FEDERAL ELECTION COMMISSION
WASHINGTON D.C. 20463

THIS IS THE BEGINNING OF MUR # 3545

DATE FILMED 7/26/93 CAMERA NO. 4

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Jun 18 11 28 AM '92

MUR 3545

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUN 18 PM 3:47

COMPLAINT
TO THE FEDERAL ELECTION COMMISSION

In accordance with Title 2, Section 437g(a)(1) of the U.S. Code, the undersigned, Charles A. Forrest, III, hereby makes this Complaint to the Federal Election Commission and sets forth the following facts in support thereof:

1. Megan Jane O'Neill is a candidate for United States Representative in the Ninth District of Michigan.

2. Megan Jane O'Neill has filed a Financial Disclosure Statement dated May 28, 1992 with the Clerk of the House of Representatives, a copy of which is herewith enclosed.

3. Included in Parts II and III of said Financial Disclosure Statement, "Assets and 'Unearned' Income", is a purported asset described as a "Personal loan to James A. and Mikel M. O'Neill (non-interest bearing)", said loan being greater than $15,001 and less than $50,000 in value.

4. It is the belief of the undersigned Complainant that James A. and Mikel M. O'Neill are the parents of said Megan Jane O'Neill and that James A. O'Neill is a physician in private practice with substantial personal assets.

5. Part I of said Financial Disclosure Statement contains a declaration that Megan Jane O'Neill had no earned income for the period 1/1/91 - 5/28/92.

6. The other assets listed by Megan Jane O'Neill on Parts II and III of said Financial Disclosure Statement are of nominal value or in all likelihood are not available for her use. (IRA and trust account)

7. It is the belief of the Complainant that an actual transfer of funds from Megan Jane O'Neill to James A. and Mikel M. O'Neill is unlikely to have occurred, given the fact that Megan Jane O'Neill has had no income and has nominal assets. It is the further belief of the Complainant that even if such transfer did occur, the funds thus transferred have likely not been treated as debt by the parties for tax or other purposes.

8. It is the belief of the Complainant that Megan Jane O'Neill has

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listed the above-mentioned asset on her Financial Disclosure Statement in order to lay a foundation for the transfer of funds from her parents to herself for use in her campaign for U.S. Representative, in violation of Title 2, Section 441a(a)1(a).

The undersigned Complainant believes that the facts set forth above indicate that Megan Jane O'Neill is about to commit a violation of the Federal Election Campaign Act of 1971 and therefore requests an investigation of said potential violation by the Federal Election Commission in accordance with the provisions of 2 U.S.C. 437(g)(a)(2).

The undersigned Complainant makes this Complaint on information and belief, based upon a review of the Financial Disclosure Statement filed by Megan Jane O'Neill with the Clerk of the House of Representatives on May 28, 1992 and affirms under penalty of perjury that the statements made herein are true to the best of his knowledge.

Date 6/17/1992

Charles A. Forrest, III
12057 S. Saginaw
Grand Blanc, Michigan

STATE OF MICHIGAN)
SS
COUNTY OF GENESEE)

Subscribed and sworn to before me, a Notary Public, this 17th day of June 1992.

Cynthia R. Mortier, Notary Public
Lapeer County, Michigan
Acting in Genesee County
My Commission Expires: 4/15/96

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

1992 JUN -2 AM 10 21

OFFICE OF THE CLERK
HOUSE OF REPRESENTATIVES

UNITED STATES HOUSE OF REPRESENTATIVES

FORM B

For use by candidates for the office of Member of the House of Representatives and their employees

FINANCIAL DISCLOSURE STATEMENT FOR 1991 and 1992 through May 15
(Indicate Period Covered)

Megan Jane O'Neill
(Full Name)

P.O. Box 262 Clarkston, MI. 48347
(Mailing Address)

313-625-6086
Telephone:

B

cc

MAY 29 1992

(Office Use Only)

Filer Status				Check If Amendment
	[X] Candidate for the House of Representatives	State: Michigan District 19	Date of Election: Aug. 4, 1992	[ ]
	[ ] New officer or employee	Employing office:		

In all sections, please type or print clearly in black ink.

PART I—EARNED INCOME (INCLUDING HONORARIA)

List the source, type, and amount of earned income, including honoraria, from any source (other than the filer's current employment by the U.S. Government) aggregating $200 or more during the current year to the filing date and, separately, the preceding calendar year. For a spouse, only the source, not amount of earned income needs to be reported, except for honoraria, for which the source and amount must be reported. See instructions, page 10.

NONE [Y]

	Source (Include date of receipt for honoraria)	Type	Amount: Current Year to Filing	Amount: Preceding Year
Examples	ABC Corporation, Houston, Texas	Salary	$6,300	$26,450
	First Bank & Trust, Houston, Texas	Director's Fee	400	$3,200
	ABC Trade Association, Chicago, Ill. (Rec'd 12-2-90)	Honorarium	NA	$1,000
	Harris County, Texas, Public Schools	Spouse Salary	NA	NA

Reporting Individual's Name

Megan Jane O'Neill

PARTS II and III – ASSETS AND "UNEARNED" INCOME

In BLOCK A report (a) the identity of each asset held during the preceding year and/or in the current year up to a date within 31 days of the filing date which had a fair market value exceeding $1,000 as of the end of the period and (b) any other asset or source of income which generated $200 or more in "unearned" income during the period. Exclude: Any personal liability owed to the reporting individual by a spouse, child, parent or sibling of the reporting individual or that person's spouse; any deposits aggregating $5,000 or less in personal savings accounts; and, financial interests in or income derived from U.S. Government retirement programs.

In BLOCK B, indicate the category of value for each asset listed in Block A which had a fair market value exceeding $1,000 as of a date within 31 days of the filing date, stated below. Specify any alternative valuation method.

In BLOCK C, indicate the type and category of value of any "unearned" income aggregating more than $200 received during the current year to the filing date and, separately, the preceding calendar year, from assets and sources listed in Block A. For IRA's and retirement plans that are not self-directed, you may list only the value and indicate "NA" for income.

If you wish to indicate that an asset, income source, or income is that of your spouse or dependent child, so indicate in the column for that purpose on the far left. (This is optional.)

For further information, see instructions, pages 12-14.

Information current as the following date: May 16, 1992
(Must be within 31 days of filing date)

NONE ☐

BLOCK A Asset and/or Income Source		BLOCK B Valuation of Asset										BLOCK C Income																							
You may identify each asset and/or income source as yours, your spouse's (S), your dependent child's (DC), or jointly held (JT). This is optional.		Reporting Date Value (X)									Indicate if alternative valuation method (X) – Attach explanation	Type of Income (X)							Category of Amount of Income (X) Current Year to Date										Preceding Year									
		None	A Less than $1,001	B $1,001 - $15,000	C $15,001 - $50,000	D $50,001 - $100,000	E $100,001 - $250,000	F $250,001 - $500,000	G $500,001 - $1,000,000	H over $1,000,000		DIVIDENDS	RENT	INTEREST	CAPITAL GAINS	EXCEPTED TRUST	QUALIFIED BLIND TRUST	OTHER (SPECIFY)	None	I Less than $201	II $201 - $1,000	III $1,001 - $2,500	IV $2,501 - $5,000	V $5,001 - $15,000	VI $15,001 - $50,000	VII $50,001 - $100,000	VIII $100,001 - $1,000,000	IX over $1,000,000	None	I Less than $201	II $201 - $1,000	III $1,001 - $2,500	IV $2,501 - $5,000	V $5,001 - $15,000	VI $15,001 - $50,000	VII $50,001 - $100,000	VIII $100,001 - $1,000,000	IX over $1,000,000
S, DC, JT	Examples: S ABC Corporation Stock				X								X								X										X						
	George Wash. Credit Union Accounts					X									X							X										X					
	182 Main Street, Dover, Delaware						X							X									X									X					
-	ICN Pharmaceuticals, Inc.	X													X																X						
-	MTS Systems Corp.	X													X																X						
-	Ford Motor Company	X										X			X																		X				
-	National Bank of Detroit Accts.			X										X						X										X							
-	Ohio Ky Ltd. 1986-4 Wells Ltd. Partnership		X															X*		X										X							

*Partnership Income

For additional assets and unearned income, use next page

PARTS II AND III—ASSETS AND "UNEARNED" INCOME

Reporting Individual's Name: Megan Jane O'Neill

Continuation Sheet (If needed)

