



FEDERAL ELECTION COMMISSION  
WASHINGTON, D C 20463

THIS IS THE BEGINNING OF MUR # 3049

DATE FILMED 9/27/90 CAMERA NO. 3

CAMERAMAN AS

90040801238

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RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

90 APR 13 PM 1:59

Paul D. Harvill  
2443 A Ramblewood Ct.  
Tallahassee, FL 32303  
(904) 487-4376, 386-4433

MUR 3049

90 APR 18 AM 10:09

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

April 9, 1990

Federal Elections Commission  
999 E Street  
Washington, D.C. 20463

RE: SWORN COMPLAINT: U.S. REPRESENTATIVE BILL GRANT  
FEC Identification # 119130

By means of this letter, I hereby file a sworn complaint to the Federal Elections Commission regarding U.S. Representative Bill Grant (2nd Congressional District, Florida; FEC identification number 119130). During the calendar year 1989 his campaign fund, in violation of the Federal Code, accepted eleven corporate (non-individual) contributions as indicated below:

<u>Date</u>	<u>Contributor</u>	<u>Amount</u>
5-24	Royer, Shacknai & Mehle Washington, D.C.	\$ 300
11-30	Drive-In Package Store Jasper, FL	250
11-30	Great Southern Cordage Quincy, FL	250
12-6	Joe P. Burns Funderal Home Perry, FL	250
12-6	Slepin & Schwartz Tallahassee, FL	250
12-7	Lee A. Everhart & Co. Tallahassee, FL	350
12-14	Eastpoint Auto Parts Eastpoint, FL	250
12-14	Madison Eyecare Center Madison, FL	250

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Federal Elections Commission  
April 9, 1990  
Page Two

12-20	Draco Building Tallahassee, FL	800
12-20	Manley Farms Quincy, FL	250
12-20	Nat Polak Insurance Agency Tallahassee, FL	250

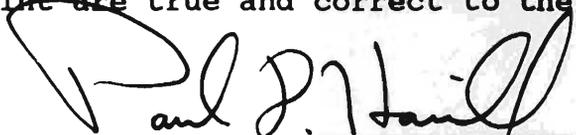
In addition, the First Amendment to the United States Constitution guarantees me the right to freedom of speech. Accordingly, acting upon my constitutional rights, I am informing the Federal Elections Commission at this time that I may publish and discuss the contents of this complaint.

Thank you for your attention and assistance in this important matter.

STATE OF FLORIDA     )  
                                  ) ss:  
COUNTY OF LEON     )

OATH

I, PAUL D. HARVILL, the person bringing this complaint, being first duly sworn, do depose on oath and say that the facts set forth in the foregoing complaint are true and correct to the best of my knowledge.

  
\_\_\_\_\_  
PAUL D. HARVILL, Complainant

Sworn to and subscribed before me this 9th day of April, 1990.

  
\_\_\_\_\_  
Notary Public

My Commission Expires:

Notary Public, State of Florida  
My Commission Expires Oct. 27, 1990  
Bonded Thru Troy Fair Insurance Inc.

90040301240

OAC 598

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

90 APR 21 AM 8:36

MUR 3049

**SLEPIN & SCHWARTZ**  
ATTORNEYS AT LAW  
PRACTICING  
ADMINISTRATIVE & GOVERNMENTAL LAW  
APPELLATE PRACTICE  
1114 EAST PARK AVENUE  
TALLAHASSEE, FLORIDA 32301  
(904) 284-5800

MICHAEL I. SCHWARTZ  
STEPHEN MARC SLEPIN  
  
MATTHEW M. SLEPIN  
OF COUNSEL

DINAH P. COX, CLA  
CERTIFIED LEGAL ASSISTANT  
AMY SCHWARTZ  
LEGISLATIVE ASSISTANT  
BETH L. STEWART, PLS  
LEGAL ASSISTANT

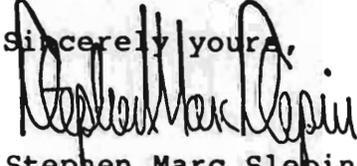
April 18, 1990

Mr. Paul D. Harvill  
2443-A Ramblewood Court  
Tallahassee, Florida 32303

Dear Mr. Harvill:

I was informed on April 17, 1990 that I had been named in an Elections' complaint, and that my name had been circulated in the press. I then obtained a copy of your April 16, 1990 press release and letter to the Federal Elections Commission.

Because I trust that your letter and your press release were produced in good faith, I bring to your attention that "Slepin & Schwartz, Tallahassee, FL" is not a corporation. I would request of you that this error be remedied by (a) correction of your letter to the Federal Elections Commission and by (b) an associated press release. I trust that you wouldn't falsely have sworn to the truth and correctness of the facts asserted by you; and I ask that you confirm this belief by the acts above requested.

Sincerely yours,  
  
Stephen Marc Slepin

bs  
cc: Federal Elections Commission

90040801241

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF LEGAL COUNSEL  
90 APR 23 PM 3:04

APR 20 AM 1:05  
FEDERAL ELECTIONS COMMISSION  
OFFICE OF GENERAL COUNSEL

90 APR 20 PM 12:33

*Prer*

Paul D. Harvill  
2443 A Ramblewood Ct.  
Tallahassee, FL 32303  
(904) 487-4376, 386-4433

April 20, 1990

VIA FACSIMILE TRANSMISSION

Federal Elections Commission  
999 E Street  
Washington, D.C. 20463

RE: SWORN COMPLAINT: U.S. REPRESENTATIVE BILL GRANT

Dear Commissioners:

Since the complaint was filed and the press release issued, it has been brought to my attention that I, unintentionally, misunderstood provisions of the Federal Code relating to election law violations. I was under the misunderstanding that non-individual contributions were expressly prohibited by federal law. I have since learned that some non-individual contributions can be legally given and received within certain provisions established by statute and rule.

Therefore, I am correcting my unintentional error by means of this letter and a press release. Presently, it is my understanding that all but one of the contributions were non-corporate contributions. And the one contribution is being returned, as provided by federal law. In addition, Stephen Marc Slepín has informed me by letter that "Slepín & Schwartz, Tallahassee, FL" is not a corporation.

Therefore, I hereby ask the Federal Elections Commission to allow me to withdraw my complaint against U.S. Representative Bill Grant (2nd Congressional District, Florida; FEC identification number 119130).

Thank you for your attention and assistance in this important matter.

Sincerely,  
  
Paul Harvill

Enclosures

900040301242

FOR IMMEDIATE RELEASE:  
April 20, 1990

CONTACT: Paul Harvill  
487-4376

REQUEST TO THE FEDERAL ELECTIONS COMMISSION TO WITHDRAW  
COMPLAINT FILED AGAINST U.S. REPRESENTATIVE BILL GRANT  
DUE TO MISUNDERSTANDING OF FEDERAL ELECTION LAW  
BY COMPLAINANT

Since the complaint was filed and the press release issued, it has been brought to my attention that I have misunderstood provisions of the Federal Code relating to election law violations. I was under the misunderstanding that non-individual (excluding PAC) contributions were expressly prohibited by federal law. I have since learned that some non-individual contributions can be legally given and received within certain provisions established by statute and rule.

Therefore, I am correcting my unintentional error by means of the attached letter to the Federal Elections Commission and this press release. Presently, it is my understanding that all but one of the contributions were non-corporate contributions. And the one contribution is being returned, as provided by federal law. In addition, Stephen Marc Slepín has informed me by letter that "Slepín & Schwartz, Tallahassee, FL" is not a corporation.

I apologize to all parties involved for not better understanding federal election law and thus inadvertently causing embarrassment or other difficulties due to my complaint and press release.

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90040301243



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 23, 1990

Paul D. Harvill  
2443 A Ramblewood Ct.  
Tallahassee, FL 32303

RE: MUR 3049

Dear Mr. Harvill:

This is in reference to your letter dated April 20, 1990, requesting that the complaint you filed against U.S. Representative Bill Grant be withdrawn.

Under 2 U.S.C. § 437g, the Federal Election Commission is empowered to review a complaint properly filed with it and to take action which it deems appropriate under the Federal Election Campaign Act of 1971, as amended ("the Act"). A request for withdrawal of a complaint will not prevent the Commission from taking appropriate action under the Act. Your request will become part of the public record within 30 days after the entire file is closed.

