



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF RLR # 3236

DATE FILMED 5/2/91 CAMERA NO. 1

CAMERAMAN AS

91040841132

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: February 12, 1991ANALYST: Edward Ryan

I. COMMITTEE: LeBoeuf, Lamb, Leiby & MacRae PAC
(C00217885)
Alan Berman, Treasurer
520 Madison Avenue
New York, NY 10022

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(B)
11 CFR §104.5(c)(3)

III. BACKGROUND:

Failure to File the 1990 October Monthly Report by Election Day

The LeBoeuf, Lamb, Leiby & MacRae PAC ("the Committee") failed to file the 1990 October Monthly Report by Election Day, November 6, 1990. The Committee was notified on February 28, 1990 that the October Monthly Report was due on October 20, 1990 (Attachment 2).

The Committee erroneously sent to the Commission a campaign finance report on what appeared to be a state form dated October 12, 1990 instead of the Committee's FEC 1990 October Monthly Report. The state filing was sent back to the Committee along with a "Notice on Document Filing" (Attachment 3).^{1/}

On November 8, 1990, the Committee was sent a Non-Filer Notice for failure to file the 1990 October Monthly Report (Attachment 4).

^{1/} The Reports Analysis Division ("RAD") is uncertain of the date that the "Notice on Document Filing" was sent.

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On November 7, 1990, the Committee filed the 1990 October Monthly Report by certified mail, which was received by the Commission on November 13, 1990 (Attachment 5).

On November 16, 1990, the Committee responded to the Non-Filer Notice sent on November 8, 1990, by providing a duplicate copy of the report (Attachment 6).

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None.

9
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4

FEDERAL ELECTION COMMISSION
1989-1990
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (C)

DATE 8FEB91

PAGE 1

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
						TYPE OF FILER
LEBOEUF, LAMB, LEIBY & MACRAE PAC						ID #C00217885 NON-PARTY QUALIFIED
CONNECTED ORGANIZATION: NONE						
1989	FEBRUARY MONTHLY	45	0	1JAN89 -31JAN89	8	89FEC/585/1964
	MARCH MONTHLY	0	1,300	1FEB89 -28FEB89	9	89FEC/588/3880
	APRIL MONTHLY	4,910	5,350	1MAR89 -31MAR89	10	89FEC/591/0143
	MAY MONTHLY	10,916	5,550	1APR89 -30APR89	14	89FEC/595/0039
	JUNE MONTHLY	130	750	1MAY89 -31MAY89	10	89FEC/597/1492
	JULY MONTHLY	1,665	0	1JUN89 -30JUN89	9	89FEC/599/2026
	AUGUST MONTHLY	55	400	1JUL89 -31JUL89	10	89FEC/606/4520
	SEPTEMBER MONTHLY	1,410	1,350	1AUG89 -31AUG89	11	89FEC/608/5433
	OCTOBER MONTHLY	1,585	500	1SEP89 -30SEP89	10	89FEC/611/0953
	NOVEMBER MONTHLY	5,230	4,125	1OCT89 -31OCT89	11	89FEC/614/3783
	DECEMBER MONTHLY	12,105	11,000	1NOV89 -30NOV89	14	89FEC/616/3692
	YEAR-END	1,380	2,000	1DEC89 -31DEC89	10	90FEC/618/3915
1990	FEBRUARY MONTHLY	0	2,000	1JAN90 -31JAN90	9	90FEC/628/2226
	1 ST LETTER INFORMATIONAL NOTICE			1JAN90 -31JAN90	1	90FEC/632/2564
	MARCH MONTHLY	0	750	1FEB90 -28FEB90	9	90FEC/630/2386
	APRIL MONTHLY	2,830	2,600	1MAR90 -31MAR90	11	90FEC/633/2720
	MAY MONTHLY	2,075	1,000	1APR90 -30APR90	10	90FEC/639/1215
	JUNE MONTHLY	5,870	2,100	1MAY90 -31MAY90	12	90FEC/642/1388
	JULY MONTHLY	16,155	5,350	1JUN90 -30JUN90	15	90FEC/646/1216
	AUGUST MONTHLY	0	4,400	1JUL90 -31JUL90	10	90FEC/653/0891
	SEPTEMBER MONTHLY	570	6,000	1AUG90 -31AUG90	11	90FEC/655/2049
	OCTOBER MONTHLY	1,730	2,500	1SEP90 -30SEP90	12	90FEC/670/4291
	OCTOBER MONTHLY - AMENDMENT	1,730	2,500	1SEP90 -30SEP90	12	90FEC/671/1393
	NOTICE OF FAILURE TO FILE			1SEP90 -30SEP90	1	90FEC/670/3497
	PRE-GENERAL	14,195	1,970	1OCT90 -17OCT90	14	90FEC/667/2795
	POST-GENERAL	4,751	0	18OCT90 -25NOV90	10	90FEC/672/3704
	YEAR-END	2,060	0	27NOV90 -31DEC90	10	91FEC/680/5052
	TOTAL	89,876	60,995		278	TOTAL PAGES

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All reports have been reviewed except the 1990 30 Day Post General and Year-End Reports.

