



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4037

DATE FILMED 7/12/96 CAMERA NO. 2

CAMERAMAN EES

96043734942

45 Richardson Rd.
W. Chelmsford, Ma. 01863
July 9, 1994

Federal Election Commission
Washington, D.C. 20463

To Whom it May Concern,

My name is: Joseph W. Paolilli Jr.
45 Richardson Rd.
W. Chelmsford, Ma. 01863

I am writing this letter to bring your attention to some research into the campaign records of Congressman Martin T. Meehan of the Massachusetts Fifth Congressional District, that I conducted. I make this report based on review of Mr. Meehan's Campaign Records for 1991-92 and 1993-94.

The following was found;

Thomas O'Connor 1505 Camino Real Moraga, Ca. 94556	President Oct. 19, 1992	Page International \$2,000.00
Thomas O'Connor III 1505 Camino Real Moraga, Ca. 94556	Student Oct. 19, 1992	\$2,000.00
Charles O'Connor 1505 Camino Real Moraga, Ca. 94556	Student Oct. 19, 1992	\$2,000.00
Carol Millken Longview Dr. Moraga, Ca. 94556	Salesperson July 23, 1993	Ramolbs-Fornition \$2,000.00
Ron Peters 4995 Wagonwheel Way Richmond, Ca. 94803	Office Manager July 23, 1993	Page International \$2,000.00
Peter J. Favro Jr. 36 Ross Dr. Moraga, Ca. 94556	Student July 23, 1993	\$2,000.00
R.C. O'Connor 1505 Camino Real Moraga, Ca. 94556	Retired Dec. 7, 1993	\$2,000.00

9,604,373,494,3

page 2

Thomas O'Connor 1505 Camino Real Moraga, Ca. 94556	President Dec. 7, 1993	Page International \$2,000.00
Thomas O'Connor 1505 Camino Real Moraga, Ca. 94556	Student Dec. 7, 1993	\$2,000.00
Charles O'Connor 1505 Camino Real Moraga, Ca. 94556	Student Dec. 7, 1993	\$2,000.00

Based on the fact that three of above persons are students and contributed \$10,000.00 between them (out of \$20,000.00) and the grouping of the dates I believe that this money was given by others or another using the names of the above mentioned students.

Respectfully Submitted

Joseph W. Paolilli Jr.

*Concord
Massachusetts
Middlesex County*

*Personally appeared Joseph Paolilli and
acknowledge the above instrument to be his
voluntary act & deed.*

*James J. Clark
Notary Public
My Commission Expires 4/25/97.*

96043734944



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

AUGUST 1, 1994

Joseph W. Paolilli Jr.
45 Richardson Road
N. Chelmsford, MA 01863

Dear Mr. Paolilli:

This is to acknowledge receipt on July 26, 1994, of your letter dated July 9, 1994. The Federal Election Campaign Act of 1971, as amended ("the Act") and Commission Regulations require that the contents of a complaint meet certain specific requirements. One of these requirements is that a complaint be sworn to and signed in the presence of a notary public and notarized. Your letter was not properly sworn to.

In order to file a legally sufficient complaint, you must swear before a notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. The preferred form is "Subscribed and sworn to before me on this ____ day of ____, 19__." A statement by the notary that the complaint was sworn to and subscribed before him also will be sufficient. We regret the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

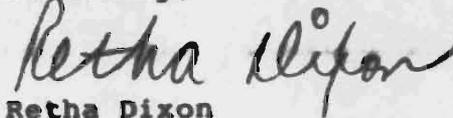
Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

96043734945

Please note that this matter will remain confidential for a 15 day period to allow you to correct the defects in your complaint. If the complaint is corrected and refiled within the 15 day period, the respondents will be so informed and provided a copy of the corrected complaint. The respondents will then have an additional 15 days to respond to the complaint on the merits. If the complaint is not corrected, the file will be closed and no additional notification will be provided to the respondents.

If you have any questions concerning this matter, please contact me at (202) 219-3410.

Sincerely,



Retha Dixon
Docket Chief

Enclosure

cc: Marty Meehan for Congress
Thomas O'Connor
Thomas O'Connor III
Charles O'Connor
Carol Millken
Ron Peters
Peter Favro, Jr.
R.C. O'Connor

96043734946

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

MUR 4037

AUG 12 11 26 AM '94

45 Richardson Rd.
N. Chelmsford, Ma. 01863
July 9, 1994

AUG 12 3 23 PM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Federal Election Commission
Washington, D.C. 20463

To Whom it May Concern,

My name is: Joseph W. Paolilli Jr.
45 Richardson Rd.
N. Chelmsford, Ma. 01863

I am writing this letter to bring your attention to some research into the campaign records of Congressman Martin T. Neehan of the Massachusetts Fifth Congressional District, that I conducted, I make this report based on review of Mr. Neehan's Campaign Records for 1991-92 and 1993-94.

The following was found;

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Charles O'Connor 1505 Camino Real Moraga, Ca. 94556	Student	
	Oct. 19, 1992	\$2,000.00
Carol Millken Longview Dr. Moraga, Ca. 94556	Salesperson	Ramolds-Fornition
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Ron Peters 4995 Wagonwheel Way Richmond, Ca. 94803	Office Manager	Page International
	July 23, 1993	\$2,000.00
Peter J. Favro Jr. 36 Ross Dr. Moraga, Ca. 94556	Student	
	July 23, 1993	\$2,000.00
R.C. O'Connor 1505 Camino Real Moraga, Ca. 94556	Retired	
	Dec. 7, 1993	\$2,000.00

96043734947

page 2

Thomas O'Connor 1505 Camino Real Moraga, Ca. 94556	President Dec. 7, 1993	Page International \$2,000.00
Thomas O'Connor 1505 Camino Real Moraga, Ca. 94556	Student Dec. 7, 1993	\$2,000.00
Charles O'Connor 1505 Camino Real Moraga, Ca. 94556	Student Dec. 7, 1993	\$2,000.00

Based on the fact that three of above persons are students and contributed \$10,000.00 between them (out of \$20,000.00) and the grouping of the dates I believe that this money was given by others or another using the names of the above mentioned students.

Respectfully Submitted

Joseph V. Paolilli Jr.
Joseph V. Paolilli Jr.

"Subscribed and sworn before on this 11th day of August 1994."

Robert Schaffer
MY COMMISSION EXPIRES MARCH 15, 1994

96043734948



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

AUGUST 19, 1994

Joseph W. Paolilli, Jr.
45 Richardson Road
N. Chelmsford, MA 01863

RE: MUR 4037

Dear Mr. Paolilli:

This letter acknowledges receipt on August 12, 1994, of your complaint alleging possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"). The respondent(s) 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 4037. Please refer to this number in all future communications. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosure
Procedures

96043734949



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Thomas O'Connor
1505 Camino Real
Moraga, CA 94556

RE: MUR 4037

Dear Mr. O'Connor:

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 4037. 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.

96043734950

Thomas O'Connor
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

96043734951



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Thomas O'Connor, III
1505 Camino Real
Moraga, CA 94556

RE: MUR 4037

Dear Mr. O'Connor:

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 4037. Please refer to this number in all future correspondence.

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96043734952

Thomas O'Connor, III
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

96043734953



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Charles O'Connor
1505 Camino Real
Moraga, CA 94556

RE: MUR 4037

Dear Mr. O'Connor:

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96043734954

Charles O'Connor
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

96043734955



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Carol Millken
Longview Drive
Moraga, CA 94556

RE: MUR 4037

Dear Ms. Millken:

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 4037. Please refer to this number in all future correspondence.

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96043734956

Carol Millken
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

96043734957



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Ron Peters
4995 Wagonwheel Way
Richmond, CA 94803

RE: MUR 4037

Dear Mr. Peters:

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 4037. Please refer to this number in all future correspondence.

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

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96043734958

Ron Peters
Page 2

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Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

96043734959



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Peter J. Favro, Jr.
36 Ross Drive
Moraga, CA 94556

RE: MUR 4037

Dear Mr. Favro:

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 4037. Please refer to this number in all future correspondence.

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

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96043734960

Peter J. Favro, Jr.
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

96043734961



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Mary Anastopoulos, Treasurer
Marty Meehan for Congress
10 Kearney Street
Lowell, MA 01852

RE: MUR 4037

Dear Ms. Anastopoulos:

The Federal Election Commission received a complaint which indicates that Marty Meehan for Congress ("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 4037. 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.

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96043734962

Mary Anastopoulos, Treasurer
Marty Meehan for Congress
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

96043734963



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

R.C. O'Connor
1505 Camino Real
Moraga, CA 94556

RE: MUR 4037

Dear Mr. O'Connor:

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 4037. Please refer to this number in all future correspondence.

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

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96043734964

R.C. O'Connor
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

9 6 0 4 3 7 3 4 9 6 5

★ CONGRESSMAN ★

MARTY MEEHAN

September 1, 1994

Mary L. Taskar, Esq.
Office of the General Counsel
Central Enforcement
Federal Election Commission
Washington, DC 20463

RE: MUR4037

Dear Attorney Taskar,

In response to the above referenced complaint filed by an opposing candidate's representative the Marty Meehan for Congress Committee (the "Committee") respectfully answers this matter under review as follows:

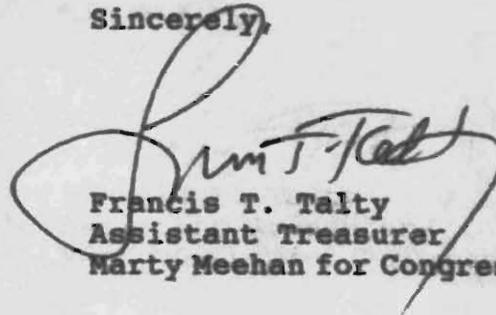
1. The complaint appears to question whether contributors who are reported as students made contributions themselves, or whether another person made contributions in their names.
2. Two of the three contributors are family relations of the Congressman.
3. Most of the money given by these contributors was for a major fundraiser for Congressman Meehan in Boston on December 7, 1993, with Vice President Al Gore; for which one of the contributors flew to Boston from California.
4. The Committee had no reason to question the contributions.

75 PRINCETON STREET, NO. CHELMSFORD, MASSACHUSETTS 01863 TEL. 508/251-8804

96043734966

For the foregoing reasons the Committee and the Treasurer of the Committee respectfully suggest that the complaint is politically motivated, is without merit and that no action is warranted on the matter.

Sincerely,



Francis T. Talty
Assistant Treasurer
Marty Meehan for Congress Committee

96043734967

August 31, 1994

Federal Election Commission
General Counsel's Office
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE
SEP 6 9 05 AM '94

Dear Sir/Madam:

This correspondence is in response to a notification received with the reference MUR 4037. I personally contributed two thousand dollars (\$2000,) to the Congressional Campaign Committee to elect Martin J. Tucker.

Please note my correct address which is listed below.

Sincerely
R. C. O'Connor
59 Hill St. #302
Spartan, Ma. 01826

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 6 1 48 PM '94

96043734968



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

AUGUST 19, 1994

Thomas O'Connor
1505 Camino Real
Moraga, CA 94556

RE: MUR 4037

Dear Mr. O'Connor:

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96043734969

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE DIVISION

SEP 7 11 05 AM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 7 11 50 AM '94

Thomas O'Connor
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

96043734970

To Federal Election Commission
FR Thomas O'Connor

28 Aug 94

Good day -

I donated money to Marty Meekins

Campaigns As per your inquiry

Best Regards

Tom Jones



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 5 1 16 PM '94

AUGUST 19, 1994

Ron Peters
4995 Wagonwheel Way
Richmond, CA 94803

RE: MUR 4037

Dear Mr. Peters:

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96043734971

Ron Peters
Page 2

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Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

Federal Election Commission -

This is to certify that my donation to Marty Meekhan's campaign is gait, using my own monies.

Ron Peters

96043734972



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 6 1 16 PM '94

AUGUST 19, 1994

Peter J. Favro, Jr.
36 Ross Drive
Moraga, CA 94556

RE: MUR 4037

Dear Mr. Favro:

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 4037. 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.

96043734913

Peter J. Favro, Jr.
Page 2

If you have any questions, please contact Joan McNery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

To Whom It May Concern,

I willingly donated my own money to Mr. Mackam's Campaign fund. I swear this to be the truth.

Peter J. Favro

960437349/4



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 6 1 50 PM '94

AUGUST 19, 1994

Charles O'Connor
1505 Camino Real
Moraga, CA 94556

RE: MUR 4037

Dear Mr. O'Connor:

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 4037. 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.

96043734975

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

RECEIVED
FEDERAL ELECTION
COMMISSION
ADMINISTRATIVE SERVICES

Charles O'Connor
Page 2

SEP 6 1 51 PM '94

SEP 6 11 45 PM '94

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

8-31-94

Yes, I donated my money to Marty Meehan's Campaign.
Charles M. O'Connor

96043734976



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

SEP 6 1 02 PM '94

AUGUST 19, 1994

Thomas O'Connor, III
1505 Camino Real
Moraga, CA 94556

RE: MUR 4037

Dear Mr. O'Connor:

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 4037. 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.

96043734977

Thomas O'Connor, III
Page 2

If you have any questions, please contact Joan McEnery at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,

Mary L. Taksar

Mary L. Taksar, Attorney
Central Enforcement Docket

Enclosures

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

To the Federal Election Commission:

This is to certify that I donated money to Marty Mechens election campaign.

Sincerely,

T. J. O'Connor

August 30, 1994

960437349/8

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

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

Mar 18 9 10 AM '95

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

MUR 4037

DATE COMPLAINT FILED: 8-12-94

DATE OF NOTIFICATION: 8-19-94

DATE ACTIVATED: 11-30-94

STAFF MEMBER: Craig D. Reffner

COMPLAINANT: Joseph Paolilli, Jr.