If you have any further questions about this procedure, please contact Ken Kellner, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

90040301244



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 24, 1990

Paul D. Harvill  
2443 A Ramblewood Court  
Tallahassee, FL 32303

RE: MUR 3049

Dear Mr. Harvill:

This letter acknowledges receipt on April 18, 1990, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by the Bill Grant Campaign Fund. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

If you have any questions, please contact Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Procedures

90040301245



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

April 24, 1990

Royer, Shacknai & Mehle  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

RE: MUR 3049

Dear Gentleman:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 24, 1990

Royer, Shacknai & Mehle  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

RE: MUR 3049

Dear Gentleman:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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90040801246

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

Enclosures

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

90040801247



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 24, 1990

Joe P. Burns Funeral Home  
1400 N. Johnson-Stirling Road  
Perry, FL 32347

RE: MUR 3049

Dear Gentleman:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

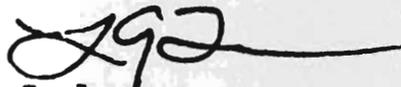
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90040301248

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

Sincerely,

Lawrence M. Noble  
General Counsel



BY: Lois G. Lerner  
Associate General Counsel

**Enclosures**

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

90040801249



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**April 24, 1990**

**Slepin & Schwartz  
1114 East Park Avenue  
Tallahassee, FL 32301**

**RE: MUR 3049**

**Dear Gentleman:**

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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90040301250

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

Sincerely,

Lawrence M. Noble  
General Counsel



BY: Lois G. Lerner  
Associate General Counsel

**Enclosures**

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

90040801251



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 24, 1990

Lee A. Everhart & Co.  
P.O. Box 3746  
Tallahassee, FL 32315

RE: MUR 3049

Dear Gentleman:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

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90040301252

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

Sincerely,

Lawrence M. Noble  
General Counsel



BY:

Lois G. Lerner  
Associate General Counsel

**Enclosures**

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

90040801253



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

April 24, 1990

Eastpoint Auto Parts  
P.O. Box 628  
Eastpoint, FL 32328

RE: MUR 3049

Dear Gentleman:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

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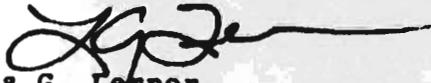
90040801254

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

Enclosures

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

90040801255



**FEDERAL ELECTION COMMISSION**  
WASHINGTON, D.C. 20463

**April 24, 1990**

**Madison Eyecare Center  
304 S. Range Street  
Madison, FL 32340-2397**

**RE: MUR 3049**

**Dear Gentleman:**

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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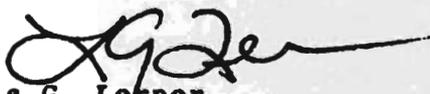
90040801256

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

Enclosures

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

90040301257



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**April 24, 1990**

**Draco Building  
2032-D Thomasville Road  
Tallahassee, FL 32312**

**RE: MUR 3049**

**Dear Gentleman:**

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

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90040801258

If you have any questions, please contact Ken Kellner, the attorney assigned to this matter at (202) 376-6200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

**Enclosures**

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

90040801259



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

April 24, 1990

**Manley Farms  
P.O. Box 1358  
Quincy, FL 32351**

**RE: MUR 3049**

**Dear Gentleman:**

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90040301260

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Sincerely,

Lawrence M. Noble  
General Counsel



BY: Lois G. Lerner  
Associate General Counsel

**Enclosures**

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

90040801261



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**April 24, 1990**

**Nat Polak Insurance Agency  
P.O. Box 1511  
Tallahassee, FL 32302**

**RE: MUR 3049**

**Dear Gentleman:**

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

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90040301262

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Sincerely,

Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

Enclosures

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

90040801263



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 24, 1990

Great Southern Cordage  
404 N. Jackson Street  
Quincy, FL 32351

RE: MUR 3049

Dear Gentleman:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

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9 0 0 4 0 8 0 1 2 6 4

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Sincerely,

Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

Enclosures

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

9 0 0 4 0 8 0 1 2 6 5



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 24, 1990

Drive-In Package Store  
P.O. Drawer L  
Jasper, FL 32052

RE: MUR 3049

Dear Gentleman:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

90040801266

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Lerner  
Associate General Counsel

Enclosures

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

90040301267



**FEDERAL ELECTION COMMISSION**

WASHINGTON, D.C. 20463

**April 24, 1990**

Bill Grant Campaign Fund  
Richard A. Weidner, Treasurer  
1713 Mahan Drive  
Tallahassee, FL 32308

**RE: MUR 3049**

Dear Mr. Weidner:

The Federal Election Commission received a complaint which alleges that the Bill Grant Campaign Fund and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

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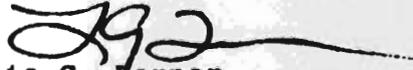
9 0 0 4 0 8 0 1 2 6 8

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Werner  
Associate General Counsel

Enclosures

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

cc: Congressman Bill Grant  
1330 LHOB  
Washington, D.C. 20515-0902

90040801269

06C 6111



# GRANT

★ U. S. CONGRESS ★

Post Office Box 10571

Tallahassee, FL 32302

Phone 681-2746

April 30, 1990

Mr. Ken Kellner  
Federal Election Commission  
Washington, D.C. 20463

Dear Mr. Kellner:

I am in receipt of your letter dated April 24, 1990, relative to a complaint that has been filed (your complaint #MUR 3049) against the Bill Grant Campaign Fund. It is my understanding that this complaint has been withdrawn due to a misunderstanding of the Federal Election law by the complainant. I have attached a copy of the letter we received relative to the withdrawing of the complaint.

The staff of the Grant Campaign and I, as Treasurer, take very seriously the Federal Election laws in all areas including campaign contributions. Campaign contributions are screened to assure that no corporate contributions are received by the Campaign and corporate checks are returned to the contributors prior to being deposited in the Campaign account. Occasionally, a corporate check will be deposited in error and in these instances, the Campaign will reimburse the corporation as soon as the error is discovered.

If you have any questions or need any additional information, please contact me.

Very truly yours,

*Richard A. Weidner*  
Richard A. Weidner,  
Campaign Treasurer

RAW/sl  
Enclosures

cc: Ms. Lois G. Lerner  
Associate General Counsel

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
90 MAY -3 PM 2:30

90 MAY -3 PM 12:12

90040801270



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 24, 1990

Bill Grant Campaign Fund  
Richard A. Weidner, Treasurer  
1713 Mahan Drive  
Tallahassee, FL 32308

RE: MUR 3049

Dear Mr. Weidner:

The Federal Election Commission received a complaint which alleges that the Bill Grant Campaign Fund and you, as treasurer, may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

20040801271

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY:

  
Lois G. Verner  
Associate General Counsel

Enclosures

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

cc: Congressman Bill Grant  
1330 LHOB  
Washington, D.C. 20515-0902

900408012/2

FOR IMMEDIATE RELEASE:  
April 20, 1990

CONTACT: Paul Harvill  
487-4376

REQUEST TO THE FEDERAL ELECTIONS COMMISSION TO WITHDRAW  
COMPLAINT FILED AGAINST U.S. REPRESENTATIVE BILL GRANT  
DUE TO MISUNDERSTANDING OF FEDERAL ELECTION LAW  
BY COMPLAINANT

9 0 0 4 0 3 0 1 2 / 3

Since the complaint was filed and the press release issued, it has been brought to my attention that I have misunderstood provisions of the Federal Code relating to election law violations. I was under the misunderstanding that non-individual (excluding PAC) contributions were expressly prohibited by federal law. I have since learned that some non-individual contributions can be legally given and received within certain provisions established by statute and rule.

Therefore, I am correcting my unintentional error by means of the attached letter to the Federal Elections Commission and this press release. Presently, it is my understanding that all but one of the contributions were non-corporate contributions. And the one contribution is being returned, as provided by federal law. In addition, Stephen Marc Slepín has informed me by letter that "Slepín & Schwartz, Tallahassee, FL" is not a corporation.

I apologize to all parties involved for not better understanding federal election law and thus inadvertently causing embarrassment or other difficulties due to my complaint and press release.

###

Paul D. Harvill  
2443 A Ramblewood Ct.  
Tallahassee, FL 32303  
(904) 487-4376, 386-4433

April 20, 1990

VIA FACSIMILE TRANSMISSION

Federal Elections Commission  
999 E Street  
Washington, D.C. 20463

RE: SWORN COMPLAINT: U.S. REPRESENTATIVE BILL GRANT

Dear Commissioners:

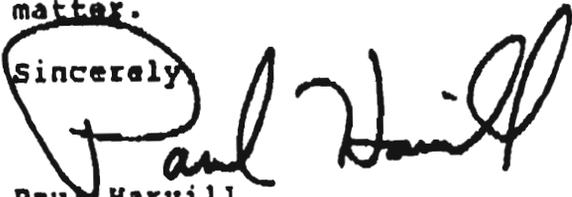
Since the complaint was filed and the press release issued, it has been brought to my attention that I, unintentionally, misunderstood provisions of the Federal Code relating to election law violations. I was under the misunderstanding that non-individual contributions were expressly prohibited by federal law. I have since learned that some non-individual contributions can be legally given and received within certain provisions established by statute and rule.

Therefore, I am correcting my unintentional error by means of this letter and a press release. Presently, it is my understanding that all but one of the contributions were non-corporate contributions. And the one contribution is being returned, as provided by federal law. In addition, Stephen Marc Slepín has informed me by letter that "Slepín & Schwartz, Tallahassee, FL" is not a corporation.

Therefore, I hereby ask the Federal Elections Commission to allow me to withdraw my complaint against U.S. Representative Bill Grant (2nd Congressional District, Florida; FEC identification number 119130).

Thank you for your attention and assistance in this important matter.

Sincerely

  
Paul Harvill

Enclosures

900408012/4

06C 6112

RECEIVED  
FEDERAL ELECTION COMMISSION

90 MAY -3 PM 12:05

**SLEPIN & SCHWARTZ**  
ATTORNEYS AT LAW  
PRACTICING  
ADMINISTRATIVE & GOVERNMENTAL LAW  
APPELLATE PRACTICE  
1114 EAST PARK AVENUE  
TALLAHASSEE, FLORIDA 32301  
(904) 294-5200

MICHAEL I. SCHWARTZ  
STEPHEN MARC SLEPIN  
MATTHEW M. SLEPIN  
OF COUNSEL

DINAH P. COX, CLA  
CERTIFIED LEGAL ASSISTANT  
AMY SCHWARTZ  
LEGISLATIVE ASSISTANT  
BETH L. STEWART, PLS  
LEGAL ASSISTANT

May 1, 1990

Lois G. Lerner, Esquire  
Associate General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3049

Dear Ms. Lerner:

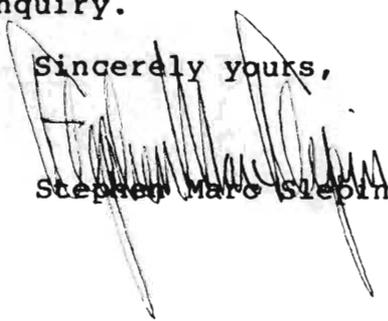
This is to acknowledge yours of April 24, 1990.