Ending Cash-On-Hand as of 12/31/90: \$31,970

Outstanding debts owed by the Committee as of 12/31/90: \$0

February 28, 1990

**REPORTING NOTICE FOR MONTHLY FILERS
ELECTION YEAR 1990**

The Commission's records indicate that your committee will file monthly reports during 1990. This notice will assist you in complying with the monthly filing requirements.

* * * *

MONTHLY REPORTS

Monthly reports must be filed no later than the 20th day of each month. 11 CFR 104.5(c)(3). Each report must include all financial activity that occurred during the previous month. For example, the next monthly report due in 1990 should be filed by March 20, 1990, and should include all activity between February 1 and February 28, 1990. NOTE: During November, December and January, monthly filers must file Pre- and Post-General election reports and a Year-End report instead of their monthly reports. (See chart on reverse side.)

You are required to use FEC Form 3X to file each report. Two of them have been enclosed for your use. You may duplicate these forms, or you may call the Information Services Division for additional copies (800/424-9530 or 202/376-3120).

(over)

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MONTHLY REPORTS 1990

REPORT	PERIOD COVERED	REG./CERT. MAILING DATE*	FILING DATE
February	01/01 - 01/31	02/20/90	02/20/90
March	02/01 - 02/28	03/20/90	03/20/90
April	03/01 - 03/31	04/20/90	04/20/90
May	04/01 - 04/30	05/20/90	05/20/90
June	05/01 - 05/31	06/20/90	06/20/90
July	06/01 - 06/30	07/20/90	07/20/90
August	07/01 - 07/31	08/20/90	08/20/90
September	08/01 - 08/31	09/20/90	09/20/90
October	09/01 - 09/30	10/20/90	10/20/90
Pre-General	10/01 - 10/17	10/22/90	10/25/90
Post-General	10/18 - 11/26	12/06/90	12/06/90
Year-End	11/27 - 12/31	01/31/91	01/31/91

COMPLIANCE

Treasurers of political committees are responsible for filing all reports on time. Failure to do so is subject to enforcement action. Committees filing illegible reports or using non-FEC forms will be required to refile.

*Reports sent by registered or certified mail must be postmarked by the mailing date. Otherwise, they must be received by the filing date.

91040841137



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

NOTICE ON DOCUMENT FILING

Dear Treasurers:

The Commission is in receipt of a campaign finance report from your committee submitted on what appears to be a state form. Inasmuch as the Federal Election Campaign Act of 1971 (as Amended) does not require political committees to file copies of their state reports with the Federal Election Commission, we advise that you discontinue this practice in order to reduce your costs as well as those incurred by the Commission.

The report has been returned to you in the event that it was inadvertently submitted to the Commission and should instead have been filed with the appropriate campaign finance agency in your state. In addition, please be aware that if the form was submitted in lieu of a filing required by federal law, this filing will not be considered complete until a report is submitted on FEC Form 3X. 11 CFR 104.5

Should you have any questions concerning this notice or any other requirements of the Federal Election Campaign Act, please contact me on the agency's toll-free number (800) 424-9530. My local number is (202) 376-2480.

Your cooperation in this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script that reads "Brian J. Hancock".

Brian J. Hancock
Reports Analyst
Reports Analysis Division



FEDERAL ELECTION COMMISSION
 WASHINGTON, D.C. 20463

RQ-7

November 8, 1990

Alan Berman, Treasurer
 Leboeuf, Lamb, Leiby & MacRae PAC
 520 Madison Avenue
 New York, NY 10022

Identification Number: C00217885

Reference: October Monthly Report (9/1/90-9/30/90)

Dear Mr. Berman:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Edward Ryan on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson
 Assistant Staff Director
 Reports Analysis Division

92010034607843141379

LEBOEUF, LAMB, LEIBY & MACRAE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

**320 MADISON AVENUE
NEW YORK, NY 10022**

(212) 715-8000

FACSIMILE (212) 715-8000

TELEX 423410 (OR) 180100

EUROPEAN COMMUNITY, BRUSSELS, BELGIUM AND LONDON, ENGLAND

DIRECT DIAL

EASTERN U.S.

NEW YORK, NY
WASHINGTON, DC
ALBANY, NY
BOSTON, MA
HARRISBURG, PA
HARTFORD, CT
NEWARK, NJ

WESTERN U.S.

LOS ANGELES, CA
SALT LAKE CITY, UT
SAN FRANCISCO, CA

SOUTHERN U.S.