RESPONDENTS: Peter Favro, Jr.
Carol Millken
Thomas O'Connor
Thomas O'Connor, III
Charles O'Connor
R.C. O'Connor
Ron Peters
Marty Meehan for Congress and
Mary Anastopoulos, as treasurer

RELEVANT STATUTE: 2 U.S.C. § 441f

INTERNAL REPORTS CHECKED: Contributor Index
Disclosure Reports

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

This matter was generated by a complaint from Joseph W. Paolilli, Jr., who alleges that several individuals permitted their names to be used to make contributions to the Marty Meehan for Congress Committee and Mary Anastopoulos, as treasurer (collectively referred to as the "Committee"). Responses have been received. Attachments A-G.¹

1. Marty Meehan was successful in both the 1992 and 1994 elections in Massachusetts' Fifth Congressional District.

In addition, the complainant in this matter, Mr. Paolilli, filed three other complaints concerning Marty Meehan's 1994

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II. FACTUAL AND LEGAL ANALYSIS

A. Review of the Complaint and the Responses

In his complaint, Mr. Paolilli identifies seven individuals whose contributions to the Committee are purportedly suspect:

Name of Contributor	Amount of Contribution	Date of Contribution
Thomas O'Connor	\$2,000	10-19-92
Thomas O'Connor, III	\$2,000	10-19-92
Charles O'Connor	\$2,000	10-19-92
Carol Millken	\$2,000	07-23-93
Ron Peters	\$2,000	07-23-93
Peter Pavro, Jr.	\$2,000	07-23-93
R.C. O'Connor	\$2,000	12-07-93
Thomas O'Connor	\$2,000	12-07-93
Thomas O'Connor, III	\$2,000	12-07-93
Charles O'Connor	\$2,000	12-07-93

The complainant notes that three of these contributors, Thomas O'Connor, III, Charles O'Connor and Peter Pavro, are students and that given "the grouping of the dates [the money for their contributions] was given by others or another using [their] names." Complaint at 2.²

(Footnote 1 continued from previous page)
campaign. In MURs 4035 and 4039, Mr. Paolilli alleged that Mr. Meehan converted campaign funds to his personal use in violation of 2 U.S.C. § 439a. In MUR 4038, Mr. Paolilli alleged that Mr. Meehan's campaign received an excessive contribution from Alan Solomont in violation of 2 U.S.C. § 441a(f).

MURs 4035, 4038 and 4039

were closed on November 14, 1994.

2. Disclosure reports filed with the Commission confirm that these contributions were made and further show that the contributors actually gave \$1,000 for the primary election and \$1,000 for the general election for both the 1992 and 1994 election cycles.

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Responses were received from six of the seven individual contributors acknowledging that the contributions in question were made.³ Attachments A-F. Thomas O'Connor, for example, states: "I donated money to Marty Neehan [sic] Campaign As [sic] per you [sic] Inquiry." Attachment A. Similarly, Thomas O'Connor, III, states: "This is to certify that I donated money to Marty Neehan's election campaign." Attachment B. Neither of these respondents, however, address the issue of whether they reimbursed other individuals for contributions or whether they themselves were reimbursed. In addition, their responses were not made under oath.

Likewise, although the other four individuals who responded framed their responses to suggest that they possibly used their own funds to make the contributions in question, none of them explicitly address the issue of reimbursement. In addition, they too did not submit responses under oath. For example, Charles O'Connor responded: "Yes. I donated my money to Marty Neehan's Campaign." Attachment C. Ron Peters similarly states that he responded "to certify that my donation to Marty Neehan's campaign is fact, using my own monies." Attachment D. In his response, Peter Favro states that he "willingly donated my own money to

3. The seventh contributor, Carol Millken, has not yet been notified of the complaint. In our first attempt to notify Ms. Millken, we relied upon the address furnished by the complainant: "Longview Drive, Moraga, CA 94556." This is the same address provided in disclosure reports filed by the Committee. This notification letter, however, was returned. According to the Post Master, Longview Drive does not exist in Moraga, California. Although there is a Longview Terrace in neighboring Orinda, California, no one with the name Millken resides on that street. Thus, we are continuing our efforts to locate Ms. Millken.

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Mr. Meehan's campaign fund." Attachment E. Although he further states that "I swear this to be the truth," his response was not notarized. Id. The sixth individual respondent to respond, R.C. O'Connor, acknowledges that he "personally contributed two thousand dollars (\$2000) to the congressional campaign committee to elect Martin J. Meehan" and noted a correct mailing address. Attachment F.⁴

In addition, Francis T. Talty responded on behalf of the Committee. Mr. Talty, who is identified as the Committee's assistant treasurer, acknowledges that the contributions were received. He also explains that "two of the three [contributing students] are family relations of the Congressman and that "[m]ost of the money given by these contributors was for a major fundraiser for Congressman Meehan in Boston on December 7, 1993." Attachment G. He further states that the "Committee had no reason to question the contributions" and that the "complaint is politically motivated." Id. He requests that the Commission take no action in this matter.

B. Analysis

Pursuant to Section 441f of the Act, "[n]o person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of

4. We also note that five of the six Respondent contributors responded in an identical fashion by returning the Commission's initial notification letter with a brief handwritten statement under the signature block of the second page. In addition, all of the responses to the complaint were received between September 6 and 7, 1994.

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another person."

Although Respondents acknowledge that these contributions were made, their responses are not sufficient to rebut the complainant's allegations that the student contributors were only acting as conduits for others who actually made the contributions. The complainant appears to support this conclusion from the presumption that these students could not otherwise afford to make contributions and from the fact that these contributions were apparently made in groups, in the same amounts and on the same dates. For example, two of the Respondent students, Thomas O'Connor, III, and Charles O'Connor, each contributed \$2,000 to the Committee on October 19, 1992, and again on December 7, 1993. Disclosure reports show that these two Respondent students live at the same residence as Thomas O'Connor, who is identified as the President of Page International and who also contributed \$2,000 to the Committee on October 19, 1992, and again on December 7, 1993.

Disclosure reports further show two other individuals with the name O'Connor who made contributions in the same amounts, on the same dates and to the same Federal candidates as Thomas O'Connor made. First, and as noted in the complaint, R.C. O'Connor contributed \$2,000 to the Committee on December 7, 1993. Although disclosure reports show that R.C. O'Connor lives at the same residence as the other three O'Connor Respondents, in his response, R.C. O'Connor noted a new mailing address that is different than that used by the other Respondents. Second, disclosure reports show that after the complaint in this matter was filed, Thomas O'Connor and Thomas O'Connor, Jr., each

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contributed \$1,000 to Bill Baker for Congress on October 5, 1994.⁵ Disclosure materials show that both Thomas O'Connor, Sr., and Thomas O'Connor, Jr. reside at the same address.⁶

The third Respondent student, Peter Favro, Jr., also acknowledges contributing \$2,000 to the Committee on July 23, 1994. His connection with the O'Connor Respondents, however, appears tenuous. Indeed, he does not appear to be a relative, does not share the same address and his contributions to the Committee were made on a different date. Nonetheless, Mr. Favro apparently made his contributions at the same time as two other Respondents, Carol Millken, who resides in Moraga, California, where the O'Connor Respondents apparently reside, and Ron Peters, who resides in a neighboring community, Richmond, California. In addition, disclosure reports show that Mr. Peters is employed as the "Office Manager" at Page International, which is apparently the same company that Thomas O'Connor presides over.

C. Conclusion and Proposed Discovery Plan

In short, although the circumstances surrounding these contributions remain to be determined, the Respondents' mere acknowledgment that these contributions were made does not overcome the allegation that some of the contributions may have

5. Bill Baker was successfully elected to the United States Congress in California's 1994 Tenth Congressional District election.

6. The disclosure report evidencing these particular contributions states that occupation information for Thomas O'Connor and Thomas O'Connor Jr. has been requested. Since Thomas O'Connor, Jr., apparently made no other itemizable contributions between 1987 and the present, it is unclear at this time whether he is a student or if he is gainfully employed and, if so, where.

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been made in the name of another. Indeed, these contributions appear suspect given available information, which shows that they were made in groups, on the same dates, in the same amounts and from individuals who either reside at the same address or work at the same company.

In an effort to resolve this matter in an expeditious manner, we propose that the Commission first seek information under oath from the three Respondents who are identified as students, Thomas O'Connor, III, Charles O'Connor and Peter Favro, Jr., as well as Thomas O'Connor, who appears to be the father of two of these students. If the information gathered from these four Respondents confirms that there was reimbursement for the contributions at issue, then the scope of the investigation in this matter could be expanded to include the other Respondents, including the Committee. On the other hand, if the information produced by these four Respondents shows that they did not violate the Act, then it may be appropriate to take no further action and close the file in this matter. Under the circumstances, we believe that conducting a limited investigation at the onset will be an effective use of the Commission's resources.

Based upon the above discussion, this Office recommends that the Commission find reason to believe that Thomas O'Connor, Thomas O'Connor, III, Charles O'Connor and Peter Favro, Jr., each violated 2 U.S.C. § 441f. We further recommend that the Commission take no action at this time with respect to the other Respondents in this matter.

9 6 0 4 3 7 3 4 9 8 5

III. RECOMMENDATIONS

1. Find reason to believe that Thomas O'Connor, Thomas O'Connor, III, Charles O'Connor and Peter J. Favro, Jr., each violated 2 U.S.C. § 441f.
2. Take no action at this time with respect to Carol Millken, Ron Peters, R.C. O'Connor and the Marty Meehan for Congress Committee and Mary Anastopoulos, as treasurer.
3. Approve the appropriate letters and the attached model subpoena to be served on Thomas O'Connor, III, Charles O'Connor, Peter J. Favro, Jr., and Thomas O'Connor.

Lawrence M. Noble
General Counsel

5/17/95
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachments

- A. Thomas O'Connor's response to Complaint
- B. Thomas O'Connor's III's response to Complaint
- C. Charles O'Connor's response to Complaint
- D. Ron Peters' response to Complaint
- E. Peter J. Favro Jr.'s response to Complaint
- F. R.C. O'Connor's response to Complaint
- G. Committee's response to Complaint
- H. Factual and Legal Analyses (4)
- I. Subpoenas (4)

96043734986

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Peter Favro, Jr.;) MUR 4037
Carol Millken;)
Thomas O'Connor;)
Thomas O'Connor, III;)
Charles O'Connor;)
R.C. O'Connor;)
Ron Peters;)
Marty Meehan for Congress and)
Mary Anastopoulos, as treasurer.)

CERTIFICATION

I, Marjorie W. Enmons, Secretary of the Federal Election Commission, do hereby certify that on May 23, 1995, the Commission decided by a vote of 6-0 to take the following actions in MUR 4037:

1. Find reason to believe that Thomas O'Connor, Thomas O'Connor, III, Charles O'Connor and Peter J. Favro, Jr., each violated 2 U.S.C. § 441f.
2. Take no action at this time with respect to Carol Millken, Ron Peters, R.C. O'Connor and the Marty Meehan for Congress Committee and Mary Anastopoulos, as treasurer.

(continued)

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3. Approve the appropriate letters and the model subpoena to be served on Thomas O'Connor, III, Charles O'Connor, Peter J. Favro, Jr., and Thomas O'Connor, as recommended in the General Counsel's Report dated May 17, 1995.

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

Attest:

5-24-95
Date

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

Received in the Secretariat:	Thurs.,	May 18, 1995	9:10 a.m.
Circulated to the Commission:	Thurs.,	May 18, 1995	11:00 a.m.
Deadline for vote:	Tues.,	May 23, 1995	4:00 p.m.

lrd

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 30, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas O'Connor, III
1505 Camino Real
Moraga, CA 94556

RE: MUR 4037
Thomas O'Connor, III

Dear Mr. O'Connor:

On August 19, 1994, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint, the Commission, on May 23, 1995, found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted to the General Counsel's Office within 30 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 notification or other communications from the Commission.

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Thomas O'Connor, III
Page 2

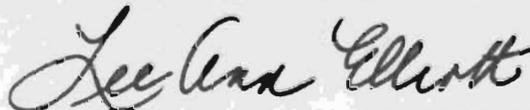
If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending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

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

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.

If you have any questions, please contact Craig D. Reffner, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Lee Ann Elliott
Vice Chairman

Enclosures
Order and Subpoena
Designation of Counsel Form
Factual and Legal Analysis

96043734990

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)

MUR 4037

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Thomas O'Connor, III
1505 Camino Real
Moraga, California 94556

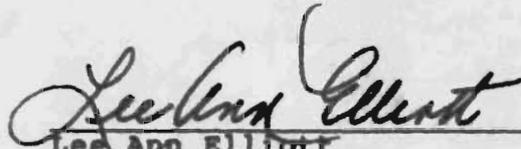
Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this order. In addition, the Federal Election Commission subpoenas you to produce the documents requested on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

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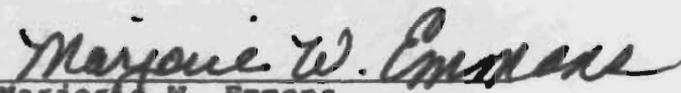
WHEREFORE, the Vice Chairman of the Federal Election
Commission has hereunto set her hand in Washington, D.C. on this
30th day of May, 1995.

For the Commission,



Lee Ann Elliott
Vice Chairman

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment
Subpoena and Order with Instructions and Definitions

96043734992

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

INSTRUCTIONS

In answering this subpoena to produce documents and order to submit written answers, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each question propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the questions set forth in the order to submit written answers in full, after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested in this subpoena to produce documents and order to submit written answers, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, this subpoena to produce documents and order to submit written answers shall refer to the time period from January 1, 1992 to the present.

This subpoena to produce documents and order to submit written answers are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including any agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Compensation" shall mean money or any other item of value.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

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"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

SUBPOENA TO PRODUCE DOCUMENTS AND
ORDER TO SUBMIT WRITTEN ANSWERS

1. For each of the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992, and December 7, 1993:
 - a. describe the circumstances surrounding the making of the contribution, including the manner in which you made the contribution (i.e., by check, money order, etc.);
 - b. state whether you made the contribution in response to a solicitation and, if so, describe the solicitation, including the identify of the persons who made the solicitation and all communications between you and the persons identified in your response;
 - c. state whether you received any form of compensation for the contribution, either before or after it was made, and, if so, describe in detail how you were compensated, including the source of the compensation, the method in which you were compensated (i.e., cash, check, money order, etc.), the total amount you received, and all communications between you and any other persons identified in your response; and
 - d. produce a copy of your contribution checks and, if you responded affirmatively to section c of this question, produce a copy of all documents evidencing the compensation you received for making these contributions.