BLOCK A Asset and/or Income Source	BLOCK B Valuation of Asset										BLOCK C Income																							
	Reporting Date Value (X)										Type of Income (X)							Category of Amount of Income (X)																
																		Current Year to Date										Preceding Year									
You may identify each asset and/or income source as yours, your spouse's (S), your dependent child's (DC), or jointly held (JT). This is optional.	None	A Less than $1,001	B $1,001 - $15,000	C $15,001 - $50,000	D $50,001 - $100,000	E $100,001 - $250,000	F $250,001 - $500,000	G $500,001 - $1,000,000	H over $1,000,000	Indicate if alternative valuation method (X) Attach explanation	DIVIDENDS	RENT	INTEREST	CAPITAL GAINS	EXCEPTED TRUST	QUALIFIED BLIND TRUST	OTHER (Specify)	None	I Less than $201	II $201 - $1,000	III $1,001 - $2,500	IV $2,501 - $5,000	V $5,001 - $15,000	VI $15,001 - $50,000	VII $50,001 - $100,000	VIII $100,001 - $1,000,000	IX over $1,000,000	None	I Less than $201	II $201 - $1,000	III $1,001 - $2,500	IV $2,501 - $5,000	V $5,001 - $15,000	VI $15,001 - $50,000	VII $50,001 - $100,000	VIII $100,001 - $1,000,000	IX over $1,000,000
Joseph F. O'Neill Jr. Trust(Estate)				X									X					X										X									
American Express Daily Dividend		X											X						X										X								
Shearson Lehman-Indiv. Retrmt A/C			X														X*		X										X								
Personal loan to James A. & Mikel M. O'Neill (non-interest bearing)				X														X										X									

*Tax Deferred

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Reporting Individual's Name

Megan Jane O'Neill

PART IV – LIABILITIES

Report liabilities over $10,000 owed to any one creditor *at any time* during the reporting period by you, your spouse or dependent child. Check the highest amount owed during the reporting period. Exclude a mortgage on your personal residence unless it is rented out, loans secured by automobiles, household furniture or appliances, and liabilities owed to a spouse, child, parent, or sibling of the reporting individual or the reporting individual's spouse. For further information, see instructions, page 18.

NONE [X]

S, DC, JT	Creditor	Type of Liability	Category of Amount or Value (X) B $10,001–$15,000	C $15,001–$50,000	D $50,001–$100,000	E $100,001–$250,000	F $250,001–$500,000	G $500,001–$1,000,000	H over $1,000,000
	Example: First Bank of Wilmington, Delaware	Mortgage on 182 Main Street, Dover, Del.				X			

PART V – POSITIONS

Report the identity of all positions, compensated or uncompensated, held on or before the date of filing during the current calendar year and in the two prior years as an officer, director, trustee of an organization, partner, proprietor, representative, employee, or consultant of any corporation, firm, partnership, or other business enterprise, any nonprofit organization, any labor organization, or any educational or other institution other than the United States. For further information, see instructions, page 22.

EXCLUSIONS: Positions held in any religious, social, fraternal, or political entities, and positions solely of an honorary nature need not be shown.

NONE [ ]

Position	Name of Organization
Associate Member	University of Detroit President's Cabinet

Reporting Individual's Name

Megan Jane O'Neill

PART VI—AGREEMENTS (FOR NEW EMPLOYEES ONLY, *NOT* CANDIDATES)

Identify the date, parties to, and terms of any agreement or arrangement with respect to: future employment; a leave of absence during the period of government service; continuation or deferral of payments by a former or current employer other than the U.S. Government; or continuing participation in an employee welfare or benefit plan maintained by a former employer. For further information, see Instructions, page 23.

NONE [X]

Date	Parties To	Terms of Agreement

PART VII—COMPENSATION IN EXCESS OF $5,000 PAID BY ONE SOURCE

Report sources of such compensation received by you or your business affiliation for services provided directly by you during the two prior years. This includes the names of clients and customers of any corporation, firm, partnership, or other business enterprise, or any non-profit organization when you directly provided the services generating a fee or payment of more than $5,000. You need not report the U.S. Government as a source. For further information, see Instructions, page 23.

NONE [X]

	Source (Name and Address)	Brief Description of Duties
Examples	Doe Jones & Smith, Hometown, USA	Accounting services
	Metro University (client of Doe Jones & Smith), Moneytown, USA	Legal services in connection with university construction

PART VIII—ADDITIONAL INFORMATION AND CERTIFICATION

TRUSTS—Do you, your spouse or dependent child receive income from or have a beneficial interest in a trust or other financial arrangement whose holdings were not reported because the trust is a "Qualified Blind Trust" or other excepted trust? A Qualified Blind Trust is a trust which has been specifically approved by the Committee on Standards of Official Conduct. (See Instructions, page 15.) Yes [ ] No [ ] NA [X]

EXEMPTION TEST—Have you omitted any assets or liabilities of a spouse or dependent child because they meet the three tests for exemption? (See Instructions, page 5.) Yes [ ] No [ ] NA [X]

This Financial Disclosure Statement is required by the Ethics in Government Act of 1978, as amended (5 U.S.C. app. 6, §101 et seq.). The Statement will be made available to any requesting person upon written application and will be reviewed by the Committee on Standards of Official Conduct. Any individual who knowingly and willfully falsifies, or who knowingly and willfully fails to file this report may be subject to civil and criminal sanctions (See 5 U.S.C. app. 6 §104 and 18 U.S.C. §1001).

SIGNATURE OF REPORTING INDIVIDUAL	DATE (Month, Day, Year)
Megan O'Neill	May 28 1992

GPO: 1991 95-067 (9)

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 26, 1992

Mr. Charles A. Forrest, III
12057 S. Saginaw
Grand Blanc, MI 48439

RE: MUR 3545

Dear Mr. Forrest:

This letter acknowledges receipt on June 18, 1992, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Megan Jane O'Neill, Dr. James A. O'Neill, Mikel M. O'Neill, the Committee to Elect Megan O'Neill and Leonard Charles Gorz, as treasurer. 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 3545. 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.

Sincerely,

Lisa E. Klein
Assistant General Counsel

Enclosure
Procedures

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 26, 1992

Ms. Megan Jane O'Neill
7755 Holcolm Road
Clarkston, MI 48347

RE: MUR 3545

Dear Ms. O'Neill:

The Federal Election Commission received a complaint which indicates 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 3545. 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.

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If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lisa E. Klein
Assistant General Counsel

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 26, 1992

Dr. James A. O'Neill
7755 Holcolm Road
Clarkston, MI 48347

RE: MUR 3545

Dear Dr. O'Neill:

The Federal Election Commission received a complaint which indicates 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 3545. 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.

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If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lisa E. Klein
Assistant General Counsel

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 26, 1992

Ms. Mikel M. O'Neill
7755 Holcolm Road
Clarkston, MI 48347

RE: MUR 3545

Dear Ms. O'Neill:

The Federal Election Commission received a complaint which indicates 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 3545. 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.

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If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lisa E. Klein
Assistant General Counsel

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 26, 1992

Leonard Charles Gorz, Treasurer
Committee to Elect Megan O'Neill
5885 Ortonville Road
Clarkston, MI 48346

RE: MUR 3545

Dear Mr. Gorz:

The Federal Election Commission received a complaint which indicates that the Committee to Elect Megan O'Neill ("Committee") 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 3545. 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 the Committee and you, as treasurer, 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.

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If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lisa E. Klein
Assistant General Counsel

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

cc: Megan Jane O'Neill

93040995054 4

PATRICK M. CLEARY
ATTORNEY AT LAW
1825 S. WOODWARD, SUITE 150
BLOOMFIELD HILLS, MICHIGAN 48302
TELEPHONE (313) 335-7890
FAX (313) 334-7202

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COMMISSION
MAIL ROOM
JUL 13 1 47 PM '92

PATRICK MICHAEL CLEARY*
LEONARD C. GORZ

July 10, 1992

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUL 14 AM 11:58

Federal Elections Commission
General Counsel Office
999 E Street North West
Attn: Ms. Frances Hagan
Washington, D.C. 20463

Dear Ms. Hagan:

Pursuant to our telephone conversation on July 9, 1992, I will file my response to the Federal Elections Commission regarding MUR 3545 on or before July 17, 1992. With respect to James A. O'Neill, M.D. and Mikel M. O'Neill, his wife, I have informed them that their response must be received on or before July 22, 1992.

Sincerely,

Leonard C. Gorz,
Attorney at Law

LCG*ah

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*ADMITTED IN CALIFORNIA

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FEDERAL ELECTION
COMMISSION
MAIL ROOM

JUL 22 11 30 AM '92

PATRICK M. CLEARY
ATTORNEY AT LAW
1825 S. WOODWARD, SUITE 150
BLOOMFIELD HILLS, MICHIGAN 48302
TELEPHONE (313) 335-7890
FAX (313) 334-7202

PATRICK MICHAEL CLEARY*
LEONARD C. GORZ

July 17, 1992

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
92 JUL 22 PM 3:21

Federal Election Commission
General Counsel Office
999 E Street North West
Attn: Francis Hagan
Washington, D.C. 20463

RE: MUR 3545

Dear Madam/Sir:

Enclosed please find the Response to Complaint to the Federal Election Commission in the above referenced matter.

