



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2912

DATE FILMED 9/12/89 CAMERA NO. 4

CAMERAMAN AS

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 15, 1989

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

THROUGH: JOHN C. SURINA
STAFF DIRECTOR

FROM: JOHN D. GIBSON
ASSISTANT STAFF DIRECTOR
REPORTS ANALYSIS DIVISION

SUBJECT: REFERRAL OF MONTHLY UNAUTHORIZED COMMITTEES FOR
FAILURE TO FILE THE 1988 12 DAY PRE-GENERAL REPORT
BY ELECTION DAY

Attached are referrals of thirteen (13) monthly unauthorized committees that failed to file the 1988 12 Day Pre-General Report by Election Day, November 8, 1988.

Each monthly filer was sent prior notice of the due date of the report on October 3, 1988 (Attachment 14). Additionally, each committee being referred were sent a Non-Filer Notice on November 15, 1988 (Attachment 15).

If you have any questions, please contact Lisa Stolaruk at 376-2480.

Attachment

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C00176990: McDonald & Company Securities, Inc.
Political Action Committee

89NF-35

COMMITTEE ID, NAME AND ADDRESS

CONTACTS
WITH FILER ATCH

REPORTS FILED/
RESPONSES

.....
C00176990
MCDONALD & COMPANY SECURITIES, INC POLITICAL ACTION COMMITTEE
TREASURER'S NAME: ROBERT A FERRIER
2100 SOCIETY BUILDING
CLEVELAND OH 44114

None

November Monthly
Report 11/21/88 7b
Letter and 12 Day
Pre-General Report
filed 11/23/88
7c & 7d

.....

McDonald & Company Securities, Inc. Political Action Committee
(Attachments 7a - 7d)

3 2 0 4 0 7 6 3 6 5 1

FEDERAL ELECTION COMMISSION
1987-1988

COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE BEER89

PAGE 3

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
					TYPE OF FILER	
MCDONALD & COMPANY SECURITIES, INC POLITICAL ACTION COMMITTEE				ID #C00176990 NON-PARTY QUALIFIED		
CONNECTED ORGANIZATION: MCDONALD & COMPANY SECURITIES, INC						
1987	JUNE MONTHLY	0	1,000	1JAN87 -31MAY87	4	87FEC/469/3730
	SEPTEMBER MONTHLY	0	1,000	1JUN87 -31AUG87	4	87FEC/484/4595
	NOVEMBER MONTHLY	0	1,100	1SEP87 -31OCT87	4	87FEC/493/3664
	YEAR-END	0	0	1NOV87 -31DEC87	3	88FEC/499/3754
1988	MISCELLANEOUS NOTICE FROM FEC			17NOV88	2	88FEC/565/2696
	MARCH MONTHLY	0	3,000	1JAN88 -29FEB88	4	88FEC/512/4819
	APRIL MONTHLY	0	500	1MAR88 -31MAR88	4	88FEC/515/5289
	MAY MONTHLY	0	0	1APR88 -30APR88	3	88FEC/525/1615
	JUNE MONTHLY	0	0	1APR88 -31MAY88	3	88FEC/529/2217
	JUNE MONTHLY - AMENDMENT	0	0	1APR88 -31MAY88	3	88FEC/545/3049
	JULY MONTHLY	0	0	1JUN88 -30JUN88	3	88FEC/536/1340
	JULY MONTHLY - AMENDMENT	0	0	1JUN88 -30JUN88	3	88FEC/545/3075
	AUGUST MONTHLY	67,403	36,600	1JUL88 -31JUL88	12	88FEC/545/3063
	REQUEST FOR ADDITIONAL INFORMATION			1JUL88 -31JUL88	1	88FEC/549/1098
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1JUL88 -31JUL88	3	88FEC/557/2626
	SEPTEMBER MONTHLY	5,049	2,800	1AUG88 -31AUG88	11	88FEC/545/3052
	SEPTEMBER MONTHLY - AMENDMENT	5,049	2,800	1AUG88 -31AUG88	11	88FEC/564/0577
	REQUEST FOR ADDITIONAL INFORMATION			1AUG88 -31AUG88	1	88FEC/549/1096
	REQUEST FOR ADDITIONAL INFORMATION 2ND			1AUG88 -31AUG88	3	88FEC/557/2623
	OCTOBER MONTHLY	15,449	7,000	1SEP88 -30SEP88	11	88FEC/564/0566
	OCTOBER MONTHLY - AMENDMENT	15,449	7,000	1SEP88 -30SEP88	11	88FEC/565/2953
	OCTOBER MONTHLY - AMENDMENT	15,449	7,000	1SEP88 -30SEP88	14	89FEC/577/1377
	REQUEST FOR ADDITIONAL INFORMATION			1SEP88 -30SEP88	1	89FEC/576/0991
	PRE-GENERAL	9,959	0	1OCT88 -19OCT88	11	88FEC/565/4426
	PRE-GENERAL - AMENDMENT	9,959	0	1OCT88 -19OCT88	11	89FEC/577/1392
	NOTICE OF FAILURE TO FILE			1OCT88 -19OCT88	1	88FEC/565/2048
	REQUEST FOR ADDITIONAL INFORMATION			1OCT88 -19OCT88	1	89FEC/576/0991
	NOVEMBER MONTHLY			1OCT88 -31OCT88	11	88FEC/565/2964
	POST-GENERAL	4,945	2,800	20OCT88 -28NOV88	11	88FEC/570/0682
	POST-GENERAL - AMENDMENT	4,945	2,800	20OCT88 -28NOV88	11	89FEC/577/1404
	1ST LETTER INFORMATIONAL NOTICE			20OCT88 -28NOV88	1	89FEC/580/1918
	YEAR-END	4,696	0	29NOV88 -31DEC88	10	89FEC/577/1416
	TOTAL	107,501	0	55,800	0	187 TOTAL PAGES