Complainant, Paul Harvill, has formally confessed error and withdrew his complaint by letter to you dated April 20, 1990.

Is this firm, which is a non-corporate partnership, still complained against?

Please respond to this inquiry.

Sincerely yours,



Stephen Marc Slepín

bs

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
90 MAY -3 PM 2:30

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# MHI

MHI GROUP, INC.

RECEIVED  
FEDERAL ELECTION COMMISSION

90 MAY -3 AM 11:47

April 27, 1990

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
90 MAY -3 PM 2:31

Ken Kellner, Esq.  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3049

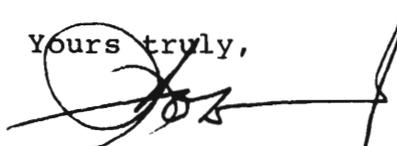
Dear Mr. Kellner:

I am enclosing a copy of the Partnership Agreement on Draco Building, which plainly and clearly shows that this entity is a partnership. This should enable you to close your file on this complaint.

I am also enclosing a copy of Mr. Harvill's letter, withdrawing the complaint.

If you plan to pursue this matter, please advise immediately.

Yours truly,



Fred O. Drake, Jr.

FOD, Jr./bjs

Enclosure

9004001276

Paul D. Harvill  
2443 A Ramblewood Ct.  
Tallahassee, FL 32303  
(904) 487-4376, 386-4433

April 20, 1990

VIA FACSIMILE TRANSMISSION

Federal Elections Commission  
999 E Street  
Washington, D.C. 20463

RE: SWORN COMPLAINT: U.S. REPRESENTATIVE BILL GRANT

Dear Commissioners:

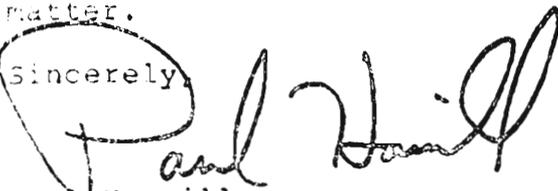
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Therefore, I hereby ask the Federal Elections Commission to allow me to withdraw my complaint against U.S. Representative Bill Grant (2nd Congressional District, Florida; FEC identification number 119130).

Thank you for your attention and assistance in this important matter.

Sincerely,



Paul Harvill

Enclosures

90040301277

FOR IMMEDIATE RELEASE:  
April 20, 1990

CONTACT: Paul Harvill  
487-4376

REQUEST TO THE FEDERAL ELECTIONS COMMISSION TO WITHDRAW  
COMPLAINT FILED AGAINST U.S. REPRESENTATIVE BILL GRANT  
DUE TO MISUNDERSTANDING OF FEDERAL ELECTION LAW  
BY COMPLAINANT

Since the complaint was filed and the press release issued, it has been brought to my attention that I have misunderstood provisions of the Federal Code relating to election law violations. I was under the misunderstanding that non-individual (excluding PAC) contributions were expressly prohibited by federal law. I have since learned that some non-individual contributions can be legally given and received within certain provisions established by statute and rule.

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I apologize to all parties involved for not better understanding federal election law and thus inadvertently causing embarrassment or other difficulties due to my complaint and press release.

###

900403012/8

DRACO PROPERTIES GENERAL PARTNERSHIP AGREEMENT

THIS GENERAL PARTNERSHIP AGREEMENT made, executed and entered into by and between FANNY JO DRAKE, FRED O. DRAKE, JR., and BETTY JO SHIELL, as Trustees of the Fred O. Drake, Sr., Testamentary Trust (and solely in such capacity), and FANNY JO DRAKE, individually, of Tallahassee, Leon County, Florida.

W I T N E S S E T H:

THAT WHEREAS, during his lifetime, Fred O. Drake, Sr., together with Fanny Jo Drake, did enter into an oral general partnership known as Draco Properties; and

WHEREAS, for several years prior to the death of Fred O. Drake, Sr., he and Fanny Jo Drake did actively conduct business as partners, d/b/a Draco Properties, Inc.; and

WHEREAS, Fred O. Drake, Jr., and Betty Jo Shiell, as the Trustees of the Fred O. Drake, Sr. Testamentary Trust have succeeded to the sixty percent (60%) partnership interest owned by Fred O. Drake, Sr., at the time of his death; and

WHEREAS, as of the date of this Agreement, Fred O. Drake, Jr., and Betty Jo Shiell, as the Trustees of the Fred O. Drake, Sr., Testamentary Trust are the owners of a sixty percent (60%) interest in and to said general partnership and Fanny Jo Drake is the owner of a forty percent (40%) interest in and to said general partnership; and

WHEREAS, the parties wish to memorialize and reduce to writing their partnership agreement.

This instrument prepared by:  
CARI R. PENNINGTON, JR. OF  
PENNINGTON, WILKINSON,  
DUNLAP, BUTLER & GAUTIER  
Attorneys at Law  
Post Office Box 13527  
Tallahassee, Florida 32317-3527

PENNINGTON, WILKINSON, DUNLAP, BUTLER & GAUTIER  
TALLAHASSEE, FLORIDA 32308

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NOW, THEREFORE, in consideration of the hereinabove set forth premises and in consideration of the hereinafter set forth covenants and agreements, the parties hereto do hereby agree as follows:

1. The parties hereto are partners under the laws of the State of Florida.

2. The nature of such partnership is a general partnership.

3. The Partnership shall do business under the partnership name of "Draco Properties."

4. Fred O. Drake, Jr., and Betty Jo Shiell, as Trustees of the Fred O. Drake, Sr., Testamentary Trust, are the owners of a sixty percent (60%) interest in and to all elements, aspects and phases of such Partnership including, but not limited to, the profits, losses, capital, debts, obligations and cash flow of such Partnership. The remaining forty percent (40%) interest in such Partnership and in each item thereof is owned by Fanny Jo Drake.

5. The Partnership shall have the authority to invest in, own, manage, buy, sell, and otherwise deal in all kinds of real and personal property and to transact any and all business dealings to the extent permitted by law. The Partnership shall have no specialized tax or investment objective with relation to its activities, but instead, may conduct its activities in order to seek to produce ordinary current income, short term capital gains, long term capital gains, or tax losses which would shelter

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income from other sources, or any combination of any or all types of income.

6. The Partnership shall not distribute any specified or set amount or percentage of its net cash flow or profits during any fiscal year. Instead, the Managing Partner shall have the authority to determine what amounts, if any, of such cash flow or profits shall be distributed and the dates on which any such distributions shall occur.

7. All of the affairs of the Partnership shall be handled by the Managing Partner. The Managing Partner shall have full authority to act on behalf of the Partnership in its dealings with third parties and any and all third parties shall be entitled to rely solely upon the Managing Partner and upon the existence of his authority to act in any and all matters on behalf of the partnership and to fully bind the Partnership to the same extent as if he were dealing with his own individual property. No third party shall be required to inquire into the authority of the Managing Partner to act on behalf of the Partnership. By way of illustration of such Managing Partner's powers, and not in limitation thereof, the Managing Partner shall, on behalf of the Partnership and its partners: enter into contracts; amend and modify contracts; terminate contracts; lend money; borrow money; execute promissory notes, real estate mortgages, chattel mortgages, hypothecation agreements, pledge agreements, loan agreements, and any and all other types of documents relating to loans made by or to the Partnership;

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acquire real and personal property; sell real and personal property; mortgage or hypothecate the real and personal property of the Partnership; settle claims against the Partnership; settle claims in favor of the Partnership; adjust and compromise accounts receivable; enter into releases, indemnification and hold harmless agreements; employ agents, attorneys, accountants, brokers, and employees and to enter into contracts with such individuals or firms to render services to the Partnership; to maintain any and all types of bank accounts and depository relationships; and to otherwise do anything and everything necessary or desirable in conjunction with the carrying on of any and all businesses and managing all investments of the Partnership. The Managing Partner shall be chosen by affirmative vote of the owners of a majority of the Partnership interest. Such appointment or election shall be evidenced by a written statement executed by such partners and attached to the Partnership Agreement as an addendum thereto.

8. The initial Managing Partner shall be Fred O. Drake, Jr., who shall serve in such capacity until his resignation or until a successor Managing Partner is selected in accordance with the preceding paragraph, whichever sooner occurs.

9. The fiscal year of the Partnership shall be the calendar year.

10. The Managing Partner shall cause a federal partnership income tax return to be prepared and copies thereof to be

distributed to the partners within seventy-five (75) days after the end of each partnership fiscal year.

11. A partner may sell and transfer a Partnership interest subject to the following terms and conditions:

A. No interest in the Partnership shall be transferred which would result in the owner or holder thereof owning less than ten percent (10%) interest in and to the Partnership;

B. In the event any partner desires to sell his Partnership interest or any part thereof, he shall require any and all prospective purchasers to submit any offer to purchase in writing. The remaining partners, if any, who desire to purchase such interest shall then have right of first refusal on a pro rata basis to purchase said Partnership interest on the same terms and conditions as set forth in any such written offer. Any such written offer shall be expressly subject to the right of refusal as set forth herein. The selling partners shall submit a true and correct copy of such written offer to the remaining partners who shall, thereafter, have thirty (30) days within which to purchase said partners' offered Partnership interest upon the same terms and conditions as set forth in such written offer; provided, however, that all time periods in said written offer shall be deemed to be extended by the amount of time elapsed between the date of such written offer and the date of exercise of right of first refusal by any partners;

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C. The foregoing shall not apply to or limit the transfer of a Partnership interest by gift or bequest.