Sincerely,

Leonard C. Gorz,
Attorney at Law

LCG*ah
Encl.

93040950546

*ADMITTED IN CALIFORNIA

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

92 JUL 23 PM 3:21

RESPONSE BY COMMITTEE TO ELECT MEGAN O'NEILL
TO COMPLAINT TO THE FEDERAL ELECTIONS COMMISSION

MUR 3545

NOW COMES, Respondent, Leonard C. Gorz, Treasurer for the Committee to Elect Megan O'Neill, in pro per and responds to a complaint filed by Charles A. Forrest, III, and states as follows:

1. Respondent admits that Megan Jane O'Neill is a candidate for United States Representative in the Ninth District of Michigan.

2. Respondent admits that Megan Jane O'Neill has filed a Financial Disclosure Statement dated May 28, 1992 with the Clerk of the House of Representatives. A copy of which was attached to the Complaint originally filed in this matter.

3. Respondent admits that included in Parts II and III of the Financial Disclosure Statement, "Assets and 'Unearned' Income" is an asset described as a "personal loan to James A. and Mikel M. O'Neill, (non-interest bearing)", the loan being greater than $15,001 and less than $50,000 in value.

4. Respondent admits that James A. and Mikel O'Neill are the parents of Megan Jane O'Neill and that James A. O'Neill is a physician in private practice in the Clarkston, Michigan area who holds, controls, and possesses certain personal assets.

5. Respondent admits that Part I of the Financial Disclosure Statement contains a declaration that Megan Jane O'Neill had no earned income for the period 1/1/91 - 5/25/92.

6. Respondent admits that the other assets listed by Megan Jane O'Neill in Parts II and III of the Financial Disclosure Statement have value. However, Respondent denies that said assets are of nominal value and states affirmatively that these assets are available for her use if she so elected to use said assets.

7. Respondent states that there is no basis to Charles A. Forrest, III's personal belief that there was no actual transfer of funds from Megan Jane O'Neill to James A. O'Neill and Mikel M. O'Neill. Respondents further state that it is irrelevant how the transferred funds had been treated by the parties for tax or any other purposes.

8. Respondent denies that Megan Jane O'Neill listed any assets on her Financial Disclosure Statement for the sole purpose of circumventing the Federal Elections Campaign Act.

9. Respondent strenuously and vehemently denies the allegations in the first full paragraph on page 2 of the Complaint filed by Charles A. Forrest, III that Megan Jane O'Neill is about to commit a violation of the Federal Elections Campaign Act of 1971. Respondent further states that Charles A. Forrest, III's

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request for an investigation of the alleged potential violation by the Federal Elections Commission in accordance with provisions of 2 U.S.C. 437 (g)(a)(2) is a gross misuse of process without any basis and adequate investigation prior to filing this frivolous request.

10. Respondent states that the funds loaned by Megan Jane O'Neill to her parents James A. O'Neill and Mikel M. O'Neill were derived from proceeds from 1) a Uniform Gift to Minors Act account set up by Dr. James A. O'Neill on behalf of his daughter Megan Jane O'Neill prior to 1987 and 2) from proceeds from an inheritance by her deceased uncle Joseph O'Neill during the years 1986 and 1987.

11. Respondents, James A. O'Neill and Mikel M. O'Neill, state that they have prepared, signed and sworn to Affidavits detailing the loan transactions between themselves and their daughter, Megan Jane O'Neill. A copy of the Respondent's Affidavits are attached as Exhibits A and B, respectively.

12. Respondent further states that an Affidavit by Megan Jane O'Neill has been prepared, signed and sworn to by her detailing the loan transactions with her parents James A. O'Neill and Mikel M. O'Neill. A copy of this affidavit is attached as Exhibit C to this Response.

Wherefore, Respondent makes his Response to the complaint and affirms under penalty of perjury that the statements made herein are true to the best of his knowledge.

DATED: July 17, 1992

Leonard C. Gorz

Leonard C. Gorz, Treasurer
Committee to Elect
Megan Jane O'Neill
1825 S. Woodward Ave.
Suite 150
Bloomfield Hills, MI 48302
(313) 335-7890

STATE OF MICHIGAN)
SS
COUNTY OF OAKLAND)

Subscribed and sworn to before me, a Notary Public, this 17th day of July, 1992.

Jennifer L. Dreon

Jennifer L. Dreon, Notary Public
Oakland County, Michigan
My Commission Expires: 9/24/94

93040950548

EXHIBIT A

AFFIDAVIT OF JAMES A. O'NEILL, M.D.

STATE OF MICHIGAN)
)
COUNTY OF OAKLAND)

1. I, James A. O'Neill, M.D. am a resident of Clarkston, Michigan.

2. I am the father of Megan Jane O'Neill, a candidate for the United States Representative in the Ninth District of Michigan.

3. My wife and the mother of Megan Jane O'Neill is Mikel M. O'Neill.

4. I have personal knowledge that my daughter, Megan Jane O'Neill, was a beneficiary of my brother Joseph O'Neill's Estate.

5. On or about March 1986, my daughter, Megan Jane O'Neill made an interest free loan to my wife and myself.

6. My wife and I deposited the proceeds from the loan into our joint personal checking account on or about March 25, 1986. The above mentioned personal checking account was with the then existing Pontiac State Bank; now, the National Bank of Detroit. The account number is available upon request by the Federal Elections Commission's investigator, but are not disclosed at this time because of the reckless actions of Charles A. Forrest, III's breach of confidentiality when he acknowledged to the press that such an investigation had been initiated.

7. On information and belief, the above mentioned loan proceeds came from an inheritance distribution to Megan Jane O'Neill from the Estate of Joseph O'Neill, deceased.

8. Prior to 1987, my wife and I set up a Michigan Uniform Gift to Minor Act account with Shearson Leaman, for my daughter, Megan Jane O'Neill, as the stated beneficiary. The account number is available upon request by the Federal Elections Commission's investigator, but are not disclosed at this time because of the reckless actions of Charles A. Forrest, III's breach of confidentiality when he acknowledged to the press that such an investigation had been initiated.

9. On or about March 18, 1987, my daughter, Megan Jane O'Neill, made a second interest free loan transaction between myself and my wife.

10. I deposited the proceeds from this second loan transaction into my Pontiac State Bank personal checking account, now with National Bank of Detroit, on or about March 18, 1987.

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11. On information and belief the proceeds used by my daughter, Megan Jane O'Neill, were derived from her Uniform Gift to Minors Act account with Shearson Leaman, as mentioned above.

12. On or about May 12, 1987 my daughter, Megan Jane O'Neill, made a third interest free loan transaction between myself and my wife.

13. I deposited the proceeds from this third loan transaction into my Pontiac State Bank personal checking account, now with National Bank of Detroit.

14. On information and belief the proceeds used by my daughter, Megan Jane O'Neill, were derived from her Uniform Gift to Minors Act account with Shearson Leaman, as mentioned above.

15. On or about March 25, 1988, my daughter, Megan Jane O'Neill, made a fourth interest free loan transaction between myself and my wife.

16. I deposited the proceeds from this fourth loan transaction into my Pontiac State Bank personal checking account, now with National Bank of Detroit.

17. On information and belief the proceeds used by my daughter, Megan Jane O'Neill, were derived from her Uniform Gift to Minors Act account with Shearson Leaman, as mentioned above.

18. My daughter, Megan Jane O'Neill, was over the age of twenty one at the time she made the above four interest free loan transactions to myself and my wife.

19. My wife and I utilized the above mentioned proceeds from the interest free loans for various business transactions.

20. As of the date of this affidavit, my wife and I remain obligated to my daughter, Megan Jane O'Neill, for the above stated interest free loan transactions.

Affiant further sayeth not.

James A. O'Neill, M.D. Date 7-16-92

Subscribed and sworn to before me this 16th day of July, 1992

Paula Bishop

Notary Public, Paula Bishop
County of Oakland
My commissions expires: 5-31-93

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EXHIBIT B

AFFIDAVIT OF MIKEL M. O'NEILL,

STATE OF MICHIGAN)
)
COUNTY OF OAKLAND)

1. I, Mikel M. O'Neill, am a resident of Clarkston, Michigan.

2. I am the mother of Megan Jane O'Neill, a candidate for the United States Representative in the Ninth District of Michigan.

3. My Husband and the father of Megan Jane O'Neill is James A. O'Neill, M.D.

4. I have personal knowledge that my daughter, Megan Jane O'Neill, was a beneficiary of my brother-in-law Joseph O'Neill's Estate.

5. On or about March 1986, my daughter, Megan Jane O'Neill made an interest free loan to my husband and myself.

6. My husband and I deposited the proceeds from the loan into our joint personal checking account on or about March 25, 1986. The above mentioned personal checking account was with the then existing Pontiac State Bank; now, the National Bank of Detroit. The account number is available upon request by the Federal Elections Commission's investigator, but are not disclosed at this time because of the reckless actions of Charles A. Forrest, III's breach of confidentiality when he acknowledged to the press that such an investigation had been initiated.