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2. Identify the bank account from which funds were drawn for the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992, and December 7, 1993. In addition, for each bank account:
 - a. identify all signatories on the bank account;
 - b. identify the source of all funds deposited into the bank account; and
 - c. produce copies of all bank statements and check registers showing all activity for these bank accounts for the following periods: September 1, 1992, through November 30, 1992, and November 1, 1993, through January 31, 1994.

3. Identify each person who you consulted or who in any way assisted you in responding to this discovery request.

96043734996

FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

MUR: 4037

RESPONDENT: Thomas O'Connor, III

I. GENERATION OF MATTER

This matter was generated by a complaint filed with the Federal Election Commission (the "Commission") by Joseph W. Paolilli, Jr., who alleges that Thomas O'Connor, III, permitted his name to be used to make contributions to the Marty Meehan for Congress Committee (the "Committee"). See 2 U.S.C. § 437g(a)(1).

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to Section 441f of the Federal Election Campaign Act of 1971, as amended (the "Act"), "[n]o person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution."

According to Mr. Paolilli, disclosure reports filed with the Commission by the Committee show that Thomas O'Connor, III, is a student who made contributions to the Committee on the same dates and in the same amounts as other individuals. Mr. Paolilli avers that under these circumstances, Mr. O'Connor's contributions were possibly given by another

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person in his name. The contributions cited by Mr. Paolilli are as follows:

Name of Contributor	Amount of Contribution	Date of Contribution
Thomas O'Connor	\$2,000	10-19-92
Thomas O'Connor, III	\$2,000	10-19-92
Charles O'Connor	\$2,000	10-19-92
Carol Millken	\$2,000	07-23-93
Ron Peters	\$2,000	07-23-93
Peter Favro, Jr.	\$2,000	07-23-93
R.C. O'Connor	\$2,000	12-07-93
Thomas O'Connor	\$2,000	12-07-93
Thomas O'Connor, III	\$2,000	12-07-93
Charles O'Connor	\$2,000	12-07-93

In his response, Mr. O'Connor states: "This is to verify that I donated money to Marty Meehan's campaign." Although Mr. O'Connor acknowledges making the contributions in question, his response was not made under oath and he does not explicitly address the allegation that he permitted his name to be used by another to make contributions to the Committee. The complainant appears to support this allegation on the presumption that Mr. O'Connor is a student who could not otherwise afford to make contributions and from the fact that Mr. O'Connor's contributions were made in groups, in the same amounts and on the same dates as other contributors. Indeed, Mr. O'Connor contributed \$2,000 to the Committee on October 19, 1992 and again on December 7, 1993, and disclosure reports filed by the Committee with the Commission show that he apparently lives at the same residence as Thomas O'Connor and Charles O'Connor, both of whom also contributed \$2,000 to the Committee on October 19, 1992 and again on December 7, 1993.

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Under the circumstances, it appears that Thomas O'Connor, III, may have permitted his name to be used by another to make contributions to the Committee.

Therefore, there is reason to believe Thomas O'Connor, III, violated 2 U.S.C. § 441f.

96043734999



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 30, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Charles O'Connor
1505 Camino Real
Moraga, California 94556

RE: MUR 4037
Charles O'Connor

Dear Mr. O'Connor:

On August 19, 1994, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint, the Commission, on May 23, 1995, found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted to the General Counsel's Office within 30 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 notification or other communications from the Commission.

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Charles O'Connor
Page 2

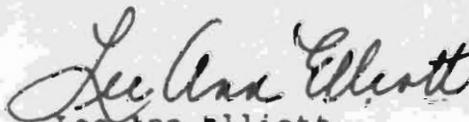
If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending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

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

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.

If you have any questions, please contact Craig D. Reffner, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,


Lee Ann Elliott
Vice Chairman

Enclosures
Order and Subpoena
Designation of Counsel Form
Factual and Legal Analysis

96043735001

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 4037

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Charles O'Connor
1505 Camino Real
Moraga, California 94556

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this order. In addition, the Federal Election Commission subpoenas you to produce the documents requested on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

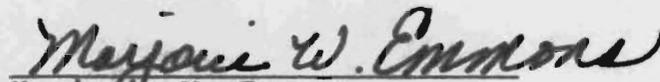
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WHEREFORE, the Vice Chairman of the Federal Election
Commission has hereunto set her hand in Washington, D.C. on this
30th day of *May*, 1995.

For the Commission,


Lee Ann Elliott
Vice Chairman

ATTEST:


Marjorie W. Emmons
Secretary to the Commission

Attachment
Subpoena and Order with Instructions and Definitions

96043735003

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

INSTRUCTIONS

In answering this subpoena to produce documents and order to submit written answers, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each question propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the questions set forth in the order to submit written answers in full, after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested in this subpoena to produce documents and order to submit written answers, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, this subpoena to produce documents and order to submit written answers shall refer to the time period from January 1, 1992 to the present.

This subpoena to produce documents and order to submit written answers are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including any agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Compensation" shall mean money or any other item of value.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

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"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be cut of their scope.

**SUBPOENA TO PRODUCE DOCUMENTS AND
ORDER TO SUBMIT WRITTEN ANSWERS**

1. For each of the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992, and December 7, 1993:
 - a. describe the circumstances surrounding the making of the contribution, including the manner in which you made the contribution (i.e., by check, money order, etc.);
 - b. state whether you made the contribution in response to a solicitation and, if so, describe the solicitation, including the identify of the persons who made the solicitation and all communications between you and the persons identified in your response;
 - c. state whether you received any form of compensation for the contribution, either before or after it was made, and, if so, describe in detail how you were compensated, including the source of the compensation, the method in which you were compensated (i.e., cash, check, money order, etc.), the total amount you received, and all communications between you and any other persons identified in your response; and
 - d. produce a copy of your contribution checks and, if you responded affirmatively to section c of this question, produce a copy of all documents evidencing the compensation you received for making these contributions.

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2. Identify the bank account from which funds were drawn for the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992, and December 7, 1993. In addition, for each bank account:
 - a. identify all signatories on the bank account;
 - b. identify the source of all funds deposited into the bank account; and
 - c. produce copies of all bank statements and check registers showing all activity for these bank accounts for the following periods: September 1, 1992, through November 30, 1992, and November 1, 1993, through January 31, 1994.

3. Identify each person who you consulted or who in any way assisted you in responding to this discovery request.

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**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

MUR: 4037

RESPONDENT: Charles O'Connor

I. GENERATION OF MATTER

This matter was generated by a complaint filed with the Federal Election Commission (the "Commission") by Joseph W. Paolilli, Jr., who alleges that Charles O'Connor permitted his name to be used to make contributions to the Marty Meehan for Congress Committee (the "Committee"). See 2 U.S.C. § 437g(a)(1).

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to Section 441f of the Federal Election Campaign Act of 1971, as amended (the "Act"), "[n]o person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution."

According to Mr. Paolilli, disclosure reports filed with the Commission by the Committee show that Charles O'Connor is a student who made contributions to the Committee on the same dates and in the same amounts as other individuals. Mr. Paolilli avers that under these circumstances, Mr. O'Connor's contributions were possibly given by

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another person in his name. The contributions cited by Mr. Paolilli are as follows:

Name of Contributor	Amount of Contribution	Date of Contribution
Thomas O'Connor	\$2,000	10-19-92
Thomas O'Connor, III	\$2,000	10-19-92
Charles O'Connor	\$2,000	10-19-92
Carol Millken	\$2,000	07-23-93
Ron Peters	\$2,000	07-23-93
Peter Favro, Jr.	\$2,000	07-23-93
R.C. O'Connor	\$2,000	12-07-93
Thomas O'Connor	\$2,000	12-07-93
Thomas O'Connor, III	\$2,000	12-07-93
Charles O'Connor	\$2,000	12-07-93

In his response, Mr. O'Connor states: "I donated my money to Marty Meehan's campaign." Although Mr. O'Connor acknowledges making the contributions in question, his response was not made under oath and he does not explicitly address the allegation that he permitted his name to be used by another to make contributions to the Committee. The complainant appears to support this allegation on the presumption that Mr. O'Connor is a student who could not otherwise afford to make contributions and from the fact that Mr. O'Connor's contributions were made in groups, in the same amounts and on the same dates as other contributors. Indeed, Mr. O'Connor contributed \$2,000 to the Committee on October 19, 1992 and again on December 7, 1993, and disclosure reports filed by the Committee with the Commission show that he apparently lives at the same residence as Thomas O'Connor and Thomas O'Connor, III, both of whom also contributed \$2,000 to the Committee on October 19, 1992 and again on December 7, 1993. Under the

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circumstances, it appears that Charles O'Connor may have permitted his name to be used by another to make contributions to the Committee.

Therefore, there is reason to believe Charles O'Connor violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 30, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Thomas O'Connor
1505 Camino Real
Moraga, California 94556

RE: MUR 4037
Thomas O'Connor

Dear Mr. O'Connor:

On August 19, 1994, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint, the Commission, on May 23, 1995, found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted to the General Counsel's Office within 30 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 notification or other communications from the Commission.

96043735011

Thomas O'Connor
Page 2

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

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

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.

If you have any questions, please contact Craig D. Reffner, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Lee Ann Elliott
Vice Chairman

Enclosures

Order and Subpoena
Designation of Counsel Form
Factual and Legal Analysis

96043735012

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 4037

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Thomas J. O'Connor
1505 Camino Real
Moraga, California 94556

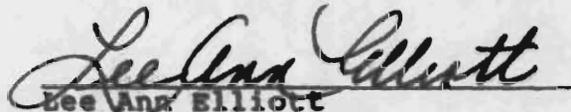
Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this order. In addition, the Federal Election Commission subpoenas you to produce the documents requested on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

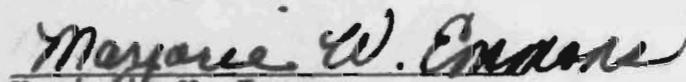
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WHEREFORE, the Vice Chairman of the Federal Election
Commission has hereunto set her hand in Washington, D.C. on this
30th. day of *May*, 1995.

For the Commission,


Lee Ann Elliott
Vice Chairman

ATTEST:


Marjorie W. Emmons
Secretary to the Commission

Attachment
Subpoena and Order with Instructions and Definitions

96043735014

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

INSTRUCTIONS

In answering this subpoena to produce documents and order to submit written answers, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each question propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the questions set forth in the order to submit written answers in full, after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested in this subpoena to produce documents and order to submit written answers, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, this subpoena to produce documents and order to submit written answers shall refer to the time period from January 1, 1992 to the present.

This subpoena to produce documents and order to submit written answers are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including any agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Compensation" shall mean money or any other item of value.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

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"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

SUBPOENA TO PRODUCE DOCUMENTS AND
ORDER TO SUBMIT WRITTEN ANSWERS

1. For each of the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992, and December 7, 1993 as well as the contribution you made to the Bill Baker for Congress Committee on October 5, 1994:
 - a. describe the circumstances surrounding the making of the contribution, including the manner in which you made the contribution (i.e., by check, money order, etc.);
 - b. state whether you made the contribution in response to a solicitation and, if so, describe the solicitation, including the identify of the persons who made the solicitation and all communications between you and the persons identified in your response;
 - c. state whether you received any form of compensation for the contribution, either before or after it was made, and, if so, describe in detail how you were compensated, including the source of the compensation, the method in which you were compensated (i.e., cash, check, money order, etc.), the total amount you received, and all communications between you and any other persons identified in your response; and
 - d. produce a copy of your contribution checks and, if you responded affirmatively to section c of this question, produce a copy of all documents evidencing the compensation you received for making these contributions.

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2. Identify the bank account from which funds were drawn for each of the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992 and December 7, 1993, as well as the contribution you made to the Bill Baker for Congress Committee on October 5, 1994. In addition, for each bank account:
 - a. identify all signatories on the bank account;
 - b. identify the source of all funds deposited into the bank account; and
 - c. produce copies of all bank statements and check registers showing all activity for these bank accounts for the following periods: September 1, 1992, through November 30, 1992; November 1, 1993, through January 31, 1994; and September 1, 1994, through November 30, 1994.
3. State whether you solicited any person to contribute to the Marty Meehan for Congress Committee or the Bill Baker for Congress Committee. If so:
 - a. identify each person you solicited and describe your solicitation efforts, including the form of your solicitation and all communications between you and the persons identified in your response; and
 - b. produce a copy of all documents evidencing your solicitation efforts.
4. State whether you provided compensation to any person for making contributions to the Marty Meehan for Congress Committee or the Bill Baker for Congress Committee. If so:
 - a. identify each person you compensated and describe in detail how you provided the compensation, including the method in which you provided the compensated (i.e, cash, check, money order, etc.), the total amount of compensation you provided and all communications between you and the people identified in your response; and
 - d. produce a copy of all documents evidencing the compensation you provided, including copies of canceled checks and check registers.
5. Identify each person who you consulted or who in any way assisted you in responding to this discovery request.

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**FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS**

RESPONDENT: Thomas O'Connor

MUR: 4037

I. GENERATION OF MATTER

This matter was generated by a complaint filed with the Federal Election Commission (the "Commission") by Joseph W. Paolilli, Jr., who alleges that several contributors to the Marty Meehan for Congress Committee (the "Committee") are students who permitted their names to be used by another person to make their contributions. See 2 U.S.C. § 437g(a)(1).

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to Section 441f of the Federal Election Campaign Act of 1971, as amended (the "Act"), "[n]o person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution."