All reports except the amended 1988 October Monthly, amended 1988 12 Day Pre-General and amended 1988 30 Day Post-General reports have been reviewed.

Ending cash-on-hand as of 12/31/88: \$58,370

Outstanding debts owed to/by the committee as of 12/31/88: \$0

Attachment 1 (41)

59

ATTACHMENT 7a

REPORT OF RECEIPTS AND DISBURSEMENTS

ATTACHMENT 7b

For Other Than An Authorized Committee
(Summary Page)

FEDERAL ELECTION COMMISSION

USE FEC MARKING LABELS OR TYPE ON PRINT

1. NAME OF COMMITTEE (in full)
**McDonald & Company Securities, Inc.
 Political Action Committee**

ADDRESS (number and street) Check if different than previously reported
2100 Society Building

CITY, STATE and ZIP CODE
Cleveland, OH 44114

NOV 21 AM 9:04

2. FEC IDENTIFICATION NUMBER
C-30176990

3. This committee qualified as a multicandidate committee DURING THIS Reporting Period on _____ (date)

4. TYPE OF REPORT

- (a) April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non-election Year Only)
 Termination Report

Monthly Report Due On:

- February 20 June 20 October 20
 March 20 July 20 November 20
 April 20 August 20 December 20
 May 20 September 20 January 31

- Twelfth day report preceding _____ (Type of Election)
 election on _____ in the State of _____
- Thirtieth day report following the General Election on _____
 in the State of _____

(b) Is this Report an Amendment? YES NO

SUMMARY		COLUMN A	COLUMN B
Covering Period <u>10/1/88</u> through <u>10/31/88</u>		This Period	Calendar Year-to-Date
6. (a)	Cash on Hand January 1, 19 <u>88</u>		\$ 3,567.00
(b)	Cash on Hand at Beginning of Reporting Period	\$ 41,560.13	
(c)	Total Receipts (from Line 18)	\$ 9,959.25	\$ 97,351.33
(d)	Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 51,523.33	\$ 101,423.33
7.	Total Disbursements (from Line 28)	\$ 600.00	\$ 50,500.00
8.	Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 50,923.33	\$ 50,923.33
9.	Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$ -0-	
10.	Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$ -0-	

For further information contact:
 Federal Election Commission
 800 E Street, NW
 Washington, DC 20463
 Toll Free 800-424-9530
 Local 202-376-3120

I certify that I have examined this Report and to the best of my knowledge and belief it is true, correct and complete.