7. On information and belief, the above mentioned loan proceeds came from an inheritance distribution to Megan Jane O'Neill from the Estate of Joseph O'Neill, deceased. Joseph O'Neill was my brother-in-law.

8. Prior to 1987, my husband and I set up a Michigan Uniform Gift to Minor Act account with Shearson Leaman, for my daughter, Megan Jane O'Neill, as the stated beneficiary. The account number is available upon request by the Federal Elections Commission's investigative, but are not disclosed at this time because of the reckless actions of Charles A. Forrest, III's breach of confidentiality when he acknowledged to the press that such an investigation had been initiated.

9. On or about March 18, 1987, my daughter, Megan Jane O'Neill, made a second interest free loan transaction between myself and my husband.

10. On information and belief my husband deposited the proceeds from this second loan transaction into our Pontiac State

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Bank personal checking account now with National Bank of Detroit on or about March 18, 1987.

11. On information and belief the proceeds used by my daughter, Megan Jane O'Neill, were derived from her Uniform Gift to Minors Act account with Shearson Leaman, as mentioned above.

12. On or about May 12, 1987 my daughter, Megan Jane O'Neill, made a third interest free loan transaction between myself and my husband.

13. On information and belief my husband deposited the proceeds from this third loan transaction into our Pontiac State Bank personal checking account, now with National Bank of Detroit.

14. On information and belief the proceeds used by my daughter, Megan Jane O'Neill, were derived from her Uniform Gift to Minors Act account with Shearson Leaman, as mentioned above.

15. On or about March 25, 1988, my daughter, Megan Jane O'Neill, made a fourth interest free loan transaction between myself and my husband.

16. On information and belief my husband deposited the proceeds from this fourth loan transaction into our Pontiac State Bank personal checking account, now with National Bank of Detroit.

17. On information and belief the proceeds used by my daughter, Megan Jane O'Neill, were derived from her Uniform Gift to Minors Act account with Shearson Leaman, as mentioned above.

18. My daughter, Megan Jane O'Neill was over the age of twenty one at the time she made the above four interest free loan transactions to myself and my husband.

19. My husband and I utilized the above mentioned proceeds from the interest free loans for various business transactions.

20. As of the date of this affidavit, my husband and I remain obligated to my daughter, Megan Jane O'Neill, for the above stated interest free loan transactions.

Affiant further sayeth not.

Mikel M. O'Neill — July 16, 1992
Mikel M. O'Neill — Date

Subscribed and sworn to before me this 16th day of July, 1992

Paula Bishop
Notary Public, Paula Bishop
County of Oakland
My commissions expires: 5-31-93

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EXHIBIT C

AFFIDAVIT OF MEGAN JANE O'NEILL

1. I, Megan Jane O'Neill, am a resident of Clarkston, Michigan.

2. My parents are James A. O'Neill, M.D. and Mikel M. O'Neill.

3. I am a candidate for the United States Representative in the Ninth District of the State of Michigan.

4. I filed a Financial Disclosure Statement dated May 28, 1992 with the Clerk of the House of Representatives. In Parts II and III of the Financial Disclosure Statement, entitles "Assets and 'Unearned' Income", I reported, as an asset, a non-interest bearing personal loan to James A. O'Neill and Mikel M. O'Neill, my parents.

5. I made a series of non-interest bearing loan transactions to my parents between 1986 and 1988.

6. The first loan transaction to my parents occurred on or about March 1986.

7. The funds used to make this first loan transaction came from an inheritance distribution from the Estate of Joseph O'Neill, deceased. Joseph O'Neill was my paternal uncle.

8. The federal employee ID number for the Estate of Joseph O'Neill is available on request by the Federal Elections Commission's investigator, but because of the breach of confidentiality by Charles A. Forrest, III, to the press concerning the investigation by the Federal Elections Commission, the account number is not being made available at this time.

9. Upon information and belief, my parents, James A. and Mikel M. O'Neill, set up a Michigan Uniform Gift to Minors Act account with Shearson Leaman Brothers prior to 1987 and named me as the beneficiary.

10. Dr. James A. O'Neill, my father, was the custodian of said account.

11. During the year of 1987, I was over the age of twenty-one years old and, therefore, had control of the above mentioned account.

12. A second loan transaction occurred on or about 3-12-87.

13. The funds I used to make this second loan transaction came from the Shearson Leaman Uniform Gift to Minors Act account. Because of the breach of confidentiality by Charles A. Forrest, III, to the press concerning the investigation by the Federal Elections Commission the account number is not being made available

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at this time.

14. A third loan transaction occurred on or about May 8, 1987.

15. The funds I used to make this third loan transaction came from the Shearson Leaman Uniform Gift to Minors Act account.

16. A fourth loan transaction occurred on or about April 22, 1988.

17. The funds I used to make this fourth loan transaction came from the Shearson Leaman Uniform Gift to Minors Act account.

18. The above menticned four loan transactions occurring between 1986 and 1988 had an aggregate value in the range of fifteen thousand one dollar ($15,001.00) and fifty thousand dollars ($50,000.00).

19. As of the date of this Affidavit my parents remain obligated to me for the principal, only, for these loans.

Affiant further sayeth not.

Megan Jane O'Neill — July 16 92

Megan Jane O'Neill — Date

Subscribed and sworn to before me this 16th day of July, 1992

Paula Bishop

Notary Public, Paula Bishop
County of Oakland
My commissions expires: 5-31-93

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 3545

NAME OF COUNSEL: PATRICK M. CLEARY

ADDRESS: 1825 S. WOODWARD
Suite 150
Bloomfield Hills, MI 48302

TELEPHONE: (313) 335-7890

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

7-15-92
Date

Signature

RESPONDENT'S NAME: Mikel M. O'Neill

ADDRESS: 7755 Holcomb
Clarkston, MI

HOME PHONE: (313) 625-6086

BUSINESS PHONE: —

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 3545

NAME OF COUNSEL: Patrick M. Cleary

ADDRESS: 1825 S. Woodward
Ste. 150
Bloomfield Hills, MI 48302

TELEPHONE: (313) 335-7890

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OFFICE OF GENERAL COUNSEL
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The above-named individual is hereby designated as my counsel and is authorized to receive any notifications and other communications from the Commission and to act on my behalf before the Commission.

7-16-92 James A. O'Neill M.D.

Date Signature

RESPONDENT'S NAME: James A. O'Neill, M.D.

ADDRESS: 7755 Holcomb
Clarkston, MI

HOME PHONE: (313) 625-1086

BUSINESS PHONE: (313) 625-2621

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AMENDMENT TO COMPLAINT TO THE FEDERAL ELECTION COMMISSION

The undersigned Complainant hereby makes the following Amendment to his Complaint to the Federal Election Commission (MUR 3545) and states as follows:

1. The Complainant was a candidate for the Republican nomination for U.S. Representative for the Ninth District of Michigan at the Primary Election held August 4, 1992. The winner of said Primary Election was Megan Jane O'Neill.

2. On June 17, 1992, the Complainant filed a Complaint with the Federal Election Commission (MUR 3545) alleging that Megan Jane O'Neill had filed a false Financial Disclosure Statement with the Clerk of the House of Representatives for the purpose of laying a foundation for the transfer of funds from her father to herself, which funds would subsequently be characterized as personal funds and used in her campaign for U.S. Representative.

3. In light of the suspicions created by the issues addressed in said Complaint, the Complainant has attempted to monitor closely the reported receipts and expenditures of the Committee to Elect Megan O'Neill. On August 13, 1992, Complainant personally inspected the files of the Election Division of the Secretary of State of the State of Michigan in Lansing, Michigan. It appears from such inspection that the Committee to Elect Megan O'Neill has failed to file copies of the July Quarterly Report, the 12 Day Pre-Primary Report, and any Late Contribution Notices required by law to be filed with said office.

4. The failure to file said Reports with the Secretary of State is a violation of 2 U.S.C. 439(a)(1). Furthermore, it is the belief of the Complainant that the failure to file said Reports was not merely an oversight, but part of an overall concerted effort to conceal information relating to the finances of the Committee to Elect Megan O'Neill and to make it difficult for candidates and others to scrutinize the Committee's actions in the crucial final phases of the primary.

5. The Complainant has obtained, after considerable delay, copies of the July Quarterly Report and the 12 Day Pre-Primary Report filed with the Clerk of the House by the Committee to Elect Megan O'Neill.