According to Mr. Paolilli, disclosure reports filed with the Commission by the Committee show that Charles O'Connor, Thomas O'Connor, III, and Peter Favro, Jr., are students who made contributions to the Committee on the same dates and in the same amounts as other individuals. Mr. Paolilli avers that under these circumstances, the contributions were possibly given by another

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person in the names of these students. The contributions cited by Mr. Paolilli are as follows:

Name of Contributor	Amount of Contribution	Date of Contribution
Thomas O'Connor	\$2,000	10-19-92
Thomas O'Connor, III	\$2,000	10-19-92
Charles O'Connor	\$2,000	10-19-92
Carol Millken	\$2,000	07-23-93
Ron Peters	\$2,000	07-23-93
Peter Favro, Jr.	\$2,000	07-23-93
R.C. O'Connor	\$2,000	12-07-93
Thomas O'Connor	\$2,000	12-07-93
Thomas O'Connor, III	\$2,000	12-07-93
Charles O'Connor	\$2,000	12-07-93

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In his response, Thomas O'Connor states: "I donated money to Marty Meehan Campaign." Although Mr. O'Connor acknowledges making the contributions in question, his response was not made under oath and he does not explicitly address the allegation that the student contributors permitted their names to be used by another person to make contributions to the Committee. The complainant appears to support this allegation on the presumption that the students could not otherwise afford to make contributions and from the fact that the contributions were made in groups, in the same amounts and on the same dates as other contributors. Indeed, two of the students, Charles O'Connor and Thomas O'Connor, III, contributed \$2,000 to the Committee on October 19, 1992 and again on December 7, 1993, and disclosure reports show that both of these individuals apparently live at the same address as Thomas O'Connor, who is identified as the President of Page

International and who also contributed \$2,000 to the Committee on October 19, 1992 and again on December 7, 1993.

Disclosure reports further show two other individuals with the name O'Connor who made contributions in the same amounts, on the same dates and to the same Federal candidates as Thomas O'Connor made. First, and as noted in the complaint, R.C. O'Connor, who is identified as "retired," contributed \$2,000 to the Committee on December 7, 1993. Disclosure reports also show that R.C. O'Connor apparently lives at the same residence as the other three O'Connor Respondents. Second, disclosure reports show that after the complaint in this matter was filed, Thomas O'Connor and Thomas O'Connor, Jr., each contributed \$1,000 to Bill Baker for Congress on October 5, 1994. Disclosure materials show that both Thomas O'Connor, Sr., and Thomas O'Connor, Jr. reside at the same address.

The third Respondent student, Peter Favro, Jr., also acknowledges contributing \$2,000 to the Committee on July 23, 1994. His connection with the O'Connor Respondents, however, appears tenuous. Indeed, he does not appear to be a relative, does not share the same address and his contributions to the Committee were made on a different date. Nonetheless, Mr. Favro apparently made his contributions at the same time as two other contributors, Carol Millken, who resides in Moraga, California, where the O'Connor Respondents apparently reside, and Ron Peters, who resides in a neighboring community, Richmond, California. In addition, disclosure reports show that Mr. Peters is employed as

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the "Office Manager" at Page International, which is apparently the same company that Thomas O'Connor presides over.

Under the circumstances, it appears that Thomas O'Connor may have made a contribution in the name of other individuals. As noted above, Section 441f of the Act prohibits any person from making a contribution in the name of another.

Therefore, there is reason to believe Thomas O'Connor violated 2 U.S.C. § 441f.

96043735022



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 30, 1995

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Peter J. Favro, Jr.
36 Ross Drive
Moraga, California 94556

RE: MUR 4037
Peter J. Favro, Jr.

Dear Mr. Favro:

On August 19, 1994, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint, the Commission, on May 23, 1995, found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Statements should be submitted under oath. All responses to the enclosed Order to Answer Questions and Subpoena to Produce Documents must be submitted to the General Counsel's Office within 30 days of your receipt of this letter. Any additional materials or statements you wish to submit should accompany the response to the order and subpoena. In the absence of additional information, the Commission may find probable cause to believe that a violation has occurred and proceed with conciliation.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this order and subpoena. If you intend to be represented by counsel, 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 notification or other communications from the Commission.

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Peter J. Favro, Jr.
Page 2

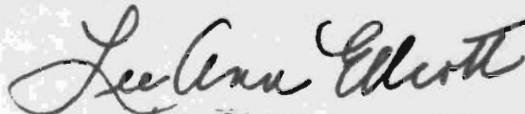
If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending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

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

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.

If you have any questions, please contact Craig D. Reffner, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Lee Ann Elliott
Vice Chairman

Enclosures
Order and Subpoena
Designation of Counsel Form
Factual and Legal Analysis

96043735024

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)

MUR 4037

SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Peter J. Favro, Jr.
36 Ross Drive
Moraga, California 94556

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this order. In addition, the Federal Election Commission subpoenas you to produce the documents requested on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 30 days of receipt of this Order and Subpoena.

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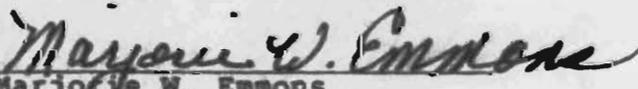
MUR 4037
Peter J. Favro, Jr.
Page 2

WHEREFORE, the Vice Chairman of the Federal Election
Commission has hereunto set her hand in Washington, D.C. on this
30th. day of May, 1995.

For the Commission,


Lee Ann Elliott
Vice Chairman

ATTEST:


Marjorie W. Emmons
Secretary to the Commission

Attachment
Subpoena and Order with Instructions and Definitions

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SUBPOENA TO PRODUCE DOCUMENTS
ORDER TO SUBMIT WRITTEN ANSWERS

INSTRUCTIONS

In answering this subpoena to produce documents and order to submit written answers, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Each answer is to be given separately and independently, and unless specifically stated in the particular discovery request, no answer shall be given solely by reference either to another answer or to an exhibit attached to your response.

The response to each question propounded herein shall set forth separately the identification of each person capable of furnishing testimony concerning the response given, denoting separately those individuals who provided informational, documentary or other input, and those who assisted in drafting the interrogatory response.

If you cannot answer the questions set forth in the order to submit written answers in full, after exercising due diligence to secure the full information to do so, answer to the extent possible and indicate your inability to answer the remainder, stating whatever information or knowledge you have concerning the unanswered portion and detailing what you did in attempting to secure the unknown information.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested in this subpoena to produce documents and order to submit written answers, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, this subpoena to produce documents and order to submit written answers shall refer to the time period from January 1, 1992 to the present.

This subpoena to produce documents and order to submit written answers are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including any agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Compensation" shall mean money or any other item of value.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and the telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

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"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and request for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

SUBPOENA TO PRODUCE DOCUMENTS AND
ORDER TO SUBMIT WRITTEN ANSWERS

1. With regard to the contribution you made to the Marty Meehan for Congress Committee on July 23, 1993:
 - a. describe the circumstances surrounding the making of this contribution, including the manner in which you made the contribution, i.e., by check, money order, etc.
 - b. state whether you made this contribution in response to a solicitation and, if so, describe the solicitation, including the identify of the persons who made the solicitation and all communications between you and the persons identified in your response;
 - c. state whether you received any form of compensation for the contribution, either before or after it was made, and, if so, describe in detail how you were compensated, including the source of the compensation, the method in which you were compensated, the total amount you received, and all communications between you and any other persons identified in your response; and
 - d. produce a copy of your contribution check and, if you responded affirmatively to section c of this question, produce a copy of all documents evidencing the compensation you received for making the contribution.

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2. Identify the bank account from which funds were drawn for the contribution you made to the Marty Meehan for Congress Committee on July 23, 1993. In addition, for each bank account:
 - a. identify all signatories on the bank account;
 - b. identify the source of all funds deposited into the bank account; and
 - c. produce copies of all bank statements and check registers showing all activity for these bank accounts for the following period: June 1, 1993, through August 31, 1993.

3. Identify each person who you consulted or who in any way assisted you in responding to this discovery request.

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FEDERAL ELECTION COMMISSION
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Peter Favro, Jr.

MUR: 4037

I. GENERATION OF MATTER

This matter was generated by a complaint filed with the Federal Election Commission (the "Commission") by Joseph W. Paolilli, Jr., who alleges that Peter Favro permitted his name to be used to make contributions to the Marty Meehan for Congress Committee (the "Committee"). See 2 U.S.C. § 437g(a)(1).

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to Section 441f of the Federal Election Campaign Act of 1971, as amended (the "Act"), "[n]o person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution."

According to Mr. Paolilli, disclosure reports filed with the Commission by the Committee show that Peter Favro is a student who made a contribution to the Committee on the same dates and in the same amounts as other individuals. Mr. Paolilli avers that under these circumstances, Mr. Favro's contributions were possibly given

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by another person in his name. The contributions cited by Mr. Paolilli are as follows:

Name of Contributor	Amount of Contribution	Date of Contribution
Thomas O'Connor	\$2,000	10-19-92
Thomas O'Connor, III	\$2,000	10-19-92
Charles O'Connor	\$2,000	10-19-92
Carol Millken	\$2,000	07-23-93
Ron Peters	\$2,000	07-23-93
Peter Favro, Jr.	\$2,000	07-23-93
R.C. O'Connor	\$2,000	12-07-93
Thomas O'Connor	\$2,000	12-07-93
Thomas O'Connor, III	\$2,000	12-07-93
Charles O'Connor	\$2,000	12-07-93

In his response, Mr. Favro states that he "willingly donated my own money to Mr. Meehan's campaign fund." Although Mr. Favro acknowledges making the contribution in question, his response was not made under oath and he does not explicitly address the allegation that he permitted his name to be used by another to make a contribution to the Committee. The complainant appears to support this allegation on the presumption that Mr. Favro is a student who could not otherwise afford to make a contribution and from the fact that Mr. Favro's contribution was made in the same amount and on the same date as other contributors. For example, two of the contributors identified as students, Thomas O'Connor, III, and Charles O'Connor, each contributed \$2,000 to the Committee on October 19, 1992, and again on December 7, 1993. Disclosure reports show that these two students live at the same residence as Thomas O'Connor, who is

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identified as the President of Page International and who also contributed \$2,000 to the Committee on October 19, 1992, and again on December 7, 1993. Furthermore, disclosure materials show that Mr. Peters, who contributed the same amount on the same date as Mr. Favro, is employed as the "Office Manager" at Page International, which is apparently the same company that Thomas O'Connor presides over. Under these circumstances, it appears that Peter Favro may have permitted his name to be used by another to make a contribution to the Committee.

Therefore, there is reason to believe Peter Favro, Jr., violated 2 U.S.C. § 441f.

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PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011
TELEPHONE: (202) 628-6600 · FACSIMILE: (202) 434-1690

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FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL COUNSEL

ROBERT F. BAUER
(202) 434-1602

June 8, 1995

Craig D. Reffner, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: **MUR 4037**
Thomas O'Connor, III, Charles O'Connor,
Thomas J. O'Connor and Peter J. Favro, Jr.

Dear Mr. Reffner:

This office has been retained to represent Thomas O'Connor, III, Charles O'Connor, Thomas J. O'Connor and Peter J. Favro, Jr. in this matter.

We have received the reason-to-believe notices and related Order to Answer Questions and Subpoena to Produce Documents served upon these individuals, dated May 30, 1995.

On their behalf, we request an extension of time required for adequate consultation with them in preparation of their responses. We request an extension of 45 days. While we recognize the Office of General Counsel normally does not grant extensions beyond 20 days, we have just received this matter and the undersigned will be leaving the country and unable to conduct the required review from June 15 through June 30. The 45-day extension that we request, to July 22, 1995 will make it possible to provide adequate representation to our clients.

[09901-9700/DA951590.067]

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June 8, 1995
Page 2

Please do not hesitate to contact me with any questions.

Very truly yours,



Robert F. Bauer
Counsel to Respondents

RFB:smb

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 14, 1995

Robert F. Bauer, Esq.
Perkins Cole
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 4037
Thomas O'Connor, III
Charles O'Connor
Thomas O'Connor
Peter J. Favro, Jr.

Dear Mr. Bauer:

This is in response to your June 8, 1995, letter requesting an extension of 45 days to respond to the Factual and Legal Analyses and the Subpoenas and Orders issued to your clients, identified above.

Considering the Federal Election Commission's responsibilities to act expeditiously in the conduct of investigations, the Office of the General Counsel can only agree to a 30 day extension. If this is unacceptable to you, please contact me immediately so that we may discuss your request for an extension.

Unless I hear otherwise from you, your response will be due by close of business on August 3, 1995. If you have any questions, please contact me at (202) 219-3690.

Sincerely,

Craig D. Reffner
Attorney

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 4837

NAME OF COUNSEL: Robert F. Boney

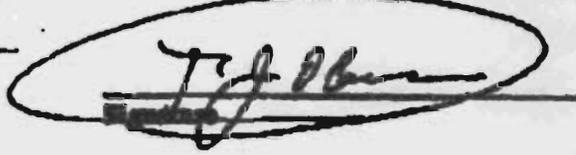
ADDRESS: Perkins Coie

607 - 14th Street, N.W. - Suite 800

Washington, DC 20005-3011

TELEPHONE: (202) 434-1802

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

16 June 95


RESPONDENT'S NAME: Thomas J. O'Sullivan

ADDRESS: Page International

41 Moraga Way - Room 89

Orinda, CA 94563

1505 CAMINO REAL

MORAGA CA 94556-2810

TELEPHONE: HOME

BUSINESS (916) 834-0010

Jun 20 10 35 AM '95
FEDERAL BUREAU OF INVESTIGATION
U.S. DEPARTMENT OF JUSTICE

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PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FOURTEENTH STREET, N.W. · WASHINGTON, D.C. 20005-2011
TELEPHONE: (202) 628-6600 · FACSIMILE: (202) 434-1690

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COMMISSION
OFFICE OF GENERAL
COUNSEL

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ROBERT F. BAUER
(202) 434-1602

August 3, 1995

Craig Reffner, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 4037

Dear Craig:

Enclosed you will find responses submitted through counsel to the Interrogatories issued by the Commission in this matter to Thomas O'Connor, Thomas J. O'Connor, III, Charles O'Connor and Peter Favro. As we discussed yesterday, Mr. O'Connor, who recently retired and closed his business, cannot locate copies of checks and related statements and registers called for in the subpoena and has requested copies of checks from the bank on which those checks were drawn. We agree that Mr. O'Connor remains under a continued obligation to produce these documents and as soon as we have received them we will make them available to you.

The responses today reveal in general terms the following, which this office supplements with the additional background drawn from its own review of the matter with these Respondents: Mr. O'Connor is a successful businessman who has not been active in politics or taken any sustained interest in supporting candidates or volunteering on their behalf. Over the period in question before these contributions were made, Mr. O'Connor received word from one cousin that still another cousin, Marty Meehan, was running for the Congress from a Congressional District in Massachusetts. Massachusetts is Mr. O'Connor's home state and the district question is one where Mr. O'Connor's mother and also other relatives have resided. A resident of California since 1978, Mr. O'Connor nonetheless agreed to support the candidacy of his cousin.