12. The initial principal place of business and mailing address of the Partnership shall be 2032-D Thomasville Road, Tallahassee, Florida 32312.

13. The Partnership shall exist until January 1, 2006, unless sooner terminated.

14. The Managing Partner shall, on behalf of the Partnership, keep full and accurate books of account and other financial records accurately reflecting the operation of said Partnership and of any income producing properties or businesses which it owns.

15. This Partnership Agreement may be amended only by written agreement executed with the same formality as this Partnership Agreement.

16. Upon liquidation or dissolution of the Partnership, the net proceeds received from the sale of Partnership assets shall be applied as follows, in the following order:

A. First, to any remaining expenses of liquidation and dissolution;

B. Next, to Partnership debts other than those assumed by the purchaser of a Partnership asset;

C. Next, to all amounts due to any partner for loans made to the Partnership;

D. Next, to distributions to partners to balance their capital accounts based upon their percentage ownership; and

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E. Then, to the partners in proportion to their respective percentage ownerships.

17. All accountings, allocations, distributions and similar financial items shall be accounted for in accordance with the provisions of the Internal Revenue Code (and particularly in accordance with Section 704(b), I.R.C., and Reg. 1.704-1(b)(2), so that said allocations and distributions are deemed to have substantial economic effect under the Internal Revenue Code.

18. Any partner may engage in or possess an interest in other business ventures of every nature and description, independently or with others, whether in competition with or in conflict with the business to be conducted by this Partnership including, but not limited to, the ownership, financing, leasing, operation, management, syndication, brokerage and development of real property. Neither the Partnership nor the partners shall have any right, by virtue of this Agreement, in and to such independent ventures, or to the income or profits derived therefrom. The fact that a partner or a member of his family is employed by or is directly or indirectly interested in or associated with any person, firm or corporation employed by the partnership to render or perform a service, or from whom or which the Partnership may buy merchandise or other property or services, or to or from whom or which the Partnership shall purchase or lease any new property, or to or from whom or which the Partnership shall sell or lease any real property, shall not prohibit the partners from entering into any contract or

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agreement with or employing such persons, firms or corporations,  
or from otherwise dealing with such persons, firms or  
corporations and neither the partnership nor any of its partners,  
as such, shall have any rights, in or to, any income or profits  
therefrom, nor shall any such partner be denied from receiving  
his fair share of the profits or income relating thereto. The  
parties hereto recognize that all partners may from time to time  
engage in the real estate business either directly as developers,  
owners or employees, or indirectly as investors, and limited  
partnerships, general partnerships, corporations or other  
business entities, and all parties hereto release each and every  
other party hereto from any and all possible conflicts of  
interest or breach of any fiduciary relationship hereunder  
relating to any such diversified interest in real property or  
entities owning real property.

IN WITNESS WHEREOF, the parties hereto have hereunto set  
their respective hands and seals the day and year first above  
written.

WITNESSES:

[Signature]  
[Signature]

Fanny J. Drake (SEAL)  
FANNY JO DRAKE, as Trustee  
of the Fred O. Drake, Sr.  
Testamentary Trust

WITNESSES:

[Signature]  
[Signature]

[Signature] (SEAL)  
FRED O. DRAKE, JR., as Trustee  
of the Fred O. Drake, Sr.  
Testamentary Trust

90040301286

WITNESSES:

[Signature]  
[Signature]

Betty Jo Shiell (SEAL)  
BETTY JO SHIELL, as Trustee  
of the Fred O. Drake, Sr.  
Testamentary Trust

WITNESSES:

[Signature]  
[Signature]

Fanny Jo Drake (SEAL)  
FANNY JO DRAKE, Individually

STATE OF FLORIDA,

COUNTY OF LEON.

I HEREBY CERTIFY that on this day, before me, a Notary Public duly authorized in the State and County named above to take acknowledgments, personally appeared FANNY JO DRAKE, as Trustee of the Fred O. Drake, Sr. Testamentary Trust to me known to be the person described in and who executed the foregoing DRACO PROPERTIES GENERAL PARTNERSHIP AGREEMENT, and acknowledged before me that she executed the same for the uses and purposes therein expressed.

WITNESS my hand and official seal in the State and County named above this 1st day of May, 1986.

Elizabeth C. Swinson  
NOTARY PUBLIC

My Commission Expires:

STATE OF FLORIDA,

COUNTY OF LEON.

Notary Public, State of Florida  
My Commission Expires Aug. 27, 1986  
Bonded thru Troy Rain Insurance, Inc.

I HEREBY CERTIFY that on this day, before me, a Notary Public duly authorized in the State and County named above to take acknowledgments, personally appeared FRED O. DRAKE, JR., as Trustee of the Fred O. Drake, Sr. Testamentary Trust to me known to be the person described in and who executed the foregoing DRACO PROPERTIES GENERAL PARTNERSHIP AGREEMENT, and acknowledged before me that he executed the same for the uses and purposes therein expressed.

90040301287

WITNESS my hand and official seal in the State and County  
named above this 1st day of May, 1986.

Elizabeth E. Simmons  
NOTARY PUBLIC

My Commission Expires:

STATE OF FLORIDA,  
  
COUNTY OF LEON.

Notary Public, State of Florida  
My Commission Expires Aug. 27, 1986  
Bonded thru Troy Fair - Insurance, Inc.

I HEREBY CERTIFY that on this day, before me, a Notary  
Public duly authorized in the State and County named above to  
take acknowledgments, personally appeared BETTY JO SHIELL, as  
Trustee of the Fred O. Drake, Sr. Testamentary Trust to me known  
to be the person described in and who executed the foregoing  
DRACO PROPERTIES GENERAL PARTNERSHIP AGREEMENT, and acknowledged  
before me that she executed the same for the uses and purposes  
therein expressed.

WITNESS my hand and official seal in the State and County  
named above this 1st day of May, 1986.

Elizabeth E. Simmons  
NOTARY PUBLIC

My Commission Expires:

Notary Public, State of Florida  
My Commission Expires Aug. 27, 1986  
Bonded thru Troy Fair - Insurance, Inc.

99040301238

OGC 6138

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF LEGAL COUNSEL  
10N

90 MAY -8 AM 8:15

**SLEPIN & SCHWARTZ**  
ATTORNEYS AT LAW  
PRACTICING  
ADMINISTRATIVE & GOVERNMENTAL LAW  
APPELLATE PRACTICE  
1114 EAST PARK AVENUE  
TALLAHASSEE, FLORIDA 32301  
(904) 224-5200

MICHAEL I. SCHWARTZ  
STEPHEN MARC SLEPIN  
MATTHEW M. SLEPIN  
OF COUNSEL

DINAH P. COX, CLA  
CERTIFIED LEGAL ASSISTANT  
AMY SCHWARTZ  
LEGISLATIVE ASSISTANT  
BETH L. STEWART, PLS  
LEGAL ASSISTANT

May 4, 1990

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF LEGAL COUNSEL  
90 MAY -8 AM 11:35

90040801289

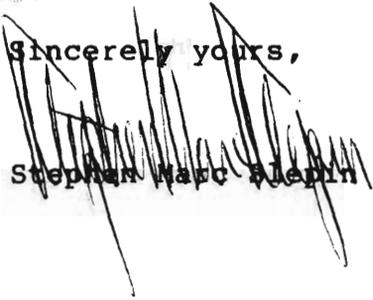
Lois G. Lerner, Esquire  
Associate General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3049

Dear Ms. Lerner:

This firm is a partnership. It is neither a corporation nor a "P.A."

Mr. Paul Harvill's complaint (since withdrawn) was predicated of his belief that SLEPIN & SCHWARTZ is, and that others named were, corporate. We are not.

Sincerely yours,  
  
Stephen Marc Slepkin

bs

0666155

# Madison Eyecare & Optical Center

DR. PHILIP A. DAGOSTINO  
304 SOUTH RANGE  
MADISON, FL 32340  
(904) 973-4340

90 MAY -7 AM 11:16

May 1, 1990

Mr. Ken Kellner  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3049

Dear Mr. Kellner,

I dissolved my professional corporation 12/31/88.  
Therefore, I do not believe I am in violation of the  
Federal Election Campaign Act of 1971. You may check  
with the Secretary of the State of Florida.

Sincerely,



Philip A. Dagostino, O.D.

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
90 MAY -8 AM 11:36

9004001290

OGC 6162

ROYER, MEHLE & BABYAK

ATTORNEYS AT LAW

1747 PENNSYLVANIA AVENUE, N. W.  
WASHINGTON, D. C. 20006

(202) 298-0784

OF COUNSEL

GREGORY M. FISHER

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
90 MAY -9 AM 9:54

TELEX  
3731439  
CABLE ADDRESS  
ROYSHACK-WSH  
AUTOMATIC  
TELECOPIER  
(202) 293-2788

May 7, 1990

Lois J. Lerner  
Associate General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Re: MUR 3049

Dear Ms. Lerner:

This is in response to your letter of April 24, 1990 (copy enclosed) to the law firm of Royer, Shacknai & Mehle. Royer, Mehle & Babyak, the successor firm to Royer, Shacknai & Mehle, is an unincorporated partnership, as was Royer, Shacknai & Mehle.

On April 20, 1990 the complainant in the above-noted MUR acknowledged having misunderstood the federal election law with regard to federal campaign contributions by partnerships and other non-corporate entities (see enclosed copy of press release of Paul Harvill and letter from Paul Harvill to Federal Election Commission dated April 20, 1990). In other words, the complainant acknowledged that he has no reason to believe that Royer, Shacknai & Mehle's campaign contribution was in any way improper. Accordingly Royer, Mehle & Babyak requests an acknowledgement from the Commission that the above MUR is dismissed, at least as to the law firms of Royer, Shacknai & Mehle and Royer, Mehle & Babyak.