Type or Print Name of Treasurer

Robert A. Perrier

Signature of Treasurer

R Perrier

Date

11/16/88

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g

FEC FORM 3X
 (revised 4/87)

Attachment 1 (42)

60

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HAND DELIVERED
FEDERAL ELECTION COMMISSION
MAIL ROOM

NOV 23 PM 12:23

McDONALD & COMPANY

SECURITIES, INC.

MEMBER NEW YORK STOCK EXCHANGE

THE SOCIETY BUILDING

CLEVELAND OHIO 44114 • 216/463-1288

November 22, 1988

Mr. John D. Gibson
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

Dear Mr. Gibson:

I am writing in response to your letter of November 15, 1988, regarding failure to file the 12 Day Pre-General Report for the period 10/1/88 through 10/19/88. The McDonald & Company Securities, Inc. Political Action Committee has elected to file monthly reports. Our primary reason for doing so was to help us avoid violating reporting requirements due to the complex requirements for pre-primary reports to which quarterly reporters must adhere. I had understood filing monthly reports superceded the requirements to file pre-election and post-election reports. In reviewing the rules, it now appears that in general election years I have a filing requirement for both pre- and post-election reports and that such reports are filed in lieu of the monthly reports.

I filed our October report covering the period October 1, 1988 through October 31, 1988 on November 16, 1988. I did not file a specific report for the period October 1, 1988 through October 19, 1988 as I thought the monthly report superceded this requirement. Enclosed is a report reflecting the required period for the pre-election report which replaces the October monthly report. In lieu of the November monthly report, I will file a post-election report covering the period October 20, 1988 through November 28, 1988. The year-end report will be filed in lieu of the December report and will cover the period November 29, 1988 through December 31, 1988.

I trust these are the correct filing requirements. Please advise if I have misinterpreted the regulations. I apologize for the incorrect filing. I will make every effort to comply with the reporting requirements in the future.

Very truly yours,

McDonald & Company Securities, Inc.
Political Action Committee

Robert A. Perrier
Treasurer

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Attachments (43)

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

HAND DELIVERED
FEDERAL ELECTION COMMISSION
MAIL ROOM

USE FEC MAILING LABEL ON TYPE OR PRINT

1 NAME OF COMMITTEE (in full) McDonald & Company Securities, Inc. Political Action Committee ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 2100 Society Building CITY, STATE and ZIP CODE Cleveland, OH 44114	2 FEC IDENTIFICATION NUMBER C-00176990 3 <input type="checkbox"/> This committee qualified as a multicandidate committee DURING THIS Reporting Period on _____ (date)
--	---

NOV 23 PM 12:23

4. TYPE OF REPORT

- (a) April 15 Quarterly Report
 July 15 Quarterly Report
 October 15 Quarterly Report
 January 31 Year End Report
 July 31 Mid Year Report (Non-election Year Only)
 Termination Report
- Monthly Report Due On
- | | | |
|--------------------------------------|---------------------------------------|--------------------------------------|
| <input type="checkbox"/> February 20 | <input type="checkbox"/> June 20 | <input type="checkbox"/> October 20 |
| <input type="checkbox"/> March 20 | <input type="checkbox"/> July 20 | <input type="checkbox"/> November 20 |
| <input type="checkbox"/> April 20 | <input type="checkbox"/> August 20 | <input type="checkbox"/> December 20 |
| <input type="checkbox"/> May 20 | <input type="checkbox"/> September 20 | <input type="checkbox"/> January 31 |
- Twelfth day report preceding General (Type of Election)
 election on 11/8/38 in the State of _____
- Thirtieth day report following the General Election on _____ in the State of _____