[23911-0001/DA952150.005]

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August 3, 1995

Page 2

Mr. O'Connor requested that his two sons, Thomas J. O'Connor III ("T.J."), then 17 years of age and Charles, then 19 years of age also support Mr. Meehan and they agreed. Over the years, Mr. O'Connor has maintained for his sons a savings account to which he has legal access and into which he, from time-to-time, makes deposits. Mr. O'Connor suggested that because of his understanding that the campaign had immediate need for the funds, he should advance the funds from his own account and then effectively reimburse himself by making adjustments in the course of the regular deposits he would periodically make to their savings.

Around the same time, Mr. Favro, a friend of one of Mr. O'Connor's sons who happened to be present for the discussion about the contributions, volunteered to make a contribution of his own. Mr. O'Connor suggested to Mr. Favro that he would proceed to make the contribution as he would for his sons, with Mr. Favro agreeing to reimburse him at a later date. All of these individuals in question, the O'Connor sons and Mr. Favro, believed that the decision to make the contribution was theirs and that the agreement to reimburse Mr. O'Connor at a later date bore no adverse legal implications whatsoever.

Mr. O'Connor then proceeded to draw cashier checks from the account that he maintained in the names of his sons and Mr. Favro. Over time, Mr. Favro repaid Mr. O'Connor, in cash, a sum of money that Mr. O'Connor believes approaches but is necessarily precisely equal in amount to the original contribution made in Mr. Favro's name to candidate Meehan. As noted, Mr. O'Connor's arrangement with his sons involved indirect reimbursement to himself by adjustments in the amounts deposited in their savings account.

Mr. O'Connor has experienced some considerable shock and surprise at the discovery that this handling of the contributions raises questions under the Federal Election Campaign Act of 1971, as amended. The arrangement, to his mind, followed other informal arrangement he has made in making loans to personal friends, which he has done on several occasions. Mr. O'Connor has made such loans on a general understanding that over time he would be repaid but without any effort to structure written much less rigorous terms and conditions. He approached the contributions, mistakenly, in the same way. He regarded the decision of his sons and Mr. Favro as entirely their own. Mr. O'Connor also believed, as did his sons and Mr. Favro that they were obligated to Mr. O'Connor in some fashion -- Mr. Favro by repayment in cash, the sons by adjustments to their savings accounts -- to "put up" their own funds.

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August 3, 1995
Page 3

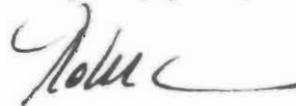
Their view of the matter did not change with notification that a complaint had been filed and each of them filed cursory responses to the original complaint on a fully erroneous understanding of the question. In their view, the questions raised by the complaint is whether they had intended to make a contribution and had done so. They believed that they had made these contributions and the means by which they had done so did not raise any questions for them of a legal character.

Mr. O'Connor recognizes now as he begins his retirement that he made a mistake. He remains perplexed at this turn of events and eager to resolve whatever questions the agency has. He has retained this office to negotiate if possible through pre-probable cause conciliation a resolution of this issue which would involve his accepting full responsibility for the mistakes made. Mr. O'Connor specifically wishes to spare Mr. Favro and his sons from any liability inasmuch as their participation was made entirely at his request and without any concern that he would ask them to do anything at all improper.

As noted, Mr. O'Connor has made a request to the bank for the copies of the cashier checks, and we expect them shortly. We will provide these materials as soon as they are received.

In the meantime, if you have additional questions, please do not hesitate to let us know.

Very truly yours,



Robert F. Bauer
Counsel to Thomas O'Connor,
Thomas J. O'Connor, III,
Charles O'Connor, Peter Favro

RFB:smb

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Aug 11 12 34 PM '95

Thomas O'Connor

MUP 4037

Response to Subpoena to
Produce Documents and Order to Submit Written Answers

1. For each of the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992, and December 7, 1993:
- describe the circumstances surrounding the making of the contribution, including the manner in which you made the contribution (i.e., by check, money order, etc.);

Mr. O'Connor was solicited by a cousin and representative of the Meehan campaign, on the basis that Meehan was also a cousin and O'Connor might want to support him with a contribution. He approached his sons who agreed to contribute also and because he understood that the campaign needed the contributions as soon as possible, Mr. O'Connor arranged to draw cashier checks on his own account and to adjust deposits made to his sons' savings accounts to repay himself. When Mr. Favro volunteered to make a contribution, Mr. O'Connor proposed to draw a check in his name, on the same basis as with his sons, and they agreed Mr. Favro would repay him.

- state whether you made the contribution in response to a solicitation and, if so, describe the solicitation, including the identity of the persons who made the solicitation and all communications between you and the persons identified in your response;

See a.

- 9 6 0 4 3 7 3 5 0 4 2
- c. state whether you received any form of compensation for the contribution, either before or after it was made, and, if so, describe in detail how you were compensated, including the source of the compensation, the method in which you were compensated (i.e., cash, check, money order, etc.), the total amount you received, and all communications between you and any other persons identified in your response; and

As noted in a.

- d. produce a copy of your contribution checks and, if you responded affirmatively to section c of this question, produce a copy of all documents evidencing the compensation you received for making these contributions.

Mr. O'Connor recently closed his office in preparing for retirement and cannot locate bank records relevant to this matter. He has made a request to the bank for copies of the cashier checks.

- 2. Identify the bank account from which funds were drawn for the contributions you made to the Marty Meehan for Congress committee on October 19, 1992, and December 7, 1993. In addition, for each bank account.

- a. identify all signatories on the bank account;

The bank is California Federal Savings & Loan and he is the sole signatory.

- b. identify the source of all funds deposited into the bank account; and

Funds generated from his business activities and constituting personal income.

- c. produce copies of all bank statements and check registers showing all activity for these bank accounts for the following periods: September 1, 1992, through November 30, 1992, and November 1, 1993, through January 31, 1994.

See 1.d.

3. Identify each person who could consulted or who in any way assisted you in responding to this discovery request.

Robert F. Bauer - counsel

Thomas J. O'Connor D02 13 AUG 93

Subscribed and sworn to before me this 10th day of August, 1995.



Terrig L. Chapman
Notary Public

96043735043

Charles O'Connor

Response to Subpoena to
Produce Documents and Order to Submit Written Answers

1. For each of the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992, and December 7, 1993:

- a. describe the circumstances surrounding the making of the contribution, including the manner in which you made the contribution (i.e., by check, money order, etc.);

His father requested that he make a contribution to the Meehan campaign, with the agreement that his father would advance the funds but, having access to his savings account, repay himself.

- b. state whether you made the contribution in response to a solicitation and, if so, describe the solicitation, including the identity of the persons who made the solicitation and all communications between you and the persons identified in your response;

See a.

- c. state whether you received any form of compensation for the contribution, either before or after it was made, and, if so, describe in detail how you were compensated, including the source of the compensation, the method in which you were compensated (i.e., cash, check, money order, etc.), the total amount you received, and all communications between you and any other persons identified in your response; and

No "compensation" was expected or made, but see a. regarding advance of funds subject to repayment.

- d. produce a copy of your contribution checks and, if you responded affirmatively to section c of this question, produce a copy of all documents evidencing the compensation you received for making these contributions.

Not applicable.

2. Identify the bank account from which funds were drawn for the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992, and December 7, 1993. In addition, for each bank account.

- a. identify all signatories on the bank account;

Not applicable.

- b. identify the source of all funds deposited into the bank account; and

Not applicable.

- c. produce copies of all bank statements and check registers showing all activity for these bank accounts for the following periods: September 1, 1992, through November 30, 1992, and November 1, 1993, through January 31, 1994.

Not applicable.

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3. Identify each person who could consulted or who in any way assisted you in responding to this discovery request.

Robert F. Bauer - counsel

Charles Olenor D.O.B. 5/15/76

Subscribed and sworn to before me this 10th day of August, 1995.



Terri G. Chapman
Notary Public

2-6043735046

Thomas J. O'Connor, III

Response to Subpoena to
Produce Documents and Order to Submit Written Answers

1. For each of the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992, and December 7, 1993:

- a. describe the circumstances surrounding the making of the contribution, including the manner in which you made the contribution (i.e., by check, money order, etc.);

His father requested that he make a contribution to the Meehan campaign, with the agreement that his father would advance the funds but, having access to his savings account, repay himself.

- b. state whether you made the contribution in response to a solicitation and, if so, describe the solicitation, including the identity of the persons who made the solicitation and all communications between you and the persons identified in your response;

See a.

- c. state whether you received any form of compensation for the contribution, either before or after it was made, and, if so, describe in detail how you were compensated, including the source of the compensation, the method in which you were compensated (i.e., cash, check, money order, etc.), the total amount you received, and all communications between you and any other persons identified in your response; and

No "compensation" was expected or made, but see a. regarding advance of funds subject to repayment.

- d. produce a copy of your contribution checks and, if you responded affirmatively to section c of this question, produce a copy of all documents evidencing the compensation you received for making these contributions.

Not applicable.

2. Identify the bank account from which funds were drawn for the contributions you made to the Marty Meehan for Congress committee on October 19, 1992, and December 7, 1993. In addition, for each bank account.

- a. identify all signatories on the bank account;

Not applicable.

- b. identify the source of all funds deposited into the bank account;
and

Not applicable.

- c. produce copies of all bank statements and check registers showing all activity for these bank accounts for the following periods:
September 1, 1992, through November 30, 1992, and November 1, 1993, through January 31, 1994.

Not applicable.

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3. Identify each person who could consulted or who in any way assisted you in responding to this discovery request.

Robert F. Bauer - counsel

T.A. Clamer

Sept. 26, 1973 D.O.B.

Subscribed and sworn to before me this 10th day of August, 1995.



Terri G. Chapman
Notary Public

96043735049

Peter Favro

Response to Subpoena to
Produce Documents and Order to Submit Written Answers

1. For each of the contributions you made to the Marty Meehan for Congress Committee on October 19, 1992, and December 7, 1993:
- a. describe the circumstances surrounding the making of the contribution, including the manner in which you made the contribution (i.e., by check, money order, etc.);

Mr. Favro heard Thomas O'Connor mention the contributions he was seeking for his cousin, and he volunteered to contribute also. Mr. O'Connor noted that the contribution was needed immediately and offered to advance the funds for his contribution in return for repayment later. Mr. Favro made payments to Mr. O'Connor over time, in cash, to repay the obligation.

- b. state whether you made the contribution in response to a solicitation and, if so, describe the solicitation, including the identity of the persons who made the solicitation and all communications between you and the persons identified in your response;

See a.

96043735050

- 9 6 0 4 3 7 3 5 0 5 1
- c. state whether you received any form of compensation for the contribution, either before or after it was made, and, if so, describe in detail how you were compensated, including the source of the compensation, the method in which you were compensated (i.e., cash, check, money order, etc.), the total amount you received, and all communications between you and any other persons identified in your response; and

No. Mr. O'Connor did not "compensate" Mr. Favro but advanced the funds for the contribution with the agreement that he would be repaid later.

- d. produce a copy of your contribution checks and, if you responded affirmatively to section c of this question, produce a copy of all documents evidencing the compensation you received for making these contributions.

Not applicable.

- 2. Identify the bank account from which funds were drawn for the contributions you made to the Marty Meehan for Congress committee on October 19, 1992, and December 7, 1993. In addition, for each bank account.

- a. identify all signatories on the bank account;

Not applicable.

- b. identify the source of all funds deposited into the bank account; and

Not applicable.

- c. produce copies of all bank statements and check registers showing all activity for these bank accounts for the following periods: September 1, 1992, through November 30, 1992, and November 1, 1993, through January 31, 1994.

Not applicable.

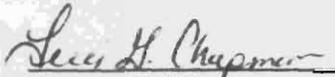
3. Identify each person who could consulted or who in any way assisted you in responding to this discovery request.

Robert F. Bauer - counsel

 5/14/73

Subscribed and sworn to before me this 10th day of August, 1995.




Notary Public

96043735052



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 31, 1996

Robert F. Bauer, Esq.
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

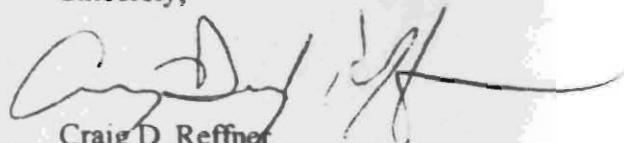
RE: MUR 4037
Thomas O'Connor

Dear Mr. Bauer:

This will confirm our January 31, 1996 telephone conversation concerning the above referenced matter. As we discussed, you will be submitting a response to the subpoena issued to your client, Thomas O'Connor, by the close of business on February 2, 1996.

If this letter does not accurately reflect our conversation, or if you have any questions, please contact me immediately so that I may address your concerns. My telephone number is (202) 219-3690.

Sincerely,


Craig D. Reffner
Attorney

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

96043735053

PERKINS COIE

A LAW PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
607 FORTLEATH STREET, N.W. · WASHINGTON, D.C. 20005-2011
TELEPHONE: (202) 628-6600 · FACSIMILE: (202) 434-1690

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

FEB 5 12 26 PM '96

ROBERT F. BAUER
(202) 434-1602

February 2, 1996

Craig D. Reffner, Esq.
Office of General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Re: MUR 4037
Thomas O'Connor

Dear Mr. Reffner:

Pursuant to our commitment to seek copies of certain documents not then in the possession of Mr. O'Connor, I have enclosed copies we have received as ordered from the bank in question. Also, there follows below the clarification you have requested of responses to the Subpoena for Documents and Order to Submit Written Answers dated May 30, 1995:

- (1) The cousin who solicited the contribution in the first instance was Dan Doyle of Lowell, Massachusetts.
- (2) The account used for all contributions was located in California Savings and Loan. This is a personal account of Mr. O'Connor, used to pay personal expenses. It held funds generated in the course of business activities, including wire transfers of payments by clients of Page International. A separate account of Page International was maintained at Bank of Walnut Creek in Walnut Creek, California, which also received client payments and from which business expenses were paid. The Page account, an account of a sole proprietorship, was not used for the payment of personal expenses.