Sincerely,

Robert S. Royer  
General Partner

cc: Ken Kellner (with enclosures)

90040501291



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 24, 1990

Royer, Shacknai & Mehle  
1747 Pennsylvania Avenue, N.W.  
Washington, D.C. 20006

RE: MUR 3049

Dear Gentleman:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 3049. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and 5 U.S.C. § 552(a)(7)(D) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

90046301292

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

Sincerely,

Lawrence M. Noble  
General Counsel



BY:

Lois G. Lerner  
Associate General Counsel

Enclosures

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

90049801293

FOR IMMEDIATE RELEASE:  
April 20, 1990

CONTACT: Paul Harvill  
487-4376

**REQUEST TO THE FEDERAL ELECTIONS COMMISSION TO WITHDRAW  
COMPLAINT FILED AGAINST U.S. REPRESENTATIVE BILL GRANT  
DUE TO MISUNDERSTANDING OF FEDERAL ELECTION LAW  
BY COMPLAINANT**

Since the complaint was filed and the press release issued, it has been brought to my attention that I have misunderstood provisions of the Federal Code relating to election law violations. I was under the misunderstanding that non-individual (excluding PAC) contributions were expressly prohibited by federal law. I have since learned that some non-individual contributions can be legally given and received within certain provisions established by statute and rule.

Therefore, I am correcting my unintentional error by means of the attached letter to the Federal Elections Commission and this press release. Presently, it is my understanding that all but one of the contributions were non-corporate contributions. And the one contribution is being returned, as provided by federal law. In addition, Stephen Marc Slepín has informed me by letter that "Slepín & Schwartz, Tallahassee, FL" is not a corporation.

I apologize to all parties involved for not better understanding federal election law and thus inadvertently causing embarrassment or other difficulties due to my complaint and press release.

###

90040301294

Paul D. Harvill  
2443 A Ramblewood Ct.  
Tallahassee, FL 32303  
(904) 487-4376, 386-4433

April 20, 1990

VIA FACSIMILE TRANSMISSION

Federal Elections Commission  
999 E Street  
Washington, D.C. 20463

RE: SWORN COMPLAINT: U.S. REPRESENTATIVE BILL GRANT

Dear Commissioners:

Since the complaint was filed and the press release issued, it has been brought to my attention that I, unintentionally, misunderstood provisions of the Federal Code relating to election law violations. I was under the misunderstanding that non-individual contributions were expressly prohibited by federal law. I have since learned that some non-individual contributions can be legally given and received within certain provisions established by statute and rule.

Therefore, I am correcting my unintentional error by means of this letter and a press release. Presently, it is my understanding that all but one of the contributions were non-corporate contributions. And the one contribution is being returned, as provided by federal law. In addition, Stephen Marc Slepín has informed me by letter that "Slepín & Schwartz, Tallahassee, FL" is not a corporation.

Therefore, I hereby ask the Federal Elections Commission to allow me to withdraw my complaint against U.S. Representative Bill Grant (2nd Congressional District, Florida; FEC identification number 119130).

Thank you for your attention and assistance in this important matter.

Sincerely,



Paul Harvill

Enclosures

90040801295

cc: Florida Press Corps  
U.S. Representative Bill Grant  
The contributors listed in the complaint

90040801296

Great Southern Cordage Company

404 North Jackson Street  
Quincy, Florida 32351  
(904) 539-9792

066196

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAY 10 1990

90 MAY -9 AM 11:09

5-2-90

Mr Ken Kellner  
Federal Election Commission  
Washington, DC 20463

RE: MUR 3049

Great Southern Cordage Company  
not a corporation as stated in  
the Complaint, but rather a sole  
proprietorship, of which I am the  
owner. Federal Tax Number - 59-2663508.

Please advise if any further  
information is required.

Frank Vaughan

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
90 MAY 10 PM 3:33

9 0 0 4 0 8 0 1 2 9 7

0666213



# GRANT

★ U. S. CONGRESS ★

Post Office Box 10571

Tallahassee, FL 32302

Phone 681-2746

May 11, 1990

Mr. Ken Kellner  
Federal Election Commission  
Washington, D.C. 20463

Dear Mr. Kellner:

In response to our telephone conversation on May 9, 1990, regarding the complaint (reference #MUR 3049) against the Bill Grant Campaign Fund, the following lists the contributions in question and our response:

- Royer, Shacknai & Mehle - Partnership
- Drive-in Package Store - Sole Proprietor
- Great Southern Cordage - Sole Proprietor
- Joe P. Burns Funeral Home - Corporation (Refunded 4/20/90)
- Slepin & Schwartz - Partnership
- Lee A. Everhart & Co. - Sole Proprietor
- Eastpoint Auto Parts - Sole Proprietor
- Madison Eyecare Center - Sole Proprietor
- Draco Building - Partnership (Attributed: Name-Fred Drake, Address-2032-D Thomasville Road, Tallahassee, FL 32312; Occupation-Construction; Employer-Self Employed; Date & Amount-\$800 12/20/89; Election-Primary; Year to Date-\$800)
- Manley Farms - Sole Proprietor
- Nat Polak Insurance Agency - Sole Proprietor

Of the contributions in question, there was one corporate check which was inadvertently deposited in error. Once we were aware that the contributor was in fact a corporation, information which was not known at the time of deposit, it was immediately refunded. I have enclosed a copy of the original corporate check and a copy of the refund, our check #1544.

Baker ★ Bradford ★ Calhoun ★ Columbia ★ Dixie ★ Franklin ★ Gadsden ★ Gilchrist ★ Gulf ★ Hamilton ★ Holmes ★ Jackson  
Jefferson ★ Lafayette ★ Leon ★ Levy ★ Liberty ★ Madison ★ Suwannee ★ Taylor ★ Union ★ Wakulla ★ Washington  
Parts of ★ Bay ★ Clay

Paid for by Bill Grant Campaign Fund

90 MAY 14 PM 3:10

90 MAY 14 AM 11:02

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF LEGAL COUNSEL

FEDERAL ELECTION COMMISSION

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6

Mr. Ken Kellner  
Federal Election Commission  
May 11, 1990  
Page Two

I have also enclosed a copy of our letter to the Office of the Clerk which provides attribution information for the partnerships referenced on the previous page.

If you have any questions or need any additional information, please contact me.

Very truly yours,

  
Richard A. Weidner,  
Campaign Treasurer

RAW/sl  
Enclosures

cc: Ms. Lois G. Lerner,  
Associate General Counsel

Division of Elections,  
State of Florida

9  
0  
0  
4  
0  
8  
0  
1  
2  
9  
9

Dinner Honoring Bill Grant

Yes, I will be attending. Please make 1 reservations in my name (\$125 per person/\$1,000 per table).  
 No, I will not be attending, but, nevertheless, enclosed is my donation of \$\_\_\_\_\_.

Name Joe P. Burns, Jr.  
Address P. O. Box 885  
Occupation Owner Joe P. Burns Funeral Home  
Business organization \_\_\_\_\_  
City and State Perry, Florida Zip 32347  
Phone ( 904 ) 584-4149

Please make checks payable to:  
Bill Grant Campaign Fund  
Federal law prohibits corporate checks.  
Contributions are not tax deductible for federal tax purposes.  
Paid for by Bill Grant Campaign Fund (2).

JOE P. BURNS FUNERAL HOME

PHONE (904) 584-4149  
1400 NORTH JOHNSON - STRIPLING ROAD  
PERRY, FL 32347

21012

11-30-89

PAY TO THE  
ORDER OF

Bill Grant Campaign Fund \$ 250<sup>00</sup>

250 DOLLARS

DOLLARS

<u>Joe + Dorothy Burns</u>			
----------------------------	--	--	--

IN PAYMENT OF THE ABOVE INVOICE

Barker J. Burns

FOR Dec 25, 1989 Dinner

⑆021012⑆ ⑆063000212⑆ 211 117759⑆

Southwest Bank, N.A.  
Member FDIC

X

90040301501

**BILL GRANT CAMPAIGN FUND** 04-8  
 P. O. BOX 10571  
 TALLAHASSEE, FL 32302

**CAPITAL CITY BANK**

1544

April 20, 1990

PAY TO THE ORDER OF Joe P. Burns Rental Home \$250.00

Two hundred fifty + <sup>no</sup>/<sub>100</sub> DOLLARS

**FIRST NATIONAL BANK**  
 CAPITAL CITY GROUP  
 217 N. MONROE STREET  
 TALLAHASSEE, FLORIDA 32301

CAMPAIGN TREASURER OR DEPUTY  
Richard White

FOR Refund Corp. contribution

⑆063100688⑆1544 01318492⑆11 ⑆0000025000⑆

ENCLOSURE CHECK HERE

X FOR DEPOSIT ONLY

TO THE ORDER OF

JOE P. BURNS

0041 85268

DO NOT SIGN, WRITE, STAMP BELOW THIS LINE  
 FOR FINANCIAL INSTITUTION USAGE ONLY

APR 23 90

FOR FINANCIAL INSTITUTION USAGE ONLY

⑆063100688⑆1544 01318492⑆11 ⑆0000025000⑆

FEDERAL RESERVE BANK REGULATION CC



# GRANT

★ U. S. CONGRESS ★

Post Office Box 10571



Tallahassee, FL 32302



Phone 681-2746

**YOUR  
FILE COPY**

May 2, 1990

Office of the Clerk  
U.S. House of Representatives  
Washington, D.C. 20515-6601