JACKSONVILLE, FL
RALEIGH, NC

November 7, 1990

CERTIFIED MAIL

Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

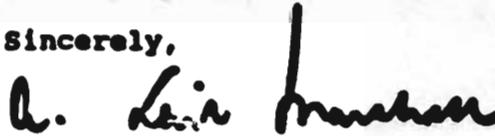
Re: LeBoeuf, Lamb, Leiby & MacRae
Political Action Committee
FEC Form 3X

Gentlemen:

In response to your "Notice of Document Filing" (copy attached) which we received today, we have enclosed a duplicate FEC Form 3X for the period September 1-30, 1990 together with our original cover letter dated October 11, 1990 which you returned to us.

Please acknowledge the receipt of the above-referenced document by signing and dating the enclosed copy of this letter and returning it to us in the envelope provided.

Sincerely,



A. David Marshall
Assistant Treasurer
LeBoeuf, Lamb, Leiby & MacRae
Political Action Committee

ADM:bv

Enclosures

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1136704:20

93 OCT 15 PM 2:45

LEBOEUF, LAMB, LEIBY & MACRAE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

520 MADISON AVENUE
NEW YORK, NY 10022

(212) 710-0000

FACSIMILE: (212) 710-0000

TELEX: 482410 (DM) 1001003

EUROPEAN COMMUNITY, BRUSSELS, BELGIUM AND LONDON, ENGLAND
DIRECT DIAL

EASTERN U.S.

NEW YORK, NY
WASHINGTON, DC
ALBANY, NY
BOSTON, MA
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HARTFORD, CT
NEWARK, NJ

WESTERN U.S.

LOS ANGELES, CA
SALT LAKE CITY, UT
SAN FRANCISCO, CA

SOUTHERN U.S.

JACKSONVILLE, FL
RALEIGH, NC

October 11, 1990

CERTIFIED MAIL

Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: LeBoeuf, Lamb, Leiby & MacRae
Political Action Committee
FEC Form 3X

Gentlemen:

Enclosed please find our completed Form 3X for the period of
September 1, 1990 through September 30, 1990.

Please acknowledge the receipt of the above-referenced
document by signing and dating the enclosed copy of this letter
and returning it to us in the envelope provided.

Sincerely,



A. David Marshall
Assistant Treasurer
LeBoeuf, Lamb, Leiby & MacRae
Political Action Committee

ADM:bv

Enclosures

44108410436704292

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

USE FEC MARKING LABEL ON TYPE OR PRINT

1. NAME OF COMMITTEE (in full) LeBoeuf, Lamt, Leiby & MacRae Political Action Committee	OCT 13 11:15:15
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 520 Madison Avenue	2. FEC IDENTIFICATION NUMBER C00217895
CITY, STATE and ZIP CODE New York, New York 10022	3 <input type="checkbox"/> The committee qualified as a noncandidate committee DURING THE Reporting Period on _____ (date)

4. TYPE OF REPORT

- (a) April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)
- Termination Report
- Monthly Report Due On
- February 20 June 20 October 20
 March 20 July 20 November 20
 April 20 August 20 December 20
 May 20 September 20 January 31
- Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
- Thirtieth day report following the General Election on _____ in the State of _____
- (b) Is this Report an Amendment? YES NO

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5	Covering Period <u>9/1/90</u> through <u>9/30/90</u>		
6	(a) Cash on Hand January 1, 19____		\$ 10,195
	(b) Cash on Hand at Beginning of Reporting Period	\$ 13,495	
	(c) Total Receipts (from Line 18)	\$ 1,730	\$ 20,230
	(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)	\$ 15,225	\$ 39,425
7	Total Disbursements (from Line 28)	\$ 2,500	\$ 26,700
8	Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))	\$ 12,725	\$ 12,725
9	Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)	\$ -0-	For further information contact: Federal Election Commission 999 E Street, NW Washington, DC 20463 Toll Free 800-424-9530 Local 202-376-3120
10	Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)	\$ -0-	

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

Type or Print Name of Treasurer Alan H. Berman	Date 10/12/90
Signature of Treasurer 	

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

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FEC FORM 3X
(Rev. 10-87)

21036701273

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LAW OFFICES OF
LEBOEUF, LAMB, LEIBY & MACRAE
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
880 MADISON AVENUE
NEW YORK, NY 10022

CERTIFIED MAIL
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

CERTIFIED

P 521 600 222

NOV 19 AM 11 14

Page 4 of 4

LEBOEUF, LAMB, LEIBY & MACRAE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

520 MADISON AVENUE
NEW YORK, NY 10022

(212) 715-8000

FACSIMILE: (212) 715-8200

TELEX: 423418 (OR) 1561363

EUROPEAN COMMUNITY: BRUSSELS, BELGIUM AND LONDON, ENGLAND

DIRECT DIAL

90 NOV 21 PM 12:05

WESTERN U.S.:

LOS ANGELES, CA
SALT LAKE CITY, UT
SAN FRANCISCO, CA

SOUTHERN U.S.:

JACKSONVILLE, FL
RALEIGH, NC

EASTERN U.S.:

NEW YORK, NY
WASHINGTON, DC
ALBANY, NY
BOSTON, MA
HARRISBURG, PA
HARTFORD, CT
NEWARK, NJ

November 15, 1990

CERTIFIED MAIL

Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: LeBoeuf, Lamb, Leiby & MacRae
Political Action Committee
FEC Form 3X (September 1-30, 1990)

Gentlemen:

In answer to your letter of November 8, 1990 which we received today, attached is a copy of our letter dated November 7, 1990 to the Federal Election Commission and related documents supporting our FEC Form 3X filing for the period September 1-30, 1990.

Please acknowledge the receipt of the above-referenced document by signing and dating the enclosed copy of this letter and returning it to us in the envelope provided.

Sincerely,



A. David Marshall
Assistant Treasurer
LeBoeuf, Lamb, Leiby & MacRae
Political Action Committee

ADM:bv

Enclosures

99 J1 00 34 60 73 14 11 31 94 34

3 4 1 1 3 7
P 277 176 012
RECEIPT FOR CERTIFIED MAIL
PS Form 3811, Apr 1989

Federal Election Commission	
999 E Street NW	
Washington, DC 20543	
Postage	
Contract Fee	
Special Delivery Fee	
Receipt and Delivery Fee	
Return Receipt Shipping to return and (also returned)	
Return Receipt Shipping to return (also and address of return)	
101M Postage and Fees	
Postage in Total	
D. Marshall 10-12-92	

SENDER Complete items 1 and 2 when additional services are desired and complete items 3 and 4

1 Show to whom delivered date and addressee's address (Same charge) 2 Restricted Delivery (Same charge)

3 Article Addressed to
Federal Election Commission
999 E Street, NW
Washington, D.C. 20543

4 Article Number: P277176012

Type of Service:
 Registered Insured
 Certified COD
 Express Mail Return Receipt for Merchandise

5 Signature - Addressee
X [Signature]

6 Addressee's Address ONLY if required and fee paid

7 Date of Delivery



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20541

EO-7

November 8, 1990

Alan Berman, Treasurer
Leboeuf, Lamb, Leiby & MacRae PAC
520 Madison Avenue
New York, NY 10022

Identification Number: C00217885

Reference: October Monthly Report (9/1/90-9/30/90)

Dear Mr. Berman:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. 5434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR 56100.2, 100.3, 100.6).

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Edward Ryan on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

91044034146
2) 35703437



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20541

20-7

November 8, 1990

Alan Berman, Treasurer
Leboeuf, Lamb, Leiby & MacRae PAC
520 Madison Avenue
New York, NY 10022

Identification Number: C00217889

Reference: October Monthly Report (9/1/90-9/30/90)

Dear Mr. Berman:

It has come to the attention of the Federal Election Commission ("the Commission") that your committee may be in violation of 2 U.S.C. §434(a) for failing to file the above referenced Report of Receipts and Disbursements. You were previously notified of the due date for this report.

It is important that you file this report immediately with the Federal Election Commission, 999 E Street, NW, Washington, DC 20463 (or with the Clerk of the House or the Secretary of the Senate, as appropriate). A copy of the report or its relevant portions should also be filed with the Secretary of State or equivalent state officer (see 11 CFR §§108.2, 108.3, 108.4).

Although the Commission may initiate an audit or legal enforcement action concerning this matter, your prompt response and a letter of explanation will be taken into consideration.

If you have any questions, please contact Edward Ryan on our toll-free number (800) 424-9530. Our local number is (202) 376-2480.

Sincerely,

John D. Gibson
John D. Gibson
Assistant Staff Director
Reports Analysis Division

01004080133711324

LEBOEUF, LAMB, LEIBY & MACRAE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATION

820 MADISON AVENUE
NEW YORK, NY 10022

(212) 719-2000

FACSIMILE: (212) 719-2000

TELEX: 483410 LLM 1881000

EUROPEAN COMMUNITY, BRUSSELS, BELGIUM AND LONDON, ENGLAND
DIRECT DIAL

EASTERN U.S.:
NEW YORK, NY
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NEWARK, NJ

WESTERN U.S.:
LOS ANGELES, CA
SALT LAKE CITY, UT
SAN FRANCISCO, CA

SOUTHERN U.S.:
JACKSONVILLE, FL
DALLAS, TX

November 7, 1990

CERTIFIED MAIL
Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

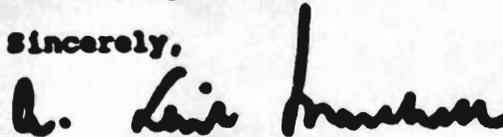
Re: LeBoeuf, Lamb, Leiby & MacRae
Political Action Committee
FEC Form 3X

Gentlemen:

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Please acknowledge the receipt of the above-referenced document by signing and dating the enclosed copy of this letter and returning it to us in the envelope provided.