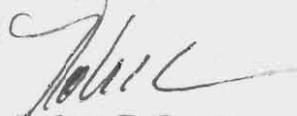
[23911-0001 DA960310.058]

26043735054

February 2, 1996
Page 2

If you have additional questions, please do not hesitate to contact me.

Very truly yours,



Robert F. Bauer
Counsel to Thomas O'Connor

RFB:rfb

Enclosures

96043735055



CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 ESTABLISHED 1887
 800 MARKET STREET • SAN FRANCISCO, CA 94102



018 09

13941747

DATE

OCT16-92

AMOUNT

*****\$1,000.00

PAY

*****\$1,000 DOLLARS AND 00 CENTS

TO THE ORDER OF

ONE THOUSAND DOLLARS AND 00 CENTS
 MARTY MEEHAN FOR CONGRESS COMMITTEE

10-21-92 7705 067
 -VOID AFTER 90 DAYS (-)

BY

RE: FOR GENERAL FROM J. J. O'CONNOR, III

J. J. O'CONNOR, III
Thomas E. Fisher

UNION BANK FINANCIAL INSTITUTIONS 50 CALIFORNIA ST. SAN FRANCISCO, CA 94111-4200

11/87 12/10



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 ESTABLISHED 1887
 800 MARKET STREET • SAN FRANCISCO, CA 94102



018 09

13941738

DATE

OCT16-92

AMOUNT

*****\$1,000.00

PAY

*****\$1,000 DOLLARS AND 00 CENTS

TO THE ORDER OF

ONE THOUSAND DOLLARS AND 00 CENTS
 MARTY MEEHAN FOR CONGRESS COMMITTEE

10-21-92 7705 067
 -VOID AFTER 90 DAYS (-)

BY

RE: FOR PRIMARY FROM J. J. O'CONNOR, III

J. J. O'CONNOR, III
Thomas E. Fisher

UNION BANK FINANCIAL INSTITUTIONS 50 CALIFORNIA ST. SAN FRANCISCO, CA 94111-4200

11/87 12/10

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For Deposit Only
THE MARTY MEEHAN
FOR CONGRESS COMMITTEE
880485594

For Deposit Only
THE MARTY MEEHAN
FOR CONGRESS COMMITTEE
880485594



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 800 MARKET STREET • SAN FRANCISCO, CA 94102
 ESTABLISHED 1887



018 05
 DEC 14 1993

DATE

14254443

AMOUNT

PAY

*****\$2,000 DOLLARS AND 00 CENTS

TO THE

ORDER

OF

••••• \$2,000 DOLLARS AND 00 CENTS
 ••MARTY MEHAN FOR CONGRESS COMMITTEE••
 RE: C. M. O'CONNOR S/S 586-56-5961
 1000.00 FOR 94 PRIMARY
 1000.00 FOR 94 GENERAL

BY

[Signature]
 ONE SIGNATURE REQUIRED FOR ORDER \$500



CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 800 MARKET STREET • SAN FRANCISCO, CA 94102
 ESTABLISHED 1887



018 05
 DEC 14 1993

DATE

14254434

AMOUNT

PAY

*****\$2,000 DOLLARS AND 00 CENTS

TO THE

ORDER

OF

••••• \$2,000 DOLLARS AND 00 CENTS
 ••MARTY MEHAN FOR CONGRESS COMMITTEE••
 RE: THOMAS O'CONNOR S/S 1032-32-5919
 1000.00 FOR 94 PRIMARY
 1000.00 FOR 94 GENERAL

BY

[Signature]
 ONE SIGNATURE REQUIRED FOR ORDER \$500

UNION BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4896

11 97
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DEC 06-93

*****\$2,000.00

For Deposit Only
THE MARTY MEEHAN
FOR CONGRESS COMMITTEE
880485594

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THE MARTY MEEHAN
FOR CONGRESS COMMITTEE
880485594

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Lowell Fed Co
P.O. Box 410
Lowell, MA 01603-0410

Lowell Fed Co
P.O. Box 410
Lowell, MA 01603-0410

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Lowell Fed Co
P.O. Box 410
Lowell, MA 01603-0410

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CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 800 MARKET STREET • SAN FRANCISCO, CA 94102
 ESTABLISHED 1887



14 1993
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DATE



DATE

UNION BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4696

14254416
 AMOUNT

PAY

*****\$2,000 DOLLARS AND 00 CENTS

••MARTY MEEHAN FOR CONGRESS COMMITTEE••

TO THE ORDER OF

RE: R. C. O'CONNOR 1000.00 FOR 94 PRIMARY AND 1000.00 FOR 94 GENERAL

478732882
 55#027-05-6339

BY *[Signature]*

VOID AFTER 90 DAYS

DEC06-93

*****\$2,000.00



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 ESTABLISHED 1887



018 05

DATE



DATE

UNION BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4696

14254425
 AMOUNT

PAY

*****\$2,000 DOLLARS AND 00 CENTS

••MARTY MEEHAN FOR CONGRESS COMMITTEE••

TO THE ORDER OF

RE: T. J. O'CONNOR S/S 116-54-2883

1000.00 FOR 94 PRIMARY
 1000.00 FOR 94 GENERAL

BY *[Signature]*

VOID AFTER 90 DAYS

DEC06-93

*****\$2,000.00

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THE MARTY MEEHAN
FOR CONGRESS COMMITTEE
880485594

For Deposit Only
THE MARTY MEEHAN
FOR CONGRESS COMMITTEE
880485594

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O. Box 440
MA 01850-0440
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018 09

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DATE

0CT16-92

AMOUNT

.....\$1,000.00

PAY

*****\$1,000.00 DOLLARS AND 00 CENTS

TO THE ORDER OF

ONE THOUSAND DOLLARS AND 00 CENTS
 MARTY MEEHAN FOR CONGRESS COMMITTEE

VOID AFTER 90 DAYS -

RE: FOR GENERAL FROM THOMAS J O'CONNOR

BY

John J. Meehan
Thomas J. O'Connor

11-97
1216

MEMBER BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4688



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 ESTABLISHED 1887
 800 MARKET STREET • SAN FRANCISCO, CA 94102



018 09

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DATE

OCT 19 1997

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AMOUNT

.....\$1,000.00

PAY

*****\$1,000 DOLLARS AND 00 CENTS

TO THE ORDER OF

ONE THOUSAND DOLLARS AND 00 CENTS
 MARTY MEEHAN FOR CONGRESS COMMITTEE

VOID AFTER 90 DAYS -

RE: FOR PRIMARY FROM THOMAS J O'CONNOR

BY

John J. Meehan
Thomas J. O'Connor

11-97
1216

MEMBER BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4688

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For Deposit Only
THE MARTY MEHAN
FOR CONGRESS COMMITTEE
880485594

For Deposit Only
THE MARTY MEHAN
FOR CONGRESS COMMITTEE
880485594

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ESTABLISHED 1887
800 MARKET STREET • SAN FRANCISCO, CA 94102



018 09

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AMOUNT

DATE

01119 1992

OCT16-92 *****\$1,000.00

*****\$1,000 DOLLARS AND 00 CENTS
ONE THOUSAND DOLLARS AND 00 CENTS

MARTY MEEHAN FOR CONGRESS COMMITTEE

PAY TO THE ORDER OF

VOID AFTER 90 DAYS

BY *Marty Meehan*

RE: FOR PRIMARY FROM C.M.O. CONNOR

UNION BANK FINANCIAL INSTITUTION 50 CALIFORNIA ST. SAN FRANCISCO, CA 94111-4202

Glenn E. Beecher

CALIFORNIA SAVINGS & LOAN
A FEDERAL ASSOCIATION
ESTABLISHED 1887
800 MARKET STREET • SAN FRANCISCO, CA 94102



018 09

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AMOUNT

DATE

01119 1992

OCT16-92 *****\$1,000.00

*****\$1,000 DOLLARS AND 00 CENTS
ONE THOUSAND DOLLARS AND 00 CENTS

MARTY MEEHAN FOR CONGRESS COMMITTEE

PAY TO THE ORDER OF

VOID AFTER 90 DAYS

BY *Marty Meehan*

RE: FOR GENERAL FROM C.M.O. CONNOR

UNION BANK FINANCIAL INSTITUTION 50 CALIFORNIA ST. SAN FRANCISCO, CA 94111-4202

Glenn E. Beecher

For Deposit Only
THE MARTY MEEHAN
FOR CONGRESS COMMITTEE
880485594

For Deposit Only
THE MARTY MEEHAN
FOR CONGRESS COMMITTEE
880485594

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

February 13, 1996

Robert F. Bauer, Esq.
Marc E. Elias, Esq.
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 4037
Thomas O'Connor

Dear Messrs. Bauer and Elias:

This will confirm my February 12, 1996 telephone conversation with Mr. Bauer concerning the above-referenced matter. As I explained, after reviewing your most recent response to the subpoena issued to Thomas O'Connor, there remain a number of unresolved issues in this matter. First, your client, Thomas O'Connor, should describe the circumstances surrounding the making of his December 7, 1993 contribution to the Marty Meehan for Congress Committee as well as his October 5, 1994 contribution to the Bill Baker for Congress Committee. For each contribution, Mr. O'Connor should describe the manner in which he made the contribution, e.g. check, money order, etc., and state whether he was solicited and if so, he should describe the solicitation and identify the person(s) who solicited him.

Second, Mr. O'Connor should identify all bank accounts from which funds were drawn for each of his contributions. Specifically, for each bank account, Mr. O'Connor should identify the account number as well as all signatories. He should also produce copies of all bank statements and check registers for each bank account, showing all activity for the following periods: September 1, 1992, through November 30, 1992; November 1, 1993, through January 31, 1994; and September 1, 1994, through November 30, 1994.

Third, Mr. O'Connor should identify all the people he solicited to contribute to the Marty Meehan for Congress Committee and the Bill Baker for Congress Committee. As we discussed, it appears that Mr. O'Connor solicited two of his sons, Charles O'Connor and Thomas O'Connor, III, and their friend, Peter Favro, to contribute to the Marty Meehan for Congress Committee. It also appears, based upon Mr. O'Connor's most recent response, that he may have solicited yet another family member, R.C. O'Connor, to contribute to the Marty Meehan for Congress Committee. In order to clarify the issue, Mr. O'Connor should affirmatively state whether he solicited any other

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED

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Robert F. Bauer and Marc E. Elias
MUR 4037
Page 2

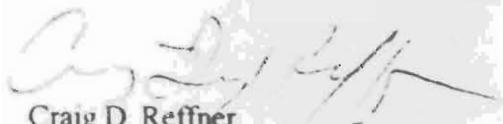
people, including, R C. O'Connor, Ron Peters, Carol Millken and Thomas O'Connor, Sr., to contribute to the Marty Meehan for Congress Committee and the Bill Baker for Congress Committee. For each person he identifies, Mr. O'Connor should describe his solicitation efforts.

Fourth, Mr. O'Connor should state whether he provided any compensation to any person for making contributions to the Marty Meehan for Congress Committee and the Bill Baker for Congress Committee. For example, in his initial response, Mr. O'Connor explained that he advanced funds to Charles O'Connor, Thomas O'Connor, III, and Peter Favro so that they could contribute to the Marty Meehan for Congress Committee. Mr. O'Connor should affirmatively state whether he compensated any other people for their contributions to the Marty Meehan for Congress Committee or the Bill Baker for Congress Committee. If so, Mr. O'Connor should identify each such person and, for each person identified, he should describe in detail how he provided the compensation, including the total amount of compensation he provided.

Finally, Mr. O'Connor's answers must be submitted under oath.

As we discussed, you have agreed to provide the information needed to resolve the issues set forth in this letter by the close of business on February 16, 1996. If this is incorrect, or if this letter does not accurately reflect our telephone conversation, please contact me immediately. My telephone number is (202) 219-3690.

Sincerely,



Craig D. Reffner
Staff Attorney

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FEB 20 1 17 PM '96

WRITTEN AND SWORN ANSWERS
OF THOMAS O'CONNOR
IN RESPONSE TO THE REQUEST OF
THE FEDERAL ELECTION COMMISSION

MUR 4037

1. I am providing this statement in response to a letter of the Federal Election Commission directed to my counsel, Robert F. Bauer, and dated February 13, 1996, setting out certain questions and requesting my sworn response.

2. The only individual who solicited me for a contribution to the Marty Meehan for Congress Committee was my cousin, Daniel Doyle, of Lowell, Massachusetts. I made the contribution to Mr. Meehan in the fashion that I described, by money order drawn on a personal account. At no time was I solicited for a contribution to the Bill Baker for Congress Committee. I had been impressed with the responses that Bill Baker's congressional office had supplied to me to certain questions that I had asked about various issues including Medicare. I secured the campaign address, and I made a contribution to Mr. Baker's campaign on my own initiative.

3. The only account from which funds were drawn for any of these contributions was the personal account identified to the Commission in previous

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responses that I have supplied, having submitted copies of the checks of California Savings and Loan to the Commission, the account number is reflected I believe in the documents previously submitted. I was the only signatory on that account. I no longer have copies of bank statements and check registers for this account. As of today, I have made a request to the bank to produce bank statements for the periods for which information was requested in the Commission's letter to my attorney. Those statements will confirm the account number.

4. The persons that I solicited for contributions to Marty Meehan and his congressional committee were:

Charles O'Connor, Thomas O'Connor, III, Peter Favro, Ron Peters, R.C. O'Connor (mother) and Carol Millken (ex-wife). I believe the Commission in its letter to my attorney has confused certain members of the O'Connor family with one another.

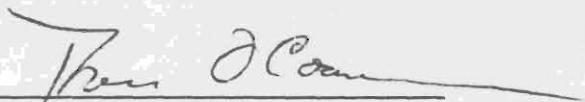
I am referred to as Thomas O'Connor and Thomas O'Connor Sr.: I have a son, Thomas O'Connor, III who is sometimes referred to as T.J. O'Connor. My father, also Thomas

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O'Connor, is deceased. To the best of my recollection, these are the only individuals that I solicited for a contribution to the Marty Meehan for Congress Committee.

I solicited only my sons, Thomas O'Connor, III and Charles O'Connor for contributions to Mr. Baker's campaign. T.J. O'Connor made a contribution, by personal check. Charles O'Connor declined to make a contribution in response to my solicitation.