RE: Bill Grant Campaign Fund  
ID# 119130

Gentlemen:

We have received your letter dated April 13, 1990 requesting attribution information on certain partnership contributions. The following indicates the appropriate attributions:

1. Richmond, Booth and Cook -
  - Name: Ronald R. Richmond
  - Address: 102 South Monroe Street  
Tallahassee, FL 32301
  - Occupation: Attorney
  - Employer: Richmond, Booth & Cook
  - Date: 10/24/89
  - Amount: \$500
  - Election: Primary
  - Year to Date: \$500
  
2. Slepín and Schwartz -
  - Name: Michael Schwartz
  - Address: 1114 East Park Avenue  
Tallahassee, FL 32301
  - Occupation: Attorney
  - Employer: Slepín & Schwartz
  - Date: 12/6/89
  - Amount: \$250
  - Election: Primary
  - Year to Date: \$250

Baker ★ Bradford ★ Calhoun ★ Columbia ★ Dixie ★ Franklin ★ Gadsden ★ Gilchrist ★ Gulf ★ Hamilton ★ Holmes ★ Jackson  
Jefferson ★ Lafayette ★ Leon ★ Levy ★ Liberty ★ Madison ★ Suwannee ★ Taylor ★ Union ★ Wakulla ★ Washington  
Parts of ★ Bay ★ Clay

Paid for by Bill Grant Campaign Fund

90040301302

Office of the Clerk  
U.S. House of Representatives  
May 2, 1990  
Page Two

3. Paul A. Donofro & Associates, Architects -  
Name: Paul A. Donofro  
Address: 310 North Caledonia Street  
Marianna, FL 32446  
Occupation: Architect  
Employer: Sole Proprietor  
Date: 12/7/89  
Amount: \$250  
Election: Primary  
Year to Date: \$250

If you should have any questions, please let me know.

Very truly yours,

Richard A. Weidner,  
Treasurer

RAW/sl

cc: Division of Elections,  
State of Florida

90040801503

Donna D. K. Anderson  
Clerk

Patricia A. Blas, Director  
Office of Records and Registration

Office of the Clerk  
U.S. House of Representatives  
Washington, DC 20515-6601

Bill Grant Campaign Fund  
Mr. Richard A. Weidner, Treasurer  
1713 Mahan Drive  
Tallahassee, FL 32308

April 13, 1990

ID: 119130

Dear Mr. Weidner:

Candidates for the U.S. House of Representatives and political committees supporting such candidates are required to file reports and statements required by the Federal Election Campaign Act, as amended, with the Clerk of the U.S. House of Representatives.

A preliminary review of the January 31, 1990 Report of Receipts and Disbursements filed in my office indicates the following omissions and/or errors:

See Page Two

This Report is available for public inspection; however, it may not be considered complete under the Federal Election Campaign Act, as amended, until the omitted information has been supplied or the errors have been corrected. I suggest that a signed amendment to that effect be filed with the Clerk of the House as soon as possible. Your response to this notification will be made a part of the public record.

If you have any questions regarding this matter, please do not hesitate to contact my staff in the Office of Records and Registration at (202) 225-1300.

Sincerely yours,



DONNARD K. ANDERSON, Clerk  
U.S. House of Representatives

20040801504

Bill Grant Campaign Fund  
Mr. Richard A. Weidner, Treasurer  
Page Two  
April 13, 1990

Your supporting Schedule A discloses contributions in excess of \$200.00 from the following:

Richmond, Booth and Cook  
Slepin and Schwartz  
Paul A. Donofro and Associates

The Federal Election Commission Regulations (11 CFR 110.1(e)) require that contributions received from partnerships be attributed to each partner in direct proportion to his/her share of the partnership profits or by other agreement of the partners. Please provide the attributions of the partnership contributions to the individual partners. Additionally, if a partner's share of the contribution exceeds \$200.00 when combined with all other contributions from that partner, then the full name, address, employer, occupation, date of contribution and the aggregate year-to-date total of contributions made by the partner should be disclosed (as a memo entry) on the supporting Schedule A.

90040801505

**Joe P. Burns Funeral Home**

1400 N. Johnson Striping Road  
P. O. Box 885  
Perry, Florida 32347  
Telephone (904) 584-4149

90 MAY 16 AM 11:00

MUR 3049

Perry - Mayo Ex.  
294-2658

Joe P. Burns, Jr.  
L.F.D. - President

Ms. Lois G. Lerher  
Associate General Counsel  
Federal Election Commission  
Washington, D. C. 32347

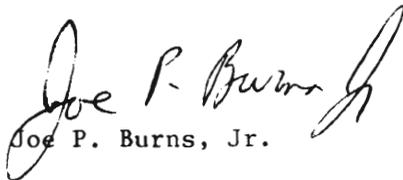
Dear Ms. Lerher:

First, I would like to apologize for this inconvenience caused by my office. I served as Don Fuqua's Campaign Manager for 20 years and am aware of the regulations governing campaign contributions.

I had instructed my office to write a check for the campaign dinner, and my secretary, Iris Smith, wrote the check and my daughter, Barbara Jo Burns signed the check. I was not aware that the check had been made on the Burns Funeral Home account until it was called to my attention. I immediately had a check written on my personal account made out to Bill Grant and reimbursed the Funeral Home in the amount of \$250.00

Enclosed are copies of the checks and let me once again apologize for the inconveniences.

Thanking you in advance,

  
Joe P. Burns, Jr.

Encls.

90040001306

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
90 MAY 16 AM 11:43

OGC  
6247

1239

BALANCE  
1209 14

4-19-1990

TO Bill Grant Campaign  
Fund -

FOR Dec. 15, 1989  
Dinner

was originally  
written out of  
FH mirror

TOTAL

AMOUNT THIS CHECK

250 00

BALANCE

959 14

Bill Grant

JOE P. BURNS, JR.  
OR DOROTHY H. BURNS OR BARBARA JO BURNS

11280

P. O. BOX 885  
PERRY, FL 32347

PAY TO THE  
ORDER OF

Void

19

\$

DOLLARS

Southeast Bank, N.A.  
PERRY BANKING CENTER  
200 W. MAIN STREET  
PERRY, FL 32347

JOE P. BURNS, JR. OR DOROTHY H. BURNS  
OR BARBARA JO BURNS

FOR

⑈011280⑈ ⑆063000212⑆ 612 202432⑈

90040801307

11241

April 19<sup>th</sup> 1990

TO American Adventure, Inc.

FOR Due Payment

# 27006

Due 5/1/90

TOTAL

AMOUNT THIS CHECK

79 25

BALANCE

-1,080 39



# Joe P. Burns Funeral Home

1400 N. Johnson Striping Road

P. O. Box 885

Perry, Florida 32347

Telephone (904) 384-4149

Joe P. Burns, Jr.  
L.F.D. — President

April 19, 1990

Perry - Mayo Ex.  
294-2658

*Contribution acct by error  
F.H. corrected JPB*

Congressman Bill Grant  
930 Thomasville Road, Suite 101  
Tallahassee, Florida 32303

Dear Bill:

Enclosed is my personal check for the campaign dinner held December 15, 1989. I just don't know why the first check was written on the funeral home account. I am sincerely sorry for the inconvenience that it has caused.

Sincerely,



Joe P. Burns, Jr.

JPBJ/is

enclosure

90 AUG -8 AM 10: 13

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

**SENSITIVE**

FIRST GENERAL COUNSEL'S REPORT

MUR # 3049  
DATE COMPLAINT RECEIVED  
BY OGC April 18, 1990  
DATE OF NOTIFICATION TO  
RESPONDENTS April 24, 1990  
STAFF MEMBER Mary P. Mastrobattista

COMPLAINANT: Paul D. Harvill

RESPONDENTS: Bill Grant Campaign Fund and Richard A. Weidner,  
as treasurer  
Joe P. Burns Funeral Home  
Lee A. Everhart & Co.  
Royer, Shacknai & Mehle  
Slepin & Schwartz  
Eastpoint Auto Parts  
Madison Eyecare Center  
Draco Building  
Manley Farms  
Nat Polak Insurance Agency  
Great Southern Cordage  
Drive-In Package Store

RELEVANT STATUTE: 2 U.S.C. § 441b(a)

INTERNAL REPORTS CHECKED: Bill Grant Campaign Fund 1989  
Year End Report

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter originated as an external complaint filed by  
Paul D. Harvill.

II. FACTUAL AND LEGAL ANALYSIS

A. Factual Analysis

On April 13, 1990, the Complainant filed a complaint with  
the Commission alleging that the Bill Grant Campaign Fund

90040801510

accepted corporate contributions from eleven corporations. By letter dated April 20, 1990, the Complainant requested to withdraw his complaint. The basis for the Complainant's request to withdraw his complaint was a "misunderstanding that non-individual contributions were expressly prohibited by federal law." By letter dated April 23, 1990, the Complainant was notified that a request for withdrawal of a complaint will not prevent the Commission from taking appropriate action under the Act.

This Office has made inquiry with the Florida Department of State, Division of Corporations and has determined that two of the named Respondents are incorporated: Joe P. Burns Funeral Home and Lee A. Everhart & Co. By written response to the Commission, the Joe P. Burns Funeral Home admitted that a corporate contribution in the amount of \$250.00 to the Bill Grant Campaign Fund was made on November 30, 1989. This contribution apparently was made in error from Mr. Burns' corporate account rather than his personal account. The \$250.00 contribution was refunded by the Bill Grant Campaign Fund on April 20, 1990. By written response to the Commission, the Bill Grant Campaign Fund acknowledged that it inadvertently received and deposited a \$250.00 corporate contribution from the Joe P. Burns Funeral Home, which subsequently was refunded.