(b) Is this Report an Amendment? YES NO

SUMMARY

	COLUMN A This Period	COLUMN B Calendar Year-to-Date
5 Covering Period <u>10/1/83</u> through <u>10/19/33</u>		
6 (a) Cash on Hand January 1, 19 <u>88</u>		\$ 3,567.00
(b) Cash on Hand at Beginning of Reporting Period	\$ 41,569.13	
(c) Total Receipts (from Line 18)	\$ 9,959.25	\$ 97,861.38
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 51,523.33	\$ 101,428.33
7 Total Disbursements (from Line 28)	\$ -0-	\$ 49,900.00
8 Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 51,523.33	\$ 51,523.33
9 Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$ -0-	For further information contact: Federal Election Commission 999 E Street NW Washington DC 20463 Toll Free 800-424-9530 Local 202-376-3120
10 Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$ -0-	

I certify that I have examined this Report and to the best of my knowledge and belief it is true correct and complete

Type or Print Name of Treasurer

Robert A. Perrier

Signature of Treasurer

Robert A. Perrier

Date

11/22/37

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g

FEC FORM 3X

(revised 4/87)

Attachment 1 (44)

93040763653

RECEIVED
FEDERAL ELECTION COMMISSION

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

89 JUN -9 AM 10:16

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD Referral #89NF-29
thru 89NF-41
Staff Member Ivonne Cotto

SOURCE:

I N T E R N A L L Y G E N E R A T E D

RESPONDENTS:

McDonald & Company Securities, Inc. Political
Action Committee and Robert A. Perrier, as
treasurer (89NF-35)

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The committees filed the information required to be in the
1988 12 Day Pre-General Report as follows:

A. 12 Day Report filed late

Name of Committee

Date Report Filed

McDonald & Company Securities,
Inc. Political Action Committee

November 23, 1988

2 3 0 4 0 7 6 1 6 5 0

Accordingly, the Office of the General Counsel recommends that the Commission open Matters Under Review and find reason to believe with respect to the above committees and their treasurers.

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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III. RECOMMENDATIONS

1. Open Matters Under Review with respect to the following committees and their treasurers and find reason to believe that these committees and their treasurers violated 2 U.S.C. § 434(a)(4)(B).

McDonald & Company Securities, Inc. Political
Action Committee and Robert A. Perrier, as
treasurer

2. Enter into conciliation with the following committees and their treasurers prior to a finding of probable cause to believe.

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McDonald & Company Securities, Inc. Political
Action Committee and Robert A. Perrier, as
treasurer

3. Approve the attached letters, Factual and Legal Analyses,
and proposed conciliation agreements to be sent to the
respective committees listed in recommendation 2.

Lawrence M. Noble
General Counsel

6-8-89
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Referral Materials
2. Proposed Conciliation Agreements (13)
3. Letters and Factual and Legal Analyses (13)

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CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 19, 1989, the Commission decided by a vote of 5-0 to take the following actions with respect to the above-captioned referrals:

1. Open Matters Under Review with respect to the following committees and their treasurers and find reason to believe that these committees and their treasurers violated 2 U.S.C. section 434(a)(4)(B):

(continued)

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McDonald & Company Securities, Inc.
Political Action Committee and Robert A.
Perrier, as treasurer

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2. Enter into conciliation with the following committees and their treasurers prior to a finding of probable cause to believe:

(continued)

Federal Election Commission
Certification for RAD Referrals 89NF 29-41
June 19, 1989

Page 4

McDonald & Company Securities, Inc. Political
Action Committee and Robert A. Perrier, as
treasurer

9 7 0 4 0 7 6 1 6 3 5

(continued)

3. Approve the letters, Factual and Legal Analyses, and proposed conciliation agreements to be sent to the respective committees listed in action 2, as recommended in the First General Counsel's Report signed June 8, 1989.