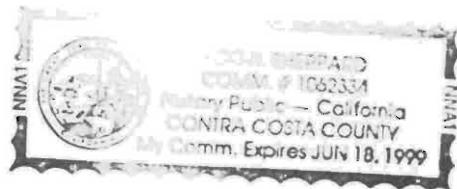
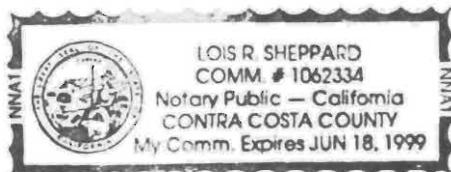
5. To my best of my recollection, I drew on my account for money orders in the name of all the individuals I solicited for contributions to the Marty Meehan for Congress Committee and who agreed to those contributions. I solicited these individuals in person or by phone and in the case of those I spoke to by phone, I may have solicited them more than once.


Thomas O'Connor

Subscribed and sworn to before me this 16th day of February, 1996.


Notary Public

My commission expires _____



96043735070



CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 800 MARKET STREET • SAN FRANCISCO, CA 94102



018 09



DATE

13941783

AMOUNT

OCT16-92 *****\$1,000.00

PAY

ONE THOUSAND DOLLARS AND 00 CENTS

••MARTY MEHAN FOR CONGRESS COMMITTEE••

TO THE ORDER OF

FOR CREDIT FROM THOMAS J. O'CONNOR

BY

Thomas J. O'Connor
 THOMAS J. O'CONNOR
 SAN FRANCISCO, CA 94111-4686

VOID AFTER 90 DAYS



CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 800 MARKET STREET • SAN FRANCISCO, CA 94102



018 09



DATE

13941774

AMOUNT

OCT16-92 *****\$1,000.00

PAY

ONE THOUSAND DOLLARS AND 00 CENTS

••MARTY MEHAN FOR CONGRESS COMMITTEE••

TO THE ORDER OF

FOR CREDIT FROM THOMAS J. O'CONNOR

BY

Thomas J. O'Connor
 THOMAS J. O'CONNOR
 SAN FRANCISCO, CA 94111-4686

VOID AFTER 90 DAYS

UNION BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4686

11 97
 1210

UNION BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4686

11 97
 1210



CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 ESTABLISHED 1887
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018 09

OCT 19 1992

••••• \$1,000 DOLLARS AND 00 CENTS
 ••MARTY MEHAN FOR CONGRESS COMMITTEE••

13941756

AMOUNT

OCT 16 -92

••••• \$1,000.00

PAY TO THE ORDER OF

RE: FOR PRIMARY FROM E.M.O'CONNOR

BY *[Signature]*
 AUTHORIZED SIGNATURE REQUIRED IF UNDER \$500

11 97

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UNION BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4686



CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 ESTABLISHED 1887
 800 MARKET STREET • SAN FRANCISCO, CA 94102



018 09

OCT 19 1992

••••• \$1,000 DOLLARS AND 00 CENTS
 ••MARTY MEHAN FOR CONGRESS COMMITTEE••

13941765

AMOUNT

OCT 16 -92

••••• \$1,000.00

PAY TO THE ORDER OF

RE: FOR GENERAL FROM E.M.O'CONNOR

BY *[Signature]*
 AUTHORIZED SIGNATURE REQUIRED IF UNDER \$500

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UNION BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4686

020517



CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 800 MARKET STREET • SAN FRANCISCO, CA 94102

ESTABLISHED IN 1911

UNION BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4696



018 09

DATE

13941747

AMOUNT

PAY

*****\$1,000 DOLLARS AND 00 CENTS

••MARTY MEHAN FOR CONGRESS COMMITTEE••

TO THE ORDER OF

HE: FOR GENERAL FROM JUDY O'CONNOR

BY

Judy O'Connor

EXPIRES 30 DAYS AFTER DATE



CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 800 MARKET STREET • SAN FRANCISCO, CA 94102

ESTABLISHED 1887

UNION BANK
 FINANCIAL INSTITUTION
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4696



018 09

DATE

13941738

AMOUNT

PAY

*****\$1,000 DOLLARS AND 00 CENTS

••MARTY MEHAN FOR CONGRESS COMMITTEE••

TO THE ORDER OF

RE: FOR PRIMARY FROM JUDY O'CONNOR

BY

Judy O'Connor

EXPIRES 30 DAYS AFTER DATE

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1210

11 97
1210

CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 ESTABLISHED 1887
 800 MARKET STREET • SAN FRANCISCO, CA 94102



018 05
 DEC 14 1993

14254434

DATE

DEC06-93\$2,000.00

AMOUNT

PAY TO THE ORDER OF

••••• \$2,000 DOLLARS AND 00 CENTS
 TWO THOUSAND DOLLARS AND 00 CENTS
 ••MARTY MEEHAN FOR CONGRESS COMMITTEE••
 RE: C. M. O'CONNOR S/S 586566-5961
 1000.00 FOR 94 PRIMARY
 1000.00 FOR 94 GENERAL

BY *[Signature]*
 ONE MONTH CURED UNDER WRIT

11-97
 1210

UNION BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4698

CALIFORNIA SAVINGS & LOAN
 A FEDERAL ASSOCIATION
 ESTABLISHED 1887
 800 MARKET STREET • SAN FRANCISCO, CA 94102



018 05
 DEC 14 1993

14254434

DATE

DEC06-93\$2,000.00

AMOUNT

PAY TO THE ORDER OF

••••• \$2,000 DOLLARS AND 00 CENTS
 TWO THOUSAND DOLLARS AND 00 CENTS
 ••MARTY MEEHAN FOR CONGRESS COMMITTEE••
 RE: THOMAS O'CONNOR S/S 022-325818
 1000.00 FOR 94 PRIMARY
 1000.00 FOR 94 GENERAL

BY *[Signature]*
 ONE MONTH CURED UNDER WRIT

11-97
 1210

UNION BANK
 FINANCIAL INSTITUTIONS
 50 CALIFORNIA ST
 SAN FRANCISCO, CA 94111-4698

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CALIFORNIA SAVINGS & LOAN
A FEDERAL ASSOCIATION
ESTABLISHED 1887
800 MARKET STREET • SAN FRANCISCO, CA 94102



018 05

14254416
AMOUNT

DATE

DEC06-93\$2,000.00

PAY TO THE ORDER OF
••••• \$2,000 DOLLARS AND 00 CENTS
TWO THOUSAND DOLLARS AND 00 CENTS

••MARTY MEEHAN FOR CONGRESS COMMITTEE••

RE: R.C.O'CONNOR 1000.00 FOR 94 PRIMARY AND
55#027-05-6339 1000.00 FOR 94 GENERAL

BY *[Signature]*
VOID AFTER 90 DAYS -



CALIFORNIA SAVINGS & LOAN
A FEDERAL ASSOCIATION
ESTABLISHED 1887
800 MARKET STREET • SAN FRANCISCO, CA 94102



018 05

14254425
AMOUNT

DATE

DEC06-93\$2,000.00

PAY TO THE ORDER OF
••••• \$2,000 DOLLARS AND 00 CENTS
TWO THOUSAND DOLLARS AND 00 CENTS

••MARTY MEEHAN FOR CONGRESS COMMITTEE••

RE: T.J.O'CONNOR S/S 115-54-2883
1000.00 FOR 94 PRIMARY
1000.00 FOR 94 GENERAL

BY *[Signature]*
VOID AFTER 90 DAYS -

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

APR 9 11 56 AM '96
MUR 4037

In the Matter of)
)
Peter Favro, Jr.)
Carol Millken)
Thomas O'Connor, Jr.)
Thomas O'Connor, III)
Charles O'Connor)
Ruth C. O'Connor)
Ron Peters)
Marty Meehan for Congress and)
Mary Anastopoulos, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

The Commission previously found reason to believe that Thomas O'Connor, two of his sons, Thomas O'Connor, III, and Charles O'Connor, and a fourth person, Peter Favro, each violated 2 U.S.C. § 441f. The available information showed that Mr. O'Connor and his sons, who were identified as "students" in disclosure reports, made contributions on the same dates and in the same amounts to Marty Meehan for Congress (the "Meehan Committee") in connection with the 1992 and 1994 elections. Disclosure reports similarly showed that Mr. Favro was also a "student" and that he resided in the same area as Mr. O'Connor and his two sons. Although Mr. Favro did not make his contribution on either of the dates Mr. O'Connor and his sons did, he did make a contribution on the same date as Ron Peters, who resides in a neighboring community and who is also apparently employed at the company Mr. O'Connor then presided over, Page International.

At the time of the Commission's findings, there were yet other contributions made to the Meehan Committee which appeared suspect. They included contributions from Carol Millken and Ron Peters, who each contributed the same amount, \$2,000, on the same date, July 23, 1993, as Peter Favro. Ms. Millken apparently resided in the same geographic area as the other

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Respondents while, as noted, Mr. Peters was employed at the business Mr. O'Connor presided over. They also included contributions from Ruth O'Connor, who contributed the same amount, \$2,000, on the same date, December 7, 1993, as Mr. O'Connor and his two sons did in connection with the 1994 elections. In addition, a review of disclosure reports showed that after the complaint in this matter was filed, Bill Baker for Congress (the "Baker Committee") disclosed receiving contributions of \$1,000 each from Thomas O'Connor, Sr., and Thomas O'Connor, Jr., on October 5, 1994. However, in an effort to resolve this matter through limited discovery, the Commission made no determination with respect to these other individuals or the Meehan and Baker Committees and instead issued subpoenas to Mr. O'Connor, his two sons and Mr. Favro, since their roles in the reimbursement scheme appeared more defined. See First General Counsel's Report signed May 17, 1995, at 6-7.

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II. DISCUSSION

In response to the Commission's reason-to-believe findings and subpoenas, Mr. O'Connor admitted using the names of six other Respondents in this matter to make contributions to the Meehan Committee and requested to enter into pre-probable cause conciliation negotiation. Attachment A. Initially, the information produced by counsel showed that Mr. O'Connor only used the names of his two sons and Mr. Favro to make contributions to the Meehan Committee. Id. at 1 and 4. This response, however, was incomplete and, after repeated requests from this Office, counsel submitted additional information, including a statement from Mr. O'Connor in which he admitted using the names of the other Respondents in this matter to make contributions to the Meehan Committee. Id. at 24-26.

The chart below shows the various contributions Mr. O'Connor has acknowledged making, including the contributions he made in his own name.

<u>Name of Contributor</u>	<u>Amount of Contribution</u>	<u>Date of Contribution</u>
Thomas O'Connor, Jr.	\$2,000	10-19-92
Thomas O'Connor, III	\$2,000	10-19-92
Charles O'Connor	\$2,000	10-19-92
Carol Millken	\$2,000	07-23-93
Ron Peters	\$2,000	07-23-93
Peter Favro	\$2,000	07-23-93
Ruth C. O'Connor	\$2,000	12-07-93
Thomas O'Connor, Jr.	\$2,000	12-07-93
Thomas O'Connor, III	\$2,000	12-07-93
Charles O'Connor	\$2,000	12-07-93

According to Mr. O'Connor, he solicited all of the individuals whose names he used and, in his own words, "drew on [his] account for money orders in the name[s] of all the[se] individuals . . . for contributions to the Marty Meehan for Congress Committee." *Id.* at 26.

Counsel also produced copies of some of the cashier's checks that Mr. O'Connor purchased using the names of certain conduits in this Section 441f scheme. *Id.* at 14-23.

As noted above, the Commission previously found reason to believe that Thomas O'Connor, III, Charles O'Connor and Peter Favro each violated 2 U.S.C. § 441f by permitting Mr. O'Connor to use their names to make contributions in connection with a Federal election. Based upon the information gathered thus far, it now appears that the other individuals in this matter, namely Ron Peters, Ruth O'Connor and Carol Millken, also permitted Mr. O'Connor to use their names to make contributions to the Meehan Committee. In fact, Mr. O'Connor has acknowledged soliciting these individuals to contribute to the Meehan Committee. Accordingly, this Office recommends that the Commission find reason to believe that Ron Peters, Ruth O'Connor and Carol Millken each violated 2 U.S.C. § 441f.

With regard to the source of funds used to make these contributions, counsel maintains that Mr. O'Connor drew upon funds from his personal checking account at California Savings and

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Loan. Copies of bank statements for this account were produced. Attachment A at 27-39. According to counsel, this account "held funds generated in the course of business activities, including wire transfers of payments by clients of Page International." *Id.* at 12-13. Counsel identified Page International as a sole proprietorship owned by Mr. O'Connor at the time the contributions in this matter were made, noting that a separate account for Mr. O'Connor's business expenses was maintained in the name of Page International at Bank of Walnut Creek in Walnut Creek, California. *Id.* In a statement made under oath, Mr. O'Connor maintains that "[t]he only account from which funds were drawn for any of [the] contributions was the personal account identified to the Commission in previous responses," referring apparently to the California Savings and Loan personal checking account. *Id.* at 24-26.

Given Mr. O'Connor's statement, under oath, that he used funds from his personal account to make these contributions to the Meehan Committee, it appears that he made an excessive contribution in violation of 2 U.S.C. § 441a(a)(1)(A). Indeed, section 441f schemes by their very nature almost always involve attempts to evade the Act's contribution limitation and there is every indication that Mr. O'Connor attempted to do so here. The evidence shows that Mr. O'Connor was apparently aware of the \$1,000 contribution limit for individual contributions to candidates. In fact, Mr. O'Connor made several contributions in his own name to the Meehan Committee, each in the amount of \$1,000. Having satisfied the Act's contribution limitation with his own contributions, Mr. O'Connor then used the names of other individuals to make yet additional \$1,000 contributions in an apparent attempt to evade this contribution limitation. In short, it appears that Mr. O'Connor knowingly and wilfully sought to violate the Act. Accordingly, this Office recommends that the Commission find reason to believe that Thomas O'Connor, Jr., knowingly and wilfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

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Even with the admissions made thus far, certain aspects of Respondents' activities nonetheless remain unclear. However, this Office believes that the value of resolving these additional issues is offset by the information presently available, the efforts that likely would be involved to clarify these issues and Respondents' expressed desire to settle this matter at this juncture. For example, it is unclear whether the two \$1,000 contributions to the Baker Committee also involve a violation of Section 441f. According to Respondents, these contributions, which Committee disclosure reports show were made by Thomas O'Connor, Sr., and Thomas O'Connor, Jr., were actually made by Thomas O'Connor, Jr., and his son, Thomas O'Connor, III, the latter of whom purportedly contributed using a "personal check." Attachment A at 26. Counsel, however, has yet to produce a copy of the contribution check to the Baker Committee, which would enable us to confirm the actual name of the contributor. Even then, however, we would still need to determine whose funds were used to make the contribution and even if Thomas O'Connor, III, had permitted his father to use his name to make the additional contribution, the amount in violation would only increase by \$1,000.