6. Said July Quarterly Report, a copy of which is herewith

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attached in pertinent part, states that a total of $11,535 was received by the Committee to Elect Megan O'Neill in "unitemized" contributions. No accounting of said "unitemized" contributions is provided anywhere in the July Quarterly Report. It is the belief of the Complainant that such a large amount of unitemized receipts, as a proportion of total receipts, is unusual. It is the further belief of the Complainant that such a disproportionate reliance on unitemized contributions as a source of receipts for the Committee to Elect Megan O'Neill is indicative of an effort to conceal the actual source or sources of funds used by the Committee to Elect Megan O'Neill.

7. During the period of the Primary Election Campaign, Complainant has witnessed a large number of 4'x 8' poster signs along the public right-of-way and on private property throughout the Ninth Congressional District and areas adjacent thereto advertising the candidacy of Megan O'Neill. Said signs were obviously erected at considerable expense to the Committee to Elect Megan O'Neill, yet the records of disbursements do not include adequate accounting for said signs. It is the belief of the Complainant that these signs were paid for by funds not accounted for in the reporting statements filed by the Committee to Elect Megan O'Neill.

8. It is the belief of the Complainant that certain of the aforementioned signs were erected upon property owned by or under the control of corporations or other entities prohibited by law from making political contributions, that the opportunity to erect such signs was not equally afforded to other candidates, and that the granting of permission to erect such signs, without payment or compensation of any kind, constituted a substantial economic benefit to the campaign of Megan O'Neill and could be considered to be prohibited contributions to the Committee to Elect Megan O'Neill. In particular, the Complainant witnessed these large signs upon properties listed for sale by Barry Young & Co. Real Estate of Goodrich, Michigan and Schostak Real Estate of Southfield, Michigan, and upon property of the Mount Holly Ski Area, Holly, Michigan and is informed that such signs have been placed upon the property of the Pine Knob Ski Area, Clarkston, Michigan.

9. It is the belief of the Complainant that the campaign activities of the Committee to Elect Megan O'Neill, taken as a whole, which the Complainant personally witnessed at all levels throughout the Ninth District during the months of May, June and July 1992 could not possibly have been carried out at the level of expenditures shown in the July Quarterly Report and the 12 Day Pre-Primary Report submitted by the Committee to Elect Megan O'Neill, and that substantial sums in additional expenses were incurred by the Committee to Elect Megan O'Neill and not accounted for in said reports, or that expenditures were made or credit extended by a person or persons on behalf of the Committee to Elect Megan O'Neill, or on behalf of the campaign of Megan O'Neill, which expenditures were not reported as contributions in accordance with

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the law.

10. It is the belief of the Complainant, based upon conversations with knowledgeable persons in the community and officials of the Republican Party, that Dr. James O'Neill, the father of Megan O'Neill, has purchased goods and services for the Committee to Elect Megan O'Neill or the campaign of Megan O'Neill, or that he has obtained goods and services for the campaign upon his own credit, and that such expenditures or extension or use of credit by Dr. James O'Neill are in violation of the Federal Election Campaign Act of 1971 as amended.

It is the further belief of the Complainant that it was the intent of Dr. James O'Neill to use his own funds to further the candidacy of Megan O'Neill and that as a result of the Complaint filed by the undersigned Complainant, the method originally contemplated by Dr. James O'Neill for the transfer of such funds for use in the campaign of Megan O'Neill was made impracticable. As a result, Dr. O'Neill employed various alternative methods for the transfer of such funds, including disguising funds transferred by him to the Committee to Elect Megan O'Neill as "unitemized" contributions and making expenditures on behalf of the Committee to Elect Megan O'Neill and the campaign of Megan O'Neill without reporting said expenditures as contributions, as required by law.

Wherefore, the undersigned Complainant hereby requests an investigation by the Federal Election Commission of the violations or possible violations of the Federal Election Campaign Act of 1971 as amended by Megan O'Neill, Leonard Gorz as Treasurer of the Committee to Elect Megan O'Neill, the Committee to Elect Megan O'Neill and Dr. James O'Neill set forth above; to wit the intentional failure to file copies of required finance reports with the appropriate state office, the use of unitemized funds as a means to conceal the actual source of campaign funding, the acceptance of illegal contributions, the failure to report receipts or disbursements on behalf of the election campaign of Megan O'Neill, and the expenditure of funds or obtaining of credit by Dr. O'Neill or other persons for the benefit of the election campaign of Megan O'Neill.

The undersigned Complainant makes this Amendment to his Complaint on information and belief, and affirms under penalty of perjury that the statements made herein are true to the best of his knowledge.

93040950559

Date August 18, 1992

Charles A. Forrest, III
Charles A. Forrest, III
703 E. Court St.
Flint, Michigan 48503

STATE OF MICHIGAN)
SS
COUNTY OF GENESEE)

Subscribed and sworn to before me, a Notary Public, this 18th day of August, 1992.

Janice M. Simpson
Janice M. Simpson, Notary Public
Genesee County, Michigan
My Commission Expires: 5/26/93

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DETAILED SUMMARY PAGE

of Receipts and Disbursements

(Page 2, FEC FORM 3)

Name of Committee (in full)	Report Covering the Period: From 06/01/92 To 06/30/92
Committee to Elect Megan O'Neill C00368805	

I. RECEIPTS	COLUMN A Total This Period	COLUMN B Calendar Year-To-Date	
11. CONTRIBUTIONS (other than loans) FROM:			
(a) Individuals/Persons Other Than Political Committees			
(i) Itemized (see Schedule A)	$ 2842.31		11(a)(i)
(ii) Unitemized	$11535.00		11(a)(ii)
(iii) Total of contributions from individuals	$14377.31	$14377.31	11(a)(iii)
(b) Political Party Committees	$ 16.00	$ 16.00	11(b)
(c) Other Political Committees (such as PACs)	$ 0.00	$ 0.00	11(c)
(d) The Candidate	$ 0.00	$ 0.00	11(d)
(e) TOTAL CONTRIBUTIONS (other than loans [add 11(a)(iii), (b), (c) and (d)])	$14393.31	$14393.31	11(e)
12. TRANSFERS FROM OTHER AUTHORIZED COMMITTEES	$ 0.00	$ 0.00	12
13. LOANS:			
(a) Made or Guaranteed by the Candidate	$ 1600.00	$ 1600.00	13(a)
(b) All Other Loans	$ 4106.81	$ 4106.81	13(b)
(c) TOTAL LOANS (add 13(a) and (b))	$ 5706.81	$ 5706.81	13(c)
14. OFFSETS TO OPERATING EXPENDITURES (Refunds, Rebates, etc.)	$ 0.00	$ 0.00	14
15. OTHER RECEIPTS (Dividends, Interest, etc.)	$ 0.00	$ 0.00	15
16. TOTAL RECEIPTS (add 11(e), 12, 13(c), 14 and 15)	$20100.12	$20100.12	16
II. DISBURSEMENTS			
17. OPERATING EXPENDITURES	$14315.69	$14315.69	17
18. TRANSFERS TO OTHER AUTHORIZED COMMITTEES	$ 0.00	$ 0.00	18
19. LOAN REPAYMENTS:			
(a) Of Loans Made or Guaranteed by the Candidate			19(a)
(b) Of All Other Loans			19(b)
(c) TOTAL LOAN REPAYMENTS (add 19(a) and (b))	$ 0.00	$ 0.00	19(c)
20. REFUNDS OF CONTRIBUTIONS TO:			
(a) Individuals/Persons Other Than Political Committees			20(a)
(b) Political Party Committees			20(b)
(c) Other Political Committees (such as PACs)			20(c)
(d) TOTAL CONTRIBUTION REFUNDS (add 20(a), (b) and (c))	$ 0.00	$ 0.00	20(d)
21. OTHER DISBURSEMENTS	$ 0.00	$ 0.00	21
22. TOTAL DISBURSEMENTS (add 17, 18, 19(c), 20(d) and 21)	$14315.69	$14315.69	22

III. CASH SUMMARY

23. CASH ON HAND AT BEGINNING OF REPORTING PERIOD	$ 0.00	23
24. TOTAL RECEIPTS THIS PERIOD (from Line 16)	$ 20100.12	24
25. SUBTOTAL (add Line 23 and Line 24)	$ 20100.12	25
26. TOTAL DISBURSEMENTS THIS PERIOD (from Line 22)	$ 14315.69	26
27. CASH ON HAND AT CLOSE OF THE REPORTING PERIOD (subtract Line 26 from 25)	$ 5784.43	27

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 27, 1992

Mr. Charles A. Forrest, III
703 E. Court Street
Flint, MI 48503

RE: MUR 3545

Dear Mr. Forrest:

This letter acknowledges receipt on August 21, 1992, of the amendment to the complaint you filed on August 18, 1992, against Megan Jane O'Neill, the Committee to Elect Megan O'Neill and Leonard C. Gorz, as treasurer, James A. O'Neill, and Mikel M. O'Neill. The respondents will be sent copies of the amendment. You will be notified as soon as the Federal Election Commission takes final action on your complaint.