Sincerely,



A. David Marshall
Assistant Treasurer
LeBoeuf, Lamb, Leiby & MacRae
Political Action Committee

ADN:bv

Enclosures

30036711395



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20543

NOTICE ON DOCUMENT FILING

Dear Treasurers:

The Commission is in receipt of a campaign finance report from your committee submitted on what appears to be a state form. Inasmuch as the Federal Election Campaign Act of 1971 (as Amended) does not require political committees to file copies of their state reports with the Federal Election Commission, we advise that you discontinue this practice in order to reduce your costs as well as those incurred by the Commission.

The report has been returned to you in the event that it was inadvertently submitted to the Commission and should instead have been filed with the appropriate campaign finance agency in your state. In addition, please be aware that if the form was submitted in lieu of a filing required by federal law, this filing will not be considered complete until a report is submitted on FEC Form 3X. 11 CFR 104.5

Should you have any questions concerning this notice or any other requirements of the Federal Election Campaign Act, please contact me on the agency's toll-free number (800) 424-9530. My local number is (202) 376-2480.

Your cooperation in this matter is greatly appreciated.

Sincerely,

A handwritten signature in cursive script, appearing to read "Brian J. Hancock".

Brian J. Hancock
Reports Analyst
Reports Analysis Division

200306711395

11 OCT 15 PM 2:45

LEBOEUF, LAMB, LEIBY & MACRAE

A FIDELITY AND SURETY COMPANY

620 MADISON AVENUE
NEW YORK, NY 10022

TELEPHONE: (212) 710-2000

FACSIMILE: (212) 710-2000

TELEX: 452440 LLM 100100

EUROPEAN BRANCHES: BRUSSELS, BELGIUM AND LONDON, ENGLAND
DIRECT DIAL

EASTERN U.S.
NEW YORK, NY
WASHINGTON, DC
ALBANY, NY
BOSTON, MA
BALTIMORE, MD
HARTFORD, CT
SPRINGFIELD, MA

WESTERN U.S.
LOS ANGELES, CA
SALT LAKE CITY, UT
SAN FRANCISCO, CA

SOUTHERN U.S.
JACKSONVILLE, FL
MEMPHIS, TN

October 11, 1990

3439891739

CERTIFIED MAIL

Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

Re: LeBoeuf, Lamb, Leiby & MacRae
Political Action Committee
FEC Form 3X

Gentlemen:

Enclosed please find our completed Form 3X for the period of
September 1, 1990 through September 30, 1990.

Please acknowledge the receipt of the above-referenced
document by signing and dating the enclosed copy of this letter
and returning it to us in the envelope provided.

Sincerely,



A. David Marshall
Assistant Treasurer
LeBoeuf, Lamb, Leiby & MacRae
Political Action Committee

ADH:bv

Enclosures

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

1. NAME OF COMMITTEE (in full) Labour, Lamb, Lally & MacRae Political Action Committee	2. FEC IDENTIFICATION NUMBER 000217895
ADDRESS (number and street) <input type="checkbox"/> Check if different than previously reported 530 Madison Avenue CITY, STATE and ZIP CODE New York, New York 10022	<input type="checkbox"/> This committee qualified as a non-federally financed committee DURING THIS Reporting Period

4. TYPE OF REPORT

- April 15 Quarterly Report
- July 15 Quarterly Report
- October 15 Quarterly Report
- January 31 Year End Report
- July 31 Mid Year Report (Non-election Year Only)
- Termination Report
- Monthly Report Due On:**
- | | | |
|--------------------------------------|---------------------------------------|--------------------------------------|
| <input type="checkbox"/> February 20 | <input type="checkbox"/> June 20 | <input type="checkbox"/> October 20 |
| <input type="checkbox"/> March 20 | <input type="checkbox"/> July 20 | <input type="checkbox"/> November 20 |
| <input type="checkbox"/> April 20 | <input type="checkbox"/> August 20 | <input type="checkbox"/> December 20 |
| <input type="checkbox"/> May 20 | <input type="checkbox"/> September 20 | <input type="checkbox"/> January 21 |
- Tenth day report preceding _____ (Type of Election)
election on _____ in the State of _____
- Tenth day report following the General Election on _____ in the State of _____
- 5. Is this Report an Amendment?** YES NO