With respect to the contribution from Lee A. Everhart & Co., the 1989 Year End Report filed by the Bill Grant Campaign Fund and Richard A. Weidner, as treasurer, shows receipt of a

90040801311

contribution from Lee A. Everhart & Company on December 7, 1989, in the amount of \$350.00. The Bill Grant Campaign Fund evidently is under the mistaken belief that the business is a sole proprietorship. (Attachment 2, page 6). The Florida Department of State, however, lists Lee A. Everhart & Co. as an active corporation in good standing with the Division of Corporations, having been incorporated in that state since 1958. The Commission received no written response from Lee A. Everhart & Co.

**B. Legal Analysis**

Under 2 U.S.C. § 441b(a), it is unlawful for any corporation to make a contribution in connection with a federal election or for a political committee to knowingly accept or receive a contribution from any corporation. In view of the facts set forth above, this Office recommends that the Commission find reason to believe that the Bill Grant Campaign Fund and Richard A. Weidner, as treasurer, violated 2 U.S.C. § 441b(a) for accepting \$600.00 in apparent corporate contributions. This Office further recommends that the Commission find reason to believe that the Joe P. Burns Funeral Home and Lee A. Everhart & Co. violated 2 U.S.C. § 441b(a) for making corporate contributions in connection with a federal election.

There is no indication that any of the remaining nine Respondents are corporate entities. Accordingly, this Office recommends that the Commission find no reason to believe that the remaining Respondents violated 2 U.S.C. § 441b(a).

90040801312

III. RECOMMENDATIONS

1. Find reason to believe that the Bill Grant Campaign Fund and Richard A. Weidner, as treasurer, violated 2 U.S.C. § 441b(a).
2. Find reason to believe that the Joe P. Burns Funeral Home violated 2 U.S.C. § 441b(a).
3. Find reason to believe that Lee A. Everhart & Co. violated 2 U.S.C. § 441b(a).
4. Find no reason to believe that the following Respondents violated 2 U.S.C. § 441b(a):

Royer, Shacknai & Mehle  
Slepin & Schwartz  
Eastpoint Auto Parts  
Madison Eyecare Center  
Draco Building  
Manley Farms  
Nat Polak Insurance Agency  
Great Southern Cordage  
Drive-In Package Store

5. Approve the attached factual and legal analyses and the appropriate letters.

Lawrence M. Noble  
General Counsel

Date

8/7/90

BY:

  
Lois G. Lerner  
Associate General Counsel

Attachments

1. Correspondence re complainant's request to withdraw complaint
2. Response from the Bill Grant Campaign
3. Response from Joe P. Burns Funeral Home
4. Responses from Royer, Mehle & Babyak; Slepin & Schwartz; Draco Building; Madison Eyecare & Optical Center; Great Southern Cordage Company
5. Factual and Legal Analyses

90040801513



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / DELORES HARRIS <sup>DH</sup>  
COMMISSION SECRETARY

DATE: AUGUST 13, 1990

SUBJECT: MUR 3049 - GENERAL COUNSEL'S REPORT  
DATED AUGUST 7, 1990

The above-captioned document was circulated to the Commission on Wednesday, August 8, 1990 at 4:00 p.m.

Objection(s) have been received from the Commissioner(s) as indicated by the name(s) checked below:

Commissioner Aikens \_\_\_\_\_  
Commissioner Elliott \_\_\_\_\_  
Commissioner Josefiak XXX  
Commissioner McDonald \_\_\_\_\_  
Commissioner McGarry \_\_\_\_\_  
Commissioner Thomas XXX

This matter will be placed on the meeting agenda for Tuesday, August 21, 1990.

Please notify us who will represent your Division before the Commission on this matter.

90040801514

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Bill Grant Campaign Fund and Richard A. ) MUR 3049  
Weidner, as treasurer; )  
Joe P. Burns Funeral Home )  
Lee A. Everhart & Co.; )  
Royer, Shacknai & Mehle )  
Slepin & Schwartz; )  
Eastpoint Auto Parts; )  
Madison Eyecare Center; )  
Draco Building; )  
Manley Farms; )  
Nat Polak Insurance Agency; )  
Great Southern Cordage; )  
Drive-In Package Store. )

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on August 21, 1990, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 3049:

1. Find reason to believe that the Bill Grant Campaign Fund and Richard A. Weidner, as treasurer, violated 2 U.S.C. § 441b(a).
2. Find reason to believe that the Joe P. Burns Funeral Home violated 2 U.S.C. § 441b(a).

(continued)

90040801515

3. Find reason to believe that Lee A. Everhart & Co. violated 2 U.S.C. §441b(a).
4. Find no reason to believe that the following Respondents violated 2 U.S.C. § 441b(a):
- Royer, Shacknai & Mehle;  
Slepin & Schwartz;  
Eastpoint Auto Parts;  
Madison Eyecare Center;  
Draco Building;  
Manley Farms;  
Nat Polak Insurance Agency;  
Great Southern Cordage;  
Drive-In Package Store.
5. Approve the factual and legal analyses attached to the General Counsel's report dated August 7, 1990.
6. Take no further action and close the file.
7. Direct the General Counsel to send appropriate letters pursuant to the actions noted above and the meeting discussion.

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

Attest:

8-28-90  
Date

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

90040301316



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

September 12, 1990

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Paul D. Harvill  
2443 A Ramblewood Court  
Tallahassee, FL 32303

RE: MUR 3049

Dear Mr. Harvill:

This is in reference to the complaint you filed with the Federal Election Commission on April 18, 1990, concerning the Bill Grant Campaign Fund.

Based on that complaint, on August 21, 1990, the Commission found that there was no reason to believe Royer, Shacknai & Mehle, Slepín & Schwartz, Eastpoint Auto Parts, Madison Eyecare Center, Draco Building, Manley Farms, Nat Polak Insurance Agency, Great Southern Cordage, and the Drive-In Package Store violated 2 U.S.C. § 441b(a), a provision of the Federal Election Campaign Act of 1971, as amended.

On August 21, 1990, the Commission also found that there was reason to believe the Bill Grant Campaign Fund and Richard A. Weidner, as treasurer, Lee A. Everhart & Co., and the Joe P. Burns Funeral Home violated 2 U.S.C. § 441b(a). However, after considering the circumstances of this matter, the Commission determined to take no further action against the Bill Grant Campaign Fund and Richard A. Weidner, as treasurer, Lee A. Everhart & Co., and the Joe P. Burns Funeral Home, and closed the file in this matter. A statement of reasons explaining the Commission's decision to close the file will follow.

This matter will become part of the public record within 30 days. The Federal Election Campaign Act of 1971, as amended, allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

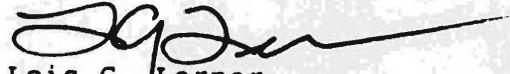
90040801317

Paul D. Harvill  
Page 2

If you have any questions, please contact  
Mary Mastrobattista, the attorney assigned to this matter, at  
(202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel



BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

90040301518



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 12, 1990

Robert S. Royer  
Royer, Mehle & Babyak  
1747 Pennsylvania Ave., N.W.  
Washington, D.C. 20006

RE: MUR 3049  
Royer, Schacknai & Mehle

Dear Mr. Royer:

On April 24, 1990, the Federal Election Commission notified Royer, Schacknai & Mehle of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 21, 1990, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe Royer, Schacknai & Mehle violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in black ink, appearing to read "Lerner", written over the typed name of Lois G. Lerner.

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

90040801319



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

September 12, 1990

Slepin & Schwartz  
1114 East Park Avenue  
Tallahassee, FL 32301

RE: MUR 3049  
Slepin & Schwartz

Dear Mr. Slepin:

On April 24, 1990, the Federal Election Commission notified your firm of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 21, 1990, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe Slepin & Schwartz violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

90040801320



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 12, 1990

Eastpoint Auto Parts  
P.O. Box 628  
Eastpoint, FL 32328

RE: MUR 3049  
Eastpoint Auto Parts

Dear Sir:

On April 24, 1990, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 21, 1990, the Commission found, on the basis of the information in the complaint, and information provided by the Florida Department of State, Division of Corporations, that there is no reason to believe Eastpoint Auto Parts violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

90040801521



FEDERAL ELECTION COMMISSION  
WASHINGTON, DC 20463

September 12, 1990

Madison Eyecare Center  
304 S. Range Street  
Madison, FL 32340-2397

RE: MUR 3049  
Madison Eyecare Center

Dear Sir:

On April 24, 1990, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 21, 1990, the Commission found, on the basis of the information in the complaint, and information provided by the Florida Department of State, Division of Corporations, that there is no reason to believe Madison Eyecare Center violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

90040801322



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 12, 1990

Draco Building  
2032-D Thomasville Road  
Tallahassee, FL 32312

RE: MUR 3049  
Draco Building

Dear Sir:

On April 24, 1990, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 21, 1990, the Commission found, on the basis of the information in the complaint, and information provided by you, that there is no reason to believe Draco Building violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in black ink, appearing to read "Lerner", with a long horizontal flourish extending to the right.