Sincerely,

Frances B. Hagan

Frances B. Hagan
Paralegal Specialist

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 27, 1992

Leonard C. Gorz, Treasurer
Committee to Elect Megan O'Neill
1825 S. Woodward
Suite 150
Bloomfield Hills, MI 48302

RE: MUR 3545
Megan Jane O'Neill
Committee to Elect Megan
O'Neill and Leonard C. Gorz,
as treasurer

Dear Mr. Gorz:

On June 26, 1992, you were notified that the Federal Election Commission received a complaint from Charles A. Forrest, III, alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time you were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On August 21, 1992, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information. As this new information is considered an amendment to the original complaint, you are hereby afforded an additional 15 days in which to respond to the allegations.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Frances B. Hagan

Frances B. Hagan
Paralegal Specialist

Enclosure

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 27, 1992

Patrick M. Cleary, Esq.
1825 S. Woodward
Suite 150
Bloomfield Hills, MI 48302

RE: MUR 3545
James A. O'Neill
Mikel M. O'Neill

Dear Mr. Cleary:

On June 26, 1992, your clients were notified that the Federal Election Commission received a complaint from Charles A. Forrest, III, alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended. At that time your clients were given a copy of the complaint and informed that a response to the complaint should be submitted within 15 days of receipt of the notification.

On August 21, 1992, the Commission received additional information from the complainant pertaining to the allegations in the complaint. Enclosed is a copy of this additional information. As this new information is considered an amendment to the original complaint, you are hereby afforded an additional 15 days in which to respond to the allegations.

If you have any questions, please contact me at (202) 219-3400.

Sincerely,

Frances B. Hagan

Frances B. Hagan
Paralegal Specialist

Enclosure

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PATRICK M. CLEARY
ATTORNEY AT LAW
1825 S. WOODWARD, SUITE 150
BLOOMFIELD HILLS, MICHIGAN 48302
TELEPHONE (313) 335-7890
FAX (313) 334-7202

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PATRICK MICHAEL CLEARY*
LEONARD C. GORZ

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OFFICE OF GENERAL COUNSEL

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September 17, 1992

Federal Election's Commission
General Counsel Office
Attn: Ms. Frances Hagan
99 E Street North West
Washington, D.C. 20463

RE: MUR 3545 Amendment to Complaint

Dear Ms. Hagan:

Concerning the above stated matter, please be advised that copies of the July quarterly report, the twelve-day pre-primary report and any late contribution notices were filed on or about September 2, 1992, albeit a late filing, with the Secretary of State's Office, State of Michigan, Lansing, Michigan.

I resent the allegation and implication by Charles A. Forrest, III, that any delay in filing with the Secretary of State's office was a "concerted effort to conceal information relating to the finances of the Committee to Elect Megan O'Neill". All of the above mentioned reports were filed timely with the appropriate federal agency. I am not a full time paid political consultant. I am a practicing attorney in a very competitive climate and any delay in filing with the State was merely an oversight and an honest mistake.

The remaining allegations of the Amendment to the Complaint are mere conjecture, lacking factual support, and are frivolous. Mr. Forrest has seen fit to use the Federal Election Commission's investigative powers as a divisive tool to harass the campaign efforts of Megan Jane O'Neill, as well as, impugn the integrity of community leaders, such as, Dr. James A. O'Neill. Furthermore, we deny any wrongdoing on the part of Megan Jane O'Neill, the Committee to Elect Megan Jane O'Neill, Leonard C. Gorz, Dr. James A. O'Neill or Mikel M. O'Neill.

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*ADMITTED IN CALIFORNIA

If I can be of any further assistance to you please do not hesitate to contact us.

Sincerely,

Leonard C. Gorz,
In Pro Per

Patrick M. Cleary,
Attorney for James A.
O'Neill, M.D. and Mikel M. O'Neill

STATE OF MICHIGAN)
)SS
COUNTY OF OAKLAND)

Subscribed and sworn to before me, a Notary Public, this 17th Day of September, 1992.

Paula Bishop

Paula Bishop, Notary Public
Oakland County, Michigan
My Commission Expires: 5-31-93

LCG*ah

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

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

MUR 3545
DATE COMPLAINT RECEIVED
BY OGC: 6/18/92 and 8/21/92
DATE OF NOTIFICATION TO
RESPONDENTS: 6/26 and 8/26/92
STAFF MEMBER: Frances B. Hagan

COMPLAINANT:	Charles A. Forrest, III
RESPONDENTS:	Megan Jane O'Neill James A. O'Neill Mikel M. O'Neill Committee to Elect Megan O'Neill Leonard C. Gorz, as treasurer
RELEVANT STATUTES:	2 U.S.C. § 437g(a)(2) 2 U.S.C. § 441a(a)(1)(A) 2 U.S.C. § 441a(f) 2 U.S.C. § 439(a)(1) 2 U.S.C. § 441b(a) 2 U.S.C. § 434(b)
INTERNAL REPORTS CHECKED:	Disclosure documents
FEDERAL AGENCIES CHECKED:	None

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I. GENERATION OF MATTER

This matter originated as a complaint submitted by Charles A. Forrest, III, alleging that his opponent Megan Jane O'Neill, the 1992 primary winner for the U.S. House of Representatives (Ninth Cong. Dist., MI), is about to violate the Federal Election Campaign Act of 1971, as amended ("the Act"). Others implicated in the complaint are the Committee to Elect Megan O'Neill ("the Committee") and Leonard C. Gorz, as treasurer, and the candidate's parents, James A. and Mikel M. O'Neill. The complaint was subsequently amended to include additional

allegations.

II. **FACTUAL AND LEGAL ANALYSIS**

2 U.S.C. § 437g(a)(2) provides that if the Commission finds reason to believe that a person has committed, or is about to commit, a violation of the Act, the Commission shall notify the person and investigate the alleged violation.

The Act prohibits a candidate or committee from knowingly accepting any contribution in violation of the provisions of Section 441a. 2 U.S.C. § 441a(f). The limit for individuals is $1,000 per election. 2 U.S.C. § 441a(a)(1)(A). The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

Complainant alleged that candidate Megan O'Neill is about to commit a violation of the Act by accepting funds in excess of contributor limitations from her parents. The allegation is based on the candidate's 1991-'92 Financial Disclosure Statement filed under the Ethics in Government Act of 1978 (5 U.S.C. app. 6, § 101 et seq.). The candidate's financial disclosure statement reports as an asset a loan from the candidate to her parents valued at between $15,001 and $50,000. Complainant alleged that the loan/asset was listed on Ms. O'Neill's financial statement "in order to lay a foundation for the transfer of funds from her parents to herself for use in her campaign for U.S. Representative, in violation of Title 2, Section 441a(a)(1)([A])."

Complainant noted that Ms. O'Neill had no earned income for

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the period 1/1/91 through 5/28/92, and he posited that other reported assets were unavailable for transfer or were of nominal value. Complainant stated that Ms. O'Neill's physician-father has substantial personal wealth. Based on these assertions, complainant questioned whether the reported loan funds actually were transferred, and if transferred, whether they were treated as a debt owed by the parents to the candidate.

In a sworn statement, the Committee treasurer "strenuously and vehemently" denied the complaint's allegations. The Committee stated that the candidate's reported assets have value and are available for her use. The Committee averred that the funds loaned by the candidate to her parents were derived from 1) a Shearson Lehman Uniform Gift to Minors Act account set up by Ms. O'Neill's father on her behalf before 1987; and 2) from an inheritance during 1986 and 1987. Sworn affidavits by Ms. O'Neill and both parents attested that four transfers occurred from these sources in March 1986, March and May 1987, and April 1988, well before Ms. O'Neill's candidacy. Dr. and Mrs. O'Neill stated that the interest free loans were used to fund various business transactions. The affidavits attest to the parents' outstanding obligation to their daughter for the amount of the loans. The Committee has provided copies of the Shearson Lehman checks made payable to Ms. O'Neill, who apparently endorsed the checks over to her father. Bank statements from the parents' personal account indicate corresponding deposits.

Based on the foregoing, this Office is prepared to recommend no reason to believe that violations of the Act occurred

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concerning the issues in the original complaint. However, as noted, complainant amended his original complaint, alleging that additional violations of the Act had occurred. These allegations include: failure to file reports with the appropriate state officer (2 U.S.C. § 439(a)(1)), acceptance of corporate contributions through the use of corporate property to display campaign signs (2 U.S.C. § 441b(a)), excessive contributions by the candidate's father (2 U.S.C. §§ 441a(a)(1)(1) and 441a(f)), and improper reporting of such familial gifts (2 U.S.C. § 434(b)).

The amended complaint was sent to the respondents on August 26, 1992, allowing 15 days for respondents to address the new allegations. Accordingly, this Office will make recommendations regarding all allegations in this matter when we receive and review the respondents' replies to the amended complaint.