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

Attest:

6-19-89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

000040705680



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 28, 1989

Robert A. Perrier,
Treasurer
McDonald & Company Securities,
Inc., Political Action Committee
2100 Society Building
Cleveland, OH 44114

RE: MUR 2912
McDonald & Company Securities,
Inc., Political Action
Committee and Robert A.
Perrier, as treasurer

Dear Mr. Perrier:

On June 19, 1989, the Federal Election Commission found that there is reason to believe McDonald & Company Securities, Inc., Political Action Committee ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The 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 the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement

27040766537

Robert A. Perrier
Page 2

of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

If you are interested in expediting the resolution of this matter by pursuing pre-probable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, 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.

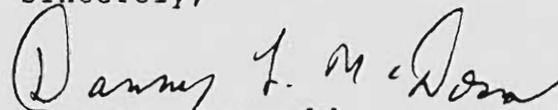
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 authorizing such counsel to receive any notifications and other communications from the Commission.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the 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 Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,


Danny L. McDonald
Chairman

- Enclosures
Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

0 3 9 9 6 3 8



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

August 2, 1989

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Robert A. Perrier,
Treasurer
McDonald & Company Securities,
Inc., Political Action Committee
2100 Society Building
Cleveland, OH 44114

RE: MUR 2912
McDonald & Company Securities
Inc., Political Action
Committee and Robert A.
Perrier, as treasurer

Dear Mr. Perrier:

On June 28, 1989, you were notified that the Federal Election Commission determined to enter into negotiations directed toward reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. On that same date you were sent a conciliation agreement offered by the Commission in settlement of this matter.

Please note that conciliation negotiations entered into prior to a finding of probable cause to believe are limited to a maximum of 30 days. To date, you have not responded to the proposed agreement. The 30 day period for negotiations has expired. Unless we receive a response from you within five days and will proceed to the next stage of the enforcement process.

Should you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

00740760684

0403757

McDONALD & COMPANY

SECURITIES, INC.

MEMBER NEW YORK STOCK EXCHANGE

2100 SOCIETY BUILDING

CLEVELAND, OHIO 44114 • 216-443-2300

August 8, 1989

Lawrence M. Noble
General Counsel
Attn: Lois G. Lerner
Associate General Counsel
Federal Election Commission
Washington, D.C. 20463

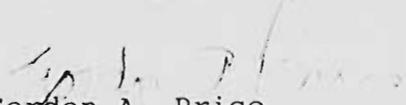
Re: MUR 2912, McDonald & Company Securities, Inc.
Political Action Committee and Robert A. Perrier as Treasurer

Dear Mr. Noble:

Please find enclosed herewith a copy of the Conciliation Agreement executed July 26, 1989 together with a copy of McDonald & Company Securities, Inc.'s check payable to the Federal Election Commission in the amount of \$500.00 dated January 27, 1989.

We believe that this concludes the matter and that we have responded within the statutory period as required. Please advise us if there is anything further.

Very truly yours,


Gordon A. Price
Managing Director
Chief Financial Officer

GAP:jmg
(628)

Enclosures

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF THE CLERK
89 AUG 15 PM 12:56

89 AUG 15 AM 9:40

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
McDonald & Company Securities,)
Inc. Political Action Committee) MUR 2912
and Robert A. Perrier, as)
treasurer)

SENSITIVE
EXECUTIVE SESSION

AUG 22 1989

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Robert A. Perrier, the treasurer of McDonald & Company Securities, Inc. Political Action Committee.

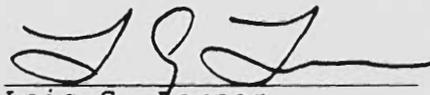
The attached agreement contains no changes from the agreement approved by the Commission on June 19, 1989. A check for the civil penalty has been received.¹

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with McDonald & Company Securities, Inc., Political Action Committee.
2. Close the file.
3. Approve the attached letter.