91040841153
20036711322

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
6. Covering Period	9/1/90 through 9/30/90		
6. (a) Cash on Hand January 1, 90			\$ 10,195
(b) Cash on Hand at Beginning of Reporting Period		\$ 13,495	
(c) Total Receipts (from Line 10)		\$ 1,730	\$ 29,230
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 15,225	\$ 39,425
7. Total Disbursements (from Line 20)		\$ 2,500	\$ 26,700
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 12,725	\$ 12,725
9. Debts and Obligations Owed TO the Committee (Reported on Schedule C and/or Schedule D)		\$ -0-	For further information contact: Federal Election Commission 900 E Street, NW Washington, DC 20463 Toll Free 800-424-9630 Local 202-376-3100
10. Debts and Obligations Owed BY the Committee (Reported on Schedule C and/or Schedule D)		\$ -0-	

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

Type or Print Name of Treasurer: **Alan H. Berman**

Signature of Treasurer: *Alan H. Berman*

Date: **10/12/90**

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. 9437g.

NOV 21 1966

ATTACHMENT 6

Page 11 of 11

CERTIFIED MAIL

Federal Election Commission
999 E Street, NW
Washington, D.C. 20463

CERTIFIED

LEBOVITZ, LAW, LEBY & MACHAR
130 Madison Avenue

NOV 16 7 10 1966

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

91 MAR -7 PM 4:35

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

RAD Referral # 91NF-52
Staff Member: Jeffrey Long

SOURCE: INTERNALLY GENERATED

**RESPONDENTS: LeBouef, Lamb, Leiby & MacRae PAC
and Alan Berman, as treasurer**

RELEVANT STATUTE: 2 U.S.C. § 434(a)(4)(B)

INTERNAL REPORTS CHECKED: Referral Materials

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Reports Analysis Division ("RAD") referred the LeBouef, Lamb, Leiby & MacRae PAC and Alan Berman, as treasurer ("Committee") to the Office of the General Counsel on February 13, 1991. Attachment 1. The basis for the attached referral is the Committee's failure to file the 1990 October Monthly Report.

II. FACTUAL AND LEGAL ANALYSIS

A. Filing of Reports

For the Factual and Legal Analysis, see Attachment 3. The Office of the General Counsel recommends that the Commission open a Matter Under Review and find reason to believe that the LeBouef, Lamb, Leiby & MacRae PAC and Alan Berman, as treasurer violated 2 U.S.C. § 434(a)(4)(B).

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III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

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III. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe the LeBouef, Lamb, Leiby & MacRae PAC and Alan Berman, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the appropriate letter, and the attached Factual and Legal Analysis and proposed conciliation agreement.

Lawrence M. Noble
General Counsel

3/7/91
Date

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

Attachments

1. Referral Materials
2. Proposed agreement
3. Factual and Legal Analysis

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BEFORE THE FEDERAL ELECTION COMMISSION

(MUR
3235)

In the Matter of)
)
LeBouef, Lamb, Leiby & MacRae PAC) RAD Referral 91NF-52
and Alan Berman, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 12, 1991, the Commission decided by a vote of 5-0 to take the following actions in RAD Referral 91NF-52:

1. Open a MUR.
2. Find reason to believe the LeBouef, Lamb, Leiby & MacRae PAC and Alan Berman, as treasurer, violated 2 U.S.C. 434(a)(4)(B), and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the appropriate letter, and the Factual and Legal Analysis and proposed conciliation agreement, as recommended in the General Counsel's Report dated March 7, 1991.

Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioner McDonald did not cast a vote.

Attest:

3-12-91
Date

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

Received in the Secretariat: Thurs., Mar. 7, 1991 4:35 p.m.
Circulated to the Commission: Fri., Mar. 8, 1991 12:00 p.m.
Deadline for vote: Tues., Mar. 12, 1991 4:00 p.m.

dr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 21, 1991

Alan Berman, Treasurer
LeBouef, Lamb, Leiby & MacRae PAC
520 Madison Avenue
New York, New York 10022

RE: MUR 3235
LeBouef, Lamb, Leiby &
MacRae PAC, and Alan Berman,
as treasurer

Dear Mr. Berman:

On March 12, 1991, the Federal Election Commission found that there is reason to believe LeBouef, Lamb, Leiby & MacRae PAC ("Committee") and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against the Committee and you, as treasurer. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath.

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

In order to expedite the resolution of this matter, the Commission has also decided to offer to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe. Enclosed is a conciliation agreement that the Commission has approved.