Lawrence M. Noble
General Counsel

August 28, 1992
Date

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

Attachments
A. Response to Complaint
B. Documentation in Support of Response

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SECRETARIAT
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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 3545
Megan Jane O'Neill	)	
James A. O'Neill	)	
Mikel M. O'Neill	)	and
Committee to Elect Megan O'Neill	)	
Leonard C. Gorz, as treasurer	)	
	)	
Charles A. Forrest, III	)	MUR 3573
	)	

GENERAL COUNSEL'S REPORT **SENSITIVE**

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I. MUR 3545

A. BACKGROUND

A complaint submitted by Charles A. Forrest, III, alleged that his opponent Megan Jane O'Neill, the 1992 primary winner for the U.S. House of Representatives (9th Cong. Dist., MI), and her principal campaign committee, the Committee to Elect Megan O'Neill ("the Committee"), and Leonard C. Gorz, as treasurer, were about to violate 2 U.S.C. § 441a(f). The complaint also alleged that the candidate's parents, James A. and Mikel M. O'Neill, were about to violate 2 U.S.C. § 441a(a)(1)(A). The Office of the General Counsel previously submitted a First General Counsel's Report concerning these issues. We deferred recommendations while respondents answered allegations in an amended complaint.

The amended complaint alleged that additional violations of the Federal Election Campaign Act of 1971, as amended ("the Act") had occurred. These allegations include: failure to file reports

with the appropriate state officer (2 U.S.C. § 439(a)(1)), acceptance of corporate contributions through the use of corporate property to display campaign signs (2 U.S.C. § 441b(a)), excessive contributions by the candidate's father (2 U.S.C. §§ 441a(a)(1)(A) and 441a(f)), and improper reporting of such familial gifts (2 U.S.C. § 434(b)).

B. **ANALYSIS**

Original Complaint

The Act prohibits a candidate or committee from knowingly accepting any contribution in violation of the provisions of Section 441a. 2 U.S.C. § 441a(f). The contribution limit for individuals is $1,000 per election. 2 U.S.C. § 441a(a)(1)(A). The term "contribution" includes any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for federal office.

Complainant originally alleged that candidate Megan O'Neill was about to commit a violation of the Act by accepting funds in excess of contributor limitations from her parents. The allegation was based on the candidate's 1991-'92 Financial Disclosure Statement filed under the Ethics in Government Act of 1978 (5 U.S.C. app. 6, § 101 et seq.). The candidate's financial disclosure statement reported as an asset a loan from the candidate to her parents valued at between $15,001 and $50,000. Complainant alleged that the loan/asset was listed on Ms. O'Neill's financial statement "in order to lay a foundation for the transfer of funds from her parents to herself for use in

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her campaign for U.S. Representative, in violation of Title 2, Section 441a(a)(1)([A])."

Complainant noted that Ms. O'Neill had no earned income for the period 1/1/91 through 5/28/92, and he posited that other reported assets were unavailable for transfer or were of nominal value. Complainant stated that Ms. O'Neill's physician-father has substantial personal wealth. Based on these assertions, complainant questioned whether the reported loan funds actually were transferred, and if transferred, whether they were treated as a debt owed by the parents to the candidate.

In a sworn statement, the Committee treasurer "strenuously and vehemently" denied the complaint's allegations. The Committee stated that the candidate's reported assets have value and are available for her use. The Committee averred that the funds loaned by the candidate to her parents were derived from 1) a Shearson Leaman Uniform Gift to Minors Act account set up by Ms. O'Neill's father on her behalf before 1987; and 2) from an inheritance during 1986 and 1987. Sworn affidavits by Ms. O'Neill and both parents attested that four transfers occurred from these sources in March 1986, March and May 1987, and April 1988, well before Ms. O'Neill's candidacy. Dr. and Mrs. O'Neill stated that the interest free loans were used to fund various business transactions. The affidavits attest to the parents' outstanding obligation to their daughter for the amount of the loans. The Committee provided copies of the Shearson Leaman checks made payable to Ms. O'Neill, who apparently endorsed the checks over to her father. Bank statements from the

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parents' personal account indicate corresponding deposits.

Based on this evidence and the information in sworn statements, it appears that no violation occurred regarding these issues. Therefore, the Office of the General Counsel recommends that the Commission find no reason to believe that violations of 2 U.S.C. §§ 441a(a)(1)(A) or 441a(f) occurred in this matter.

Amended Complaint

The Act prohibits the making or knowing acceptance of corporate contributions or expenditures in connection with a federal election. 2 U.S.C. § 441b(a). The Act defines "contribution" or "expenditure" to include any direct or indirect payment, distribution, loan, advance, deposit, or gift of money, or any services, or anything of value to any candidate or campaign committee. 2 U.S.C. § 441b(b)(2).

2 U.S.C. § 434(b) requires disclosure of campaign finances in several categories of receipts and expenditures, including at Section 434(b)(3) the identification of each person whose contributions aggregate in excess of $200 within the calendar year, or in lesser amount if the reporting committee so chooses.

2 U.S.C. § 439(a)(1) requires that copies of all reports and statements required to be filed under the Act with the Federal Election Commission must also be filed with the Secretary of State of the appropriate state.

In the amended complaint, complainant stated that the Committee failed to file with the Michigan Secretary of State copies of its 1992 July Quarterly and 12 Day Pre-Primary Reports,

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and any late contribution notices. He complained that this violation of 2 U.S.C. § 439(a)(1) was deliberate and delayed his monitoring the campaign's financial activity because he had to obtain disclosure reports from the Clerk of the House of Representatives.

The Committee treasurer stated that the reports in question "were filed timely with the appropriate federal agency." Respondent denied the complainant's allegation that the filing delay with the Secretary of State was an attempt to conceal financial information, asserting that it was "an oversight and an honest mistake." Attachment A, 21. On September 2, 1992, in response to the complaint, the Committee filed copies of the reports with the Michigan Secretary of State's office which confirmed the filing. Because the Committee filed with the Clerk of the House and corrected the state filing omission, this Office recommends that the Commission find reason to believe that the Committee and treasurer violated 2 U.S.C. § 439(a)(1), but take no further action in this matter.

Complainant also alleged that the Committee received prohibited corporate contributions because its poster signs were erected on property purportedly owned or controlled by corporations. 2 U.S.C. § 441b(a). Complainant contended that Committee campaign signs were placed on property "listed for sale" by two realty companies and that he saw or was informed of signs erected on two ski areas.

With regard to the poster allegation as well as the other issues in the complaint amendment, the Committee asserted that

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"the allegations...are mere conjecture, lacking factual support, and are frivolous." Indeed, the complaint provides no evidence to connect the real estate companies or any other corporation with the placement of campaign signs. Because it is commonplace for real estate companies to list, but not own the properties they list, the complainant's bare observation offers no support for the conclusion that the signs appearing on listed property were authorized, placed, or displayed by corporate entities. Further, the complainant has made no showing that any of the properties allegedly bearing signs were actually corporate-owned.

In short, such sparse information and unsubstantiated statements are not sufficient to establish that any corporation controlled the display of the Committee's signs, or even that the signs were placed on corporate property so as to give rise to a Section 441b violation. Therefore, this Office recommends that the Commission find no reason to believe that a violation of 2 U.S.C. § 441b(a) occurred.

Complainant alleged violations of 2 U.S.C. §§ 441a(a)(1)(A) and 441a(f) concerning campaign receipts in the 1992 July 15 Quarterly and 12 Day Pre-Primary Reports, believing that a "disproportionate" amount of unitemized receipts represented fraudulent funding by the candidate's father. Concomitantly, complainant alleged a violation of 2 U.S.C. § 434(b) for failing to report the Committee's actual source of funds.

The sole basis for the complainant's challenge is the percentage of unitemized receipts reported by the Committee; no other information or evidence is presented to substantiate the

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claim that the candidate's father secretly funded the campaign through unitemized contributions and personal credit purchases. The Committee's July 15 Report covering 4/1/92 through 6/30/92 shows 54.4% unitemized receipts to total receipts ($10,535 unitemized to $20,100 total receipts); the 12 Day Pre-Primary Report covering 7/1/92 through 7/15/92 shows 36.3% unitemized receipts to total receipts ($3,035 unitemized to $8,355 total receipts). The percentage of unitemized contributions does not appear inordinate for a relatively small campaign that may have relied considerably on pass-the-hat fundraising. Therefore, this Office recommends that the Commission find no reason to believe that the candidate's parents violated 2 U.S.C. § 441a(a)(1)(A), and no reason to believe that the candidate, the Committee and its treasurer violated 2 U.S.C. § 441a(f) in this matter.

II. MUR 3573

A. GENERATION OF MATTER

Complainant Megan Jane O'Neill alleged that a primary election opponent, Charles A. Forrest, III, violated 2 U.S.C. § 437g(a)(12)(A) by informing a newspaper reporter of a complaint he filed against candidate O'Neill during the campaign.