Lawrence M. Noble
General Counsel

8/14/89
Date

BY: 
Lois G. Lerner
Associate General Counsel

10076368

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check.
3. Letter to Respondents

Staff Assigned: Debby Curry

0 3 0 4 0 7 6 6 9 2



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

MEMORANDUM TO:

FROM: MARJORIE W. EMMONS/DELORES HARRIS ^{OPEN}
DATE: AUGUST 17, 1989
SUBJECT: MUR 2912 - GENERAL COUNSEL'S REPORT
DATED AUGUST 14, 1989

The above-captioned document was circulated to the Commission on AUGUST 15, 1989, 4:00.

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

- Commissioner Aikens _____
- Commissioner Elliott _____
- Commissioner Josefiak _____
- Commissioner McDonald xxxxx _____
- Commissioner McGarry _____
- Commissioner Thomas _____

This matter will be placed on the agenda for August 22, 1989.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
McDonald & Company Securities,) MUR 2912
Inc. Political Action)
Committee and Robert A.)
Perrier, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of August 22, 1989, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions with respect to MUR 2912:

1. Accept the conciliation agreement with McDonald & Company Securities, Inc., Political Action Committee, as recommended in the General Counsel's August 14, 1989 report.
2. Close the file.
3. Approve an appropriate letter.

Commissioners Aikens, Elliott, Josefiak, McDonald, and McGarry voted affirmatively for the decision; Commissioner Thomas was not present.

Attest:

8-24-89

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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FEDERAL ELECTION COMMISSION

WASHINGTON DC 20461

September 1, 1989

Robert A. Perrier, Treasurer
McDonald & Company Securities,
Inc. Political Action Committee
2100 Society Building
Cleveland, OH 44114

RE: MUR 2912
McDonald & Company
Securities, Inc. Political
Action Committee and Robert
A. Perrier, as treasurer

Dear Mr. Perrier:

On August 22, 1989, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted by you and your Committee in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to McDonald & Company Securities, Inc. Political Action Committee and you, as treasurer. This matter will become a part of the public record within 30 days after it has been closed. 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.

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Robert A. Perrier
Page 2

Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the Commission will be sending you, under separate cover, a refund check of \$125 which is the amount equal to overpayment of the civil penalty. If you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
McDonald & Company Securities,) MUR 2912
Inc. Political Action Committee)
and Robert A. Perrier, as)
treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that McDonald & Company Securities, Inc. Political Action Committee and Robert A. Perrier, as treasurer, ("Respondents") violated 2 U.S.C. § 434(a)(4)(B).

NOW, THEREFORE, the Commission and the 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.

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

1. McDonald & Company Securities, Inc. Political Action Committee is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Robert A. Perrier is the treasurer of McDonald & Company Securities, Inc. Political Action Committee.

3. Section 434(a)(4)(B) of Title 2 provides that unauthorized committees which file on a monthly basis file a pre-election report, which shall be filed no later than the 12th day before such election, and which shall be complete as of the 20th day before the election.

4. Respondents filed the 1988 12 Day Pre-General Report on November 23, 1988, twenty seven days after the October 27, 1988 deadline. The total amount of financial activity disclosed was \$9,959.00.

V. Respondents failed to file the 1988 12 Day Pre-General Report in a timely manner, in violation of 2 U.S.C. § 434(a)(4)(B).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of Three Hundred Seventy-Five Dollars (\$375.00), 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 that all parties hereto executed same and the Commission has approved the entire agreement.

IX. Respondents shall have no more than 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 enforceable.

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: *L. G. Lerner*
Lois G. Lerner
Associate General Counsel

8/31/89
Date

FOR THE RESPONDENT(S):

Robert A. ...
(Name) *TREASURER*
(Position)

July 26, 1989
Date

*MCDONALD + COMPANY SECURITIES, INC
POLITICAL ACTION COMMITTEE*

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 29/2

DATE FILMED 9/12/89 CAMERA NO. 4

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