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Alan Berman, Treasurer
Page 2

If you are interested in expediting the resolution of this matter by pursuing preprobable cause conciliation and if you agree with the provisions of the enclosed agreement, please sign and return the agreement, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

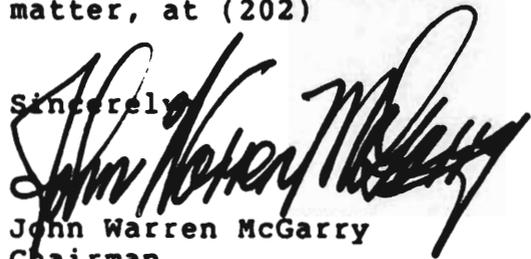
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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

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

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

Sincerely,


John Warren McGarry
Chairman

Enclosures

Factual and Legal Analysis
Procedures
Designation of Counsel Form
Conciliation Agreement

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: LeBouef, Lamb, Leiby &
MacRae PAC and Alan Berman,
as treasurer

MUR 3235

The Federal Election Campaign Act of 1971, as amended ("the Act"), requires all unauthorized political committees which file monthly, to file monthly reports no later than the 20th day after the last day of the month. 2 U.S.C. § 434(a)(4)(B). Thus, the due date for the 1990 October Monthly Report was October 20, 1990. All monthly filers were notified on February 28, 1990, that the October Monthly Report would be due on October 20, 1990.

On October 12, 1990, the Commission received from the LeBouef, Lamb, Leiby & MacRae PAC and Alan Berman, as treasurer ("the Committee"), a campaign finance report on what appeared to be a state form, rather than the FEC Form 3X. The Reports Analysis Division ("RAD") notified the Committee of their apparent erroneous filing and informed them that only a completed FEC form 3X will be considered as a complete filing for the October Monthly Report. Having received no additional filing, RAD, on November 8, 1990, sent the Committee a Non-Filer notice for failure to file the 1990 October Monthly Report.

On November 7, 1990, the Committee's October Report was received by certified mail at the office of the Clerk of the House, eighteen days after the due date. The report was

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received at the Commission on November 13, 1990. The Respondents did not file the 1990 October Monthly Report by the due date. Therefore, there is reason to believe the LeBouef, Lamb, Leiby & MacRae PAC and Alan Berman, as treasurer, violated 2 U.S.C. § 434(a)(4)(B).

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STATEMENT OF DESIGNATION OF COUNSEL

NR 3235

NAME OF COUNSEL: John K. Neagher/James A. Eastwood

ADDRESS: LeBoeuf, Lamb, Leiby & MacRae
1333 New Hampshire Avenue, N.W.
Washington, DC 20036

TELEPHONE: (202) 457-7500

91 APR -5 AM 10:33

FEDERAL ELECTION COMMISSION

The above-named individuals ^{are} hereby designated as my counsel and ^{is} authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

April 4, 1991
Date

A. David Marshall
Signature
A. David Marshall
Assistant Treasurer

RESPONDENT'S NAME: LeBoeuf, Lamb, Leiby & MacRae PAC and Alan Berman, as Treasurer

ADDRESS: 520 Madison Avenue
New York, NY 10022

HOME PHONE: _____

BUSINESS PHONE: (212) 715-8000

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LEBOEUF, LAMB, LEIBY & MACRAE

A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS

1333 NEW HAMPSHIRE AVENUE, N.W.
WASHINGTON, DC 20036

(202) 457-7500

TELEX: 440274 FACSIMILE: (202) 775-4103

EUROPEAN COMMUNITY: BRUSSELS, BELGIUM AND LONDON, ENGLAND

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JACKSONVILLE, FL
RALEIGH, NC

April 8, 1991

BY MESSENGER

Mr. Jeffrey Long
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 3235
LeBoeuf, Lamb, Leiby & MacRae PAC
& Alan Berman, as treasurer

Dear Mr. Long:

As counsel to LeBoeuf, Lamb, Leiby & MacRae PAC and Alan Berman, as treasurer, we hereby respond to Chairman John Warren McGarry's March 21, 1991, notification regarding the above-referenced matter.

LeBoeuf, Lamb, Leiby & MacRae PAC regrets its late submission of the 1990 October Monthly Report, and will make every effort to ensure that its future reports are filed on a

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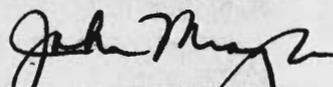
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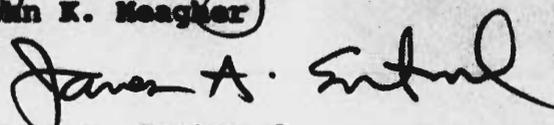
Mr. Jeffrey Long
April 8, 1991
Page 2

timely basis. We appreciate your efforts to assist us, and look forward to a rapid resolution of this matter.

Very truly yours,



John K. Neagher



James A. Eastwood

Enclosures

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FEDERAL ELECTION COMMISSION

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

LeBouef, Lamb, Leiby & McRae PAC
and Alan Berman, as treasurer

)
) MUR 3235
)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a revised proposed conciliation agreement which has been signed by John K. Meagher of the firm LeBouef, Lamb, Leiby & McRae.