B. FACTUAL AND LEGAL ANALYSIS

Under the Federal Election Campaign Act of 1971, as amended ("the Act"), it is unlawful for any person to publicize any notification or investigation made by the Federal Election Commission, without the written consent of the person receiving such notification or of the person with respect to whom such investigation is made. 2 U.S.C. § 437g(a)(12)(A). Pursuant to

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this statutory provision, the Commission has promulgated a regulation which provides that "no complaint filed with the Commission, nor any notification sent by the Commission, nor any investigation conducted by the Commission, nor any findings made by the Commission shall be made public by the Commission or by any person or entity without the consent of the respondent." 11 C.F.R. § 111.21(a).

Complainant in this matter alleges that respondent violated 2 U.S.C. § 437g(a)(12)(A) by informing a reporter with the Oakland Press of the respondent's investigation request. Complainant provided no evidence such as press clippings to support the allegation. Respondent does not deny that someone disclosed the complaint's existence, but asserts that disclosure to the reporter "was by an unknown person and not by Mr. Forrest."

The information presented in this complaint does not establish that the respondent disclosed any information specifically regarding the Commission's notifications or investigation in MUR 3545. 2 U.S.C. § 437g(a)(12)(A). As the Commission has consistently held that the Act's confidentiality provisions do not prevent a complainant from releasing the fact that a complaint has been filed, or from releasing the substance of that complaint, the alleged disclosure to the press does not appear to violate the Act. 2 U.S.C. § 437g(a)(12)(A). See, e.g., MURs 2141 and 2980. Accordingly, this Office recommends that the Commission find no reason to believe that respondent violated 2 U.S.C. § 437g(a)(12)(A), and close the file.

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III. RECOMMENDATIONS

1. Find reason to believe, but take no further action against the Committee to Elect Megan O'Neill and Leonard C. Gorz, as treasurer, for a violation of 2 U.S.C. § 439(a)(1).

2. Find no reason to believe that the Committee to Elect Megan O'Neill and Leonard C. Gorz, as treasurer, violated the following:

   a) 2 U.S.C. § 441b(a);
   b) 2 U.S.C. § 441a(f); and
   c) 2 U.S.C. § 434(b).

3. Find no reason to believe that Megan Jane O'Neill violated 2 U.S.C. § 441a(f).

4. Find no reason to believe that James A. and Mikel M. O'Neill violated 2 U.S.C. § 441a(a)(1)(A).

5. Find no reason to believe that Charles A. Forrest, III, violated 2 U.S.C. § 437g(a)(12)(A).

6. Approve the appropriate letters.

7. Close the file in MURs 3545 and 3573.

Lawrence M. Noble
General Counsel

Date 6/16/93

BY: Lois G. Lerner
Associate General Counsel

Attachments
A. Responses to Complaint and Complaint Amendment in MUR 3545
B. Response to Complaint in MUR 3573

Staff assigned: Frances B. Hagan

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Megan Jane O'Neill;	)	MURs 3545 and
James A. O'Neill;	)	3573
Mikel M. O'Neill;	)	
Committee to Elect Megan O'Neill	)	
and Leonard C. Gorz, as treasurer;	)	
Charles A. Forrest, III.	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on June 22, 1993, the Commission decided by a vote of 5-0 to take the following actions in MURs 3545 and 3573:

1. Find reason to believe, but take no further action against the Committee to Elect Megan O'Neill and Leonard C. Gorz, as treasurer, for a violation of 2 U.S.C. § 439(a)(1).

2. Find no reason to believe that the Committee to Elect Megan O'Neill and Leonard C. Gorz, as treasurer, violated the following:

   a) 2 U.S.C. § 441b(a);
   b) 2 U.S.C. § 441a(f); and
   c) 2 U.S.C. § 434(b).

3. Find no reason to believe that Megan Jane O'Neill violated 2 U.S.C. § 441a(f).

4. Find no reason to believe that James A. and Mikel M. O'Neill violated 2 U.S.C. § 441a(a)(1)(A).

(continued)

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5. Find no reason to believe that Charles A. Forrest, III, violated 2 U.S.C. § 437g(a)(12)(A).

6. Approve the appropriate letters, as recommended in the General Counsel's Report dated June 16, 1993.

7. Close the file in MURs 3545 and 3573.

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

Attest:

6-22-93
Date

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

Received in the Secretariat: Thurs., June 17, 1993 9:38 a.m.
Circulated to the Commission: Thurs., June 17, 1993 4:00 p.m.
Deadline for vote: Tues., June 22, 1993 4:00 p.m.

bjr

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JULY 1, 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Leonard C. Gorz, Treasurer
Committee to Elect Megan O'Neill
1825 S. Woodward, Suite 150
Bloomfield Hills, MI 48302

RE: MUR 3545
Committee to Elect Megan
O'Neill and Leonard C. Gorz,
as treasurer
MUR 3573
Charles A. Forrest

Dear Mr. Gorz:

On June 22, 1993, the Federal Election Commission found reason to believe in MUR 3545 that the Committee to Elect Megan O'Neill ("Committee") and you, as treasurer, violated 2 U.S.C. § 439(a)(1), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). However, after considering the circumstances of this matter, the Commission also determined to take no further action. At the same time, the Commission found no reason to believe that the Committee and you, as treasurer, violated 2 U.S.C. §§ 441b(a), 441a(f), and 434(b), and closed its file. The General Counsel's Report which formed a basis for the Commission's finding is attached for your information.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

In addition on June 22, 1993, in MUR 3573, the Federal Election Commission reviewed the allegations of your complaint dated July 28, 1992, and found that on the basis of the information provided in your complaint and information the respondent provided, there is no reason to believe Charles A. Forrest violated 2 U.S.C. § 437g(a)(12)(A). Accordingly, on June 22, 1993, the Commission closed the file in this matter as well.

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The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

If you have any questions, please contact Frances B. Hagan, the staff member assigned to this matter, at (202) 219-3400.

Sincerely,

Scott E. Thomas
Chairman

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JULY 1, 1993

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles A. Forrest, III
703 E. Court Street
Flint, MI 48503

RE: MUR 3573
Charles A. Forrest
MUR 3545
Committee to Elect Megan
O'Neill and Leonard C.
Gorz, as treasurer
Megan Jane O'Neill
James A. O'Neill
Mikel M. O'Neill

Dear Mr. Forrest:

On August 10, 1992, in MUR 3573, the Federal Election Commission notified you of a complaint alleging a violation of the Federal Election Campaign Act of 1971, as amended ("the Act").

On June 22, 1993, the Commission found, on the basis of the information in the complaint and information you provided, that there is no reason to believe you violated 2 U.S.C. § 437g(a)(12)(A). Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

In addition, based on your complaint in MUR 3545, on June 22, 1993, the Commission found that there was reason to believe the Committee to Elect Megan O'Neill and Leonard C. Gorz, as treasurer, violated 2 U.S.C. § 439(a)(1), a provision of the Act, and instituted an investigation of this matter. However, after considering the circumstances of this matter, the Commission determined to take no further action against these respondents.

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At the same time, the Commission found no reason to believe that the Committee and its treasurer violated 2 U.S.C. §§ 441b(a), 441a(f), and 434(b). The Commission also found no reason to believe that Megan Jane O'Neill violated 2 U.S.C. § 441a(f); and the Commission found no reason to believe that James A. and Mikel M. O'Neill violated 2 U.S.C. § 441a(a)(1)(A). The Commission closed its file in this matter on June 22, 1993. This matter, too, will become part of the public record within 30 days. The Act allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JULY 1, 1993

Patrick M. Cleary, Esquire
1825 S. Woodward, Suite 150
Bloomfield Hills, MI 48302

RE: MUR 3545
James A. O'Neill
Mikel M. O'Neill

Dear Mr. Cleary:

On June 26, 1992, the Federal Election Commission notified your clients, James A. and Mikel M. O'Neill, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended.

On June 22, 1993, the Commission found, on the basis of the information in the complaint and information you provided, that there is no reason to believe your clients violated 2 U.S.C. § 441a(a)(1)(A). Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

JULY 1, 1993

Ms. Megan Jane O'Neill
7755 Holcolm Road
Clarkston, MI 48347

RE: MUR 3545
Megan Jane O'Neill

Dear Ms. O'Neill:

On June 26, 1992, 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 June 22, 1993, the Commission found, on the basis of the information in the complaint and information you provided, that there is no reason to believe you violated 2 U.S.C. § 441a(f). Accordingly, the Commission closed its file in this matter.

The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any factual or legal materials to appear on the public record, please do so as soon as possible. While the file may be placed on the public record before receiving your additional materials, any permissible submissions will be added to the public record upon receipt.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
General Counsel's Report

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THIS IS THE END OF MUR # 3545

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 3545

DATE FILMED 7/26/93 CAMERA NO. 4

CAMERAMAN E.E.S.

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