation was not knowing and willful.

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of One Thousand Dollars (\$1,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil

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action for relief in the United States District Court for the District of Columbia.

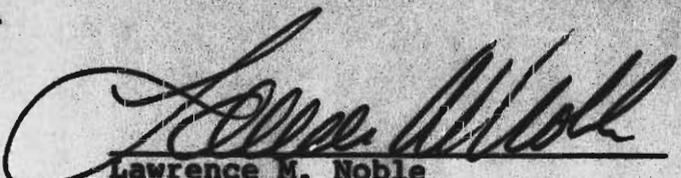
VIII. This agreement shall become effective as of the date all parties hereto have executed the same and the Commission has approved the entire agreement.

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

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

87040554770



Lawrence M. Noble  
Acting General Counsel

7/22/87  
Date

FOR THE RESPONDENTS:



6/19/87  
Date



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2247  
DATE FILMED 9/30/87 CAMERA NO. 2  
CAMERAMAN AS

87040654771