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II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with LeBouef, Lamb, Leiby & McRae PAC and Alan Berman, as treasurer.
2. Close the file.
3. Approve the appropriate letter.

Lawrence M. Noble
General Counsel

Date 4/16/91

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check

Staff Assigned: Jeffrey Long

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 3235
LeBouef, Lamb, Leiby & McRae PAC)
and Alan Berman, as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on April 19, 1991, the Commission decided by a vote of 5-0 to take the following actions in MUR 3235:

1. Accept the conciliation agreement with LeBouef, Lamb, Leiby & McRae PAC and Alan Berman, as treasurer, as recommended in the General Counsel's report dated April 16, 1991.
2. Close the file.
3. Approve the letter, as recommended in the General Counsel's report dated April 16, 1991.

Commissioners Aikens, Elliott, McDonald, McGarry and Thomas voted affirmatively for the decision; Commissioner Josefiak did not cast a vote.

Attest:

4-19-91
Date

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

Received in the Secretariat: Tues., April 16, 1991 4:19 p.m.
Circulated to the Commission: Wed., April 17, 1991 11:00 a.m.
Deadline for vote: Fri., April 19, 1991 11:00 a.m.

dh

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CLOSED



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 26, 1991

John K. Meagher, Esquire
LeBoeuf, Lamb, Leiby & MacRae
1333 New Hampshire Avenue, N.W.
Washington, D.C. 20036

Attn: James A. Eastwood, Esquire

RE: MUR 3235
Leboeuf, Lamb, Leiby &
MacRae PAC and Alan Berman,
as treasurer

Dear Mr. Meagher:

On April 19, 1991, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of Leboeuf, Lamb, Leiby & MacRae PAC and Alan Berman, as treasurer, in settlement of a violation of 2 U.S.C. § 434(a)(4)(B), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter.

This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel. Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any

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John K. Meagher, Esquire
Page 2

questions, please contact Jeffrey Long, the staff member
assigned to this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel


BY: Lois G. Lerner
Associate General Counsel

Enclosure
Conciliation Agreement

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

LeBoeuf, Lamb, Leiby & MacRae PAC
and Alan Berman, as treasurer

)
) MUR 3235
)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that LeBoeuf, Lamb, Leiby & MacRae PAC and Alan Berman, as treasurer ("Respondents") violated 2 U.S.C. § 434(a)(4)(B).

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

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

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

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

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

1. LeBoeuf, Lamb, Leiby & MacRae PAC is a political committee within the meaning of 2 U.S.C. § 431(4).

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2. Alan Berman is the treasurer of LeBoeuf, Lamb, Leiby & MacRae PAC.

3. The Federal Election Campaign Act of 1971, as amended ("the Act"), requires all political committees filing monthly, other than authorized committees of a candidate, to file monthly reports no later than the 20th day after the last day of the month. 2 U.S.C. § 434(a)(4)(B). Thus, the due date for the 1990 October Monthly Report was October 20, 1990.

4. The Committee was notified on February 28, 1990, that the October Monthly Report was due on October 20, 1990.

5. The Committee's 1990 October Monthly Report was received by certified mail on November 7, 1990, which was 18 days late and disclosed \$1,730 in receipts, \$2,500 in disbursements and \$12,725 cash on hand.

6. Respondents contend that the failure to file the 1990 October Monthly Report was the result of an inadvertent clerical error. The 1990 October Monthly Report was inadvertently filed with the New Jersey Election Law Enforcement Commission, while the New Jersey state report was filed with the Federal Election Commission.

V. The LeBoeuf, Lamb, Leiby & MacRae PAC and Alan Berman, as treasurer, did not file the 1990 October Monthly Report by the due date in violation of 2 U.S.C. § 434(a)(4)(B). Respondents maintain that this was not a knowing and willful violation.

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VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of three hundred twenty-five dollars (\$325.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

IX. Respondent shall have no more than 30 days from the date this agreement becomes effective to comply with and implement the requirement contained in this agreement and to so notify the Commission.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written

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or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be enforceable.

FOR THE COMMISSION:

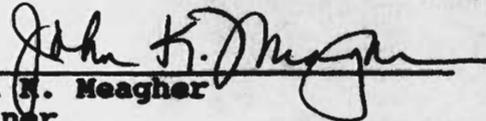
Lawrence N. Noble
General Counsel

BY:


Lois G. Lerher
Associate General Counsel

Date 4/25/91

FOR THE RESPONDENTS:


John H. Meagher
Partner
LeBoeuf, Lamb, Leiby & MacRae
Suite 1100
1333 New Hampshire Avenue, N.W.
Washington, DC 20036
(202) 457-7500

Date 4/8/91

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3825

DATE FILMED 5/8/91 CAMERA NO. 4

CAMERAMAN AS

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