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

90040801323



FEDERAL ELECTION COMMISSION

WASHINGTON DC 20463

September 12, 1990

Manley Farms  
P.O. Box 1358  
Quincy, FL 32351

RE: MUR 3049  
Manley Farms

Dear Sir:

On April 24, 1990, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 21, 1990, the Commission found, on the basis of the information in the complaint, and information provided by the Florida Department of State, Division of Corporations, that there is no reason to believe Manley Farms violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

90040801524



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

September 12, 1990

Nat Polak Insurance Agency  
P.O. Box 1511  
Tallahassee, FL 32302

RE: MUR 3049  
Nat Polak Insurance Agency

Dear Sir:

On April 24, 1990, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On, August 21, 1990, the Commission found, on the basis of the information in the complaint, and information provided by the Florida Department of State, Division of Corporations, that there is no reason to believe the Nat Polak Insurance Agency violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

90040301625



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 12, 1990

Great Southern Cordage Company  
404 N. Jackson Street  
Quincy, FL 32351

RE: MUR 3049  
Great Southern Cordage  
Company

Dear Sir:

On April 24, 1990, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 21, 1990, the Commission found, on the basis of the information in the complaint, and information provided by the Florida Department of State, Division of Corporations, that there is no reason to believe the Great Southern Cordage Company violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

90040801526



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

September 12, 1990

Drive-In Package Store  
P.O. Drawer L  
Jasper, FL 32052

RE: MUR 3049  
Drive-In Package Store

Dear Sir:

On April 24, 1990, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On August 21, 1990, the Commission found, on the basis of the information in the complaint, and information provided by the Florida Department of State, Division of Corporations, that there is no reason to believe the Drive-In Package Store violated 2 U.S.C. § 441b(a). Accordingly, the Commission closed its file in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any materials to appear on the public record, please do so within ten days. Please send such materials to the Office of the General Counsel.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in black ink, appearing to be "L. G. Lerner", written over a horizontal line.

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
General Counsel's Report

90040301327



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 12, 1990

Joe P. Burns Funeral Home  
P.O. Box 885  
Perry, FL 32347

RE: MUR 3049  
Joe P. Burns Funeral Home

Dear Mr. Burns:

On August 21, 1990, the Federal Election Commission found reason to believe that the Joe P. Burns Funeral Home violated 2 U.S.C. § 441b(a), 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. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file.

The Commission reminds you that the making of a corporate contribution in connection with a federal election is a violation of 2 U.S.C. § 441b(a). You should take immediate steps to insure that this activity does not occur in the future.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please direct them to Mary Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

*Joan D. Aikens*  
Joan D. Aikens  
Commissioner

Enclosure  
Factual and Legal Analysis

90040301328

FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Joe P. Burns Funeral Home

MUR: 3049

On April 13, 1990, the Complainant filed a complaint with the Commission alleging that the Bill Grant Campaign Fund accepted corporate contributions from eleven corporations. By letter dated April 20, 1990, the Complainant requested to withdraw his complaint. The basis for the Complainant's request to withdraw his complaint was a "misunderstanding that non-individual contributions were expressly prohibited by federal law." By letter dated April 23, 1990, the Complainant was notified that a request for withdrawal of a complaint will not prevent the Commission from taking appropriate action under the Act.

The Commission has made inquiry with the Florida Department of State, Division of Corporations and has determined that the Joe P. Burns Funeral Home is incorporated. By written response to the Commission, the Joe P. Burns Funeral Home admitted that a corporate contribution in the amount of \$250.00 to the Bill Grant Campaign Fund was made on November 30, 1989. This contribution apparently was made in error from Mr. Burns' corporate account rather than his personal account. The \$250.00 contribution was refunded by the Bill Grant Campaign Fund on April 20, 1990.

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Under 2 U.S.C. § 441b(a), it is unlawful for any corporation to make a contribution in connection with a federal election. Therefore, there is reason to believe that the Joe P. Burns Funeral Home violated 2 U.S.C. § 441b(a).

90040801330



FEDERAL ELECTION COMMISSION  
WASHINGTON DC 20463

September 12, 1990

Lee A. Everhart & Co.  
P.O. Box 3746  
Tallahassee, FL 32315

RE: MUR 3049  
Lee A. Everhart & Co.

Dear Mr. Everhart:

On August 21, 1990, the Federal Election Commission found reason to believe that Lee A. Everhart & Co. violated 2 U.S.C. § 441b(a), 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. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file.

The Commission reminds you that the making of a corporate contribution in connection with a federal election is a violation of 2 U.S.C. § 441b(a). You should take immediate steps to insure that this activity does not occur in the future.

The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

If you have any questions, please direct them to Mary Mastrobattista, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Joan D. Aikens  
Commissioner

Enclosure  
Factual and Legal Analysis

90040801331

FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Lee A. Everhart & Co.

MUR: 3049

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On April 13, 1990, the Complainant filed a complaint with the Commission alleging that the Bill Grant Campaign Fund accepted corporate contributions from eleven corporations. By letter dated April 20, 1990, the Complainant requested to withdraw his complaint. The basis for the Complainant's request to withdraw his complaint was a "misunderstanding that non-individual contributions were expressly prohibited by federal law." By letter dated April 23, 1990, the Complainant was notified that a request for withdrawal of a complaint will not prevent the Commission from taking appropriate action under the Act.

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The Commission has made inquiry with the Florida Department of State, Division of Corporations and has determined that Lee A. Everhart & Co. is incorporated. The 1989 Year End Report filed by the Bill Grant Campaign Fund and Richard A. Weidner, as treasurer, shows receipt of a contribution from Lee A. Everhart & Co. on December 7, 1989, in the amount of \$350.00. The Florida Department of State lists Lee A. Everhart & Co. as an active corporation in good standing with the Division of Corporations, having been incorporated in that state since 1958. The Commission received no written response from Lee A. Everhart & Co.

Under 2 U.S.C. § 441b(a), it is unlawful for any corporation to make a contribution in connection with a federal election. Therefore, there is reason to believe that Lee A. Everhart & Company violated 2 U.S.C. § 441b(a).

20040801333



FEDERAL ELECTION COMMISSION  
WASHINGTON D.C. 20463

September 12, 1990

Bill Grant Campaign Fund  
Richard A. Weidner, Treasurer  
P.O. Box 10571  
Tallahassee, FL 32302

RE: MUR 3049  
Bill Grant Campaign Fund and  
Richard A. Weidner,  
as treasurer

Dear Mr. Weidner:

On August 21, 1990, the Federal Election Commission found reason to believe that the Bill Grant Campaign Fund and Richard A. Weidner, as treasurer, violated 2 U.S.C. § 441b(a), 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. However, after considering the circumstances of this matter, the Commission also determined to take no further action and closed its file.

The Commission reminds you that receipt of corporate contributions in connection with a federal election is a violation of 2 U.S.C. § 441b(a). You should take immediate steps to insure that this activity does not occur in the future. Furthermore, although your response of May 11, 1990, indicated that Lee A. Everhart & Co. was a sole proprietorship, the Florida Department of State, Division of Corporations, lists Lee A. Everhart & Co. as a Florida corporation. Therefore, the Commission suggests that this contribution be refunded as soon as possible.

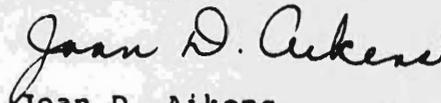
The file will be made part of the public record within 30 days. Should you wish to submit any materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

90040801334

Bill Grant Campaign Fund  
Page 2

If you have any questions, please direct them to  
Mary Mastrobattista, the attorney assigned to this matter, at  
(202) 376-8200.

Sincerely,



Joan D. Aikens  
Commissioner

Enclosure  
Factual and Legal Analysis

90040801335

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Bill Grant Campaign Fund MUR: 3049  
and Richard A. Weidner, as treasurer

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On April 13, 1990, the Complainant filed a complaint with the Commission alleging that the Bill Grant Campaign Fund accepted corporate contributions from eleven corporations. By letter dated April 20, 1990, the Complainant requested to withdraw his complaint. The basis for the Complainant's request to withdraw his complaint was a "misunderstanding that non-individual contributions were expressly prohibited by federal law." By letter dated April 23, 1990, the Complainant was notified that a request for withdrawal of a complaint will not prevent the Commission from taking appropriate action under the Act.

The Commission has made inquiry with the Florida Department of State, Division of Corporations and has determined that two of the businesses which contributed are incorporated: Joe P. Burns Funeral Home and Lee A. Everhart & Co. There is no indication that any of the remaining nine contributions came from corporate entities.

By written response to the Commission, the Joe P. Burns Funeral Home admitted that a corporate contribution in the amount of \$250.00 to the Bill Grant Campaign Fund was made on November 30, 1989. This contribution apparently was made in error from Mr. Burns' corporate account rather than his personal

account. The \$250.00 contribution was refunded by the Bill Grant Campaign Fund on April 20, 1990. By written response to the Commission, the Bill Grant Campaign Fund acknowledged that it inadvertently received and deposited a \$250.00 corporate contribution from the Joe P. Burns Funeral Home, which subsequently was refunded.

With respect to the contribution from Lee A. Everhart & Co., the 1989 Year End Report filed by the Bill Grant Campaign Fund and Richard A. Weidner, as treasurer, shows receipt of a contribution from Lee A. Everhart & Co. on December 7, 1989, in the amount of \$350.00. The Bill Grant Campaign Fund evidently is under the mistaken belief that the business is a sole proprietorship. The Florida Department of State, however, lists Lee A. Everhart & Co. as an active corporation in good standing with the Division of Corporations, having been incorporated in that state since 1958.

Under 2 U.S.C. § 441b(a), it is unlawful for any corporation to make a contribution in connection with a federal election or for a political committee to knowingly accept or receive a contribution from any corporation. Therefore, there is reason to believe that the Bill Grant Campaign Fund and Richard A. Weidner, as treasurer, violated 2 U.S.C. § 441b(a) for accepting \$600.00 in apparent corporate contributions.

20040801337



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3049

DATE FILMED 9/27/90 CAMERA NO. 3

CAMERAMAN AS

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