Similarly, the cashier's checks and bank statements produced by counsel do not, on their face, show that Mr. O'Connor used funds from his account at California Savings and Loan to make the contributions in this matter. Indeed, unlike a personal check, a cashier's check does not establish that it was drawn using funds from any particular depositor's account. Likewise, the copies of the account statements do not include any particular transaction that corresponds exactly with the withdrawal of funds needed to make the various contributions at issue here. For example, the first contributions that Thomas O'Connor made to the Meehan Committee involve the purchase of six \$1,000 cashier's checks on October 16, 1992, yet the statements of his account reveal no transaction involving exactly \$6,000 at any time during the month of October 1992. It is

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possible that Mr. O'Connor purchased the cashier's checks with funds from a larger than necessary withdrawal or a series of small withdrawals over time. However, even if further investigatory efforts show that Mr. O'Connor used funds from the bank account for Page International, this would merely confirm that he made an excessive contribution as counsel has stated that Page International is a sole proprietorship, owned by Mr. O'Connor, and not a corporation.

In addition, it is unclear what role the Meehan Committee may have had in soliciting and accepting the contributions in this case. It does appear that Mr. O'Connor was solicited by a relative associated with the Committee and the cashier's checks that Mr. O'Connor eventually purchased and sent to the Meehan Committee are sequentially numbered. See MUR 3449 Dukakis/Bentsen Committee (Section 441f reason-to-believe finding supported, inter alia, by receipt of seven sequentially numbered \$100 money orders from the same financial institution). Resolution of this issue would require substantial additional discovery. Given the likely successful resolution of this matter through conciliation with respect to Mr. O'Connor and the six conduits, this Office recommends that the Commission exercise its prosecutorial discretion and not pursue the Meehan Committee's potential involvement in the contributions at issue here.

In short, although some ancillary issues here have not been investigated, the central components of the violations in this matter are clear and Respondents have requested to enter into pre-probable cause conciliation. Accordingly, this Office recommends that the Commission enter into conciliation negotiations with Thomas O'Connor, Jr., Thomas O'Connor, III, Charles O'Connor, Peter Favro, Ron Peters, Carol Millken and Ruth O'Connor without further discovery.

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III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

Attached for the Commission's approval are seven conciliation agreements.

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In all, this Office believes the attached proposed conciliation agreements may bring about an expeditious resolution of this matter without further investigatory efforts. We recommend that the Commission approve the attached conciliation proposals.

IV. RECOMMENDATIONS

1. Find reason to believe that Ruth C. O'Connor, Ron Peters and Carol Millken each violated 2 U.S.C. § 441f.
2. Find reason to believe that Thomas O'Connor, Jr., knowingly and wilfully violated 2 U.S.C. § 441a(a)(1)(A) and 441f.
3. Enter into conciliation with Thomas O'Connor, Thomas O'Connor, III, Charles O'Connor, Peter Favro, Ron Peters, Carol Millken and Ruth O'Connor prior to a finding of probable cause to believe.
4. Approve the attached proposed conciliation agreements (7), the Factual and Legal Analyses (4) and the appropriate letters.

Lawrence M. Noble
General Counsel

4/8/96

Date

BY:



Lois G. Lerner
Associate General Counsel

Attachments

- A. Responses to Subpoenas and Request for Conciliation
- B. Proposed Factual and Legal Analyses (4)
- C. Proposed Conciliation Agreements (7)

Staff assigned: Craig D. Reffner

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/BONNIE J. ROSS 
COMMISSION SECRETARY

DATE: APRIL 12, 1996

SUBJECT: MUR 4037 - GENERAL COUNSEL'S REPORT
DATED APRIL 8, 1996.

The above-captioned document was circulated to the Commission
on: Tuesday, April 9, 1996 at 4:00 p.m.

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

- Commissioner Aikens xxx
- Commissioner Elliott xxx
- Commissioner McDonald _____
- Commissioner McGarry _____
- Commissioner Potter _____
- Commissioner Thomas xxx

This matter will be placed on the meeting agenda for:
Wednesday, April 17, 1996

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

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 4037
Peter Favro, Jr.;)
Carol Millken;)
Thomas O'Connor, Jr.;)
Thomas O'Connor, III.;)
Charles O'Connor;)
Ruth C. O'Connor;)
Ron Peters;)
Marty Neehan for Congress and)
Mary Anastopoulos, as treasurer)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on April 17, 1996, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions in MUR 4037:

1. Find reason to believe that Ruth C. O'Connor, Ron Peters, and Carol Millken each violated 2 U.S.C. § 441f.
2. Find reason to believe that Thomas O'Connor, Jr., knowingly and willfully violated 2 U.S.C. § 441a(a)(1)(A) and § 441f.
3. Enter into conciliation with Thomas O'Connor, Thomas O'Connor, III, Charles O'Connor, Peter Favro, Ron Peters, Carol Millken and Ruth O'Connor prior to a finding of probable cause to believe.

(continued)

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4. Approve the proposed conciliation agreements, the Factual and Legal Analyses, and the appropriate letters as recommended in the General Counsel's April 8, 1996 report

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

Attest:

4-18-96
Date

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

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 23, 1996

Ruth C. O'Connor
59 Mill Street
#302
Dracut, MA 01826

RE: MUR 4037

Dear Ms. O'Connor:

On , August 19, 1994, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on April 17, 1996, found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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 receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, 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.

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.

Celebrating the Commission's 20th Anniversary

YESTERDAY, TODAY AND TOMORROW
DEDICATED TO KEEPING THE PUBLIC INFORMED.

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Ruth C. O'Connor
Page 2

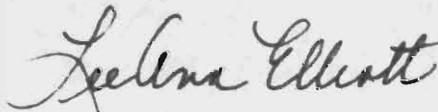
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 matter 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 Craig Refiner, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Lee Ann Elliott
Chairman

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

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Ruth C. O'Connor

MUR: 4037

I. GENERATION OF MATTER

This matter was generated by a complaint filed with the Federal Election Commission (the "Commission") by Joseph W. Paolilli, Jr., who alleges that Ruth C. O'Connor permitted her name to be used to make contributions to the Marty Meehan for Congress Committee (the "Committee"). See 2 U.S.C. § 437g(a)(1).

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to Section 441f of the Federal Election Campaign Act of 1971, as amended (the "Act"), "[n]o person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution."

According to Mr. Paolilli, disclosure reports filed with the Commission by the Committee show that Ruth C. O'Connor contributed to the Committee on the same date and in the same amount as other individuals. The complainant notes that some of these contributions came from individuals identified as students and avers that, under the circumstances, the various contributions may have been made by another person. The contributions Mr. Paolilli identifies are as follows

<u>Name of Contributor</u>	<u>Amount of Contribution</u>	<u>Date of Contribution</u>
Thomas O'Connor, Jr.	\$2,000	10-19-92
Thomas O'Connor, III	\$2,000	10-19-92
Charles O'Connor	\$2,000	10-19-92
Carol Millken	\$2,000	07-23-93
Ron Peters	\$2,000	07-23-93
Peter Favro	\$2,000	07-23-93
Ruth C. O'Connor	\$2,000	12-07-93
Thomas O'Connor, Jr.	\$2,000	12-07-93
Thomas O'Connor, III	\$2,000	12-07-93
Charles O'Connor	\$2,000	12-07-93

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In response to the complaint, Ruth O'Connor states: "I personally contributed two thousand dollars (\$2,000,) to the congressional campaign Committee to elect Martin Meehan." Although Ruth O'Connor acknowledges making the contributions in question, her response was not made under oath and she does not explicitly address the allegation that she permitted her name to be used by another to make a contribution to the Committee. Moreover, Thomas O'Connor, who also contributed \$2,000 to the Committee on December 7, 1993, has since admitted that he solicited Ruth O'Connor to contribute to the Committee and that he purchased a cashier's check in her name using his personal funds to make an additional contribution to the Committee. Under these circumstances, it appears that Ruth O'Connor permitted Thomas O'Connor to use her name to make a contribution to the Committee.

Therefore, there is reason to believe that Ruth O'Connor violated 2 U.S.C. § 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 23, 1996

Robert Bauer, Esq.
Perkins Coie
607 Fourteenth Street, N.W.
Washington, DC 20005-2011

RE: MUR 4037
Thomas O'Connor, Jr., Thomas O'Connor, III,
Charles O'Connor, and Peter Favro

Dear Mr. Bauer:

On May 23, 1995, the Federal Election Commission (the "Commission") found reason to believe that your clients, Thomas O'Connor, Jr., Thomas O'Connor, III, Charles O'Connor and Peter Favro, each violated 2 U.S.C. § 441f. Subsequently, on April 17, 1996, the Commission found reason to believe that Thomas O'Connor, Jr., knowing and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f. The Factual and Legal Analysis, which formed a basis for the Commission's most recent finding, is attached for your information.

In addition, at your request on April 17, 1996, the Commission determined to enter into negotiations directed towards reaching conciliation agreements in settlement of this matter prior to a finding of probable cause to believe.

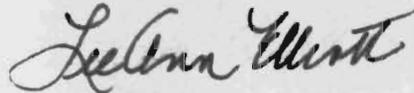
Enclosed are four conciliation agreements that the Commission has approved in settlement of this matter. If your clients agree with the provisions of the enclosed agreements, please sign and return them along with the respective civil penalties, to the Commission. In light of the fact that conciliation 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.

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Robert Bauer, Esq.
Page 2

If you have any questions or suggestions for changes in these agreements, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Craig D. Reffner, the staff attorney assigned to this matter at (202) 219-3400.

Sincerely,



Lee Ann Elliott
Chairman

Enclosure
Conciliation Agreements (4)
Factual and Legal Analyses

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Thomas O'Connor, Jr.

MUR 4037

I. BACKGROUND

Based upon a complaint and the responses received thereto, the Federal Election Commission ("Commission"), on May 23, 1995, found reason to believe that Thomas O'Connor violated 2 U.S.C. § 441f by using the names of two of his sons, Thomas O'Connor, III, and Charles O'Connor, as well as Peter Favro to make contributions to the Marty Meehan for Congress Committee (the "Committee"). See 2 U.S.C. § 437g(a)(1).

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to Section 441f of the Federal Election Campaign Act of 1971, as amended (the "Act"), "[n]o person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution." In addition, the Act provides that no person shall make a contribution to any candidate and his authorized political committee with respect to any election for Federal office which, in the aggregate, exceed \$1,000. 2 U.S.C. § 441a(a)(1)(A).

During the investigation of this matter, counsel submitted a statement from Thomas O'Connor in which he admitted to using not only the names of his two sons and Mr. Favro, but three other individuals as well. The chart below shows the contributions that O'Connor has acknowledged making, including the contributions he made in his own name.

<u>Name of Contributor</u>	<u>Amount of Contribution</u>	<u>Date of Contribution</u>
Thomas O'Connor, Jr.	\$2,000	10-19-92
Thomas O'Connor, III	\$2,000	10-19-92

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Charles O'Connor	\$2,000	10-19-92
Carol Milliken	\$2,000	01-23-93
Ron Peters	\$2,000	07-23-93
Peter Favro	\$2,000	07-23-93
Ruth C. O'Connor	\$2,000	12-07-93
Thomas O'Connor, Jr.	\$2,000	12-07-93
Thomas O'Connor, III	\$2,000	12-07-93
Charles O'Connor	\$2,000	12-07-93

In all, Mr. O'Connor used the names of six individuals to make some \$16,000 in contributions to the Meehan Committee during the 1992 and 1994 elections in violation of 2 U.S.C. § 441f. According to Mr. O'Connor, he solicited all of the individuals whose names he used and, in his own words, "drew on [his] account for money orders in the name[s] of all the[se] individuals . . . for contributions to the Marty Meehan for Congress Committee."

Counsel also explained that the bank account identified in the earlier responses is Mr. O'Connor's personal account. Copies of the bank statements for this account were eventually produced. According to counsel, this account "held funds generated in the course of business activities, including wire transfers of payments by clients of Page International." Counsel identified Page International as a sole proprietorship owned by Mr. O'Connor at the time the contributions in this matter were made, noting that a separate account for Mr. O'Connor's business expenses was maintained in the name of Page International at Bank of Walnut Creek in Walnut Creek, California. In a statement made under oath, Mr. O'Connor maintains that "[t]he only account from which funds were drawn for any of [the] contributions was the personal account identified to the Commission in previous responses . . . having submitted copies of the checks of

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California Savings and Loan to the Commission, the account number is reflected I believe in the documents previously submitted.”

Given Mr. O'Connor's statement, under oath, that he used funds from his personal account to make these contributions to the Meehan Committee, it appears that he made an excessive contribution in violation of 2 U.S.C. § 441a(a)(1)(A) during the 1992 elections as well as the 1994 elections. The contributions he made in 1992 exceeded the limitations for the 1992 primary election by \$2,000 and the limitations for the 1992 general election by \$2,000. The contributions he made in 1993 exceeded the limitations for the 1994 primary election by \$6,000 and the limitations for the 1994 general by \$6,000.

Moreover, section 441f schemes by their very nature almost always involve attempts to evade the Act's contribution limitation and there is every indication that Mr. O'Connor attempted to do so here. The evidence shows that Mr. O'Connor was apparently aware of the \$1,000 contribution limit for individual contributions to candidates. In fact, Mr. O'Connor made several contributions in his own name to the Meehan Committee, each in the amount of \$1,000. Having satisfied the Act's contribution limitation with his own contributions, Mr. O'Connor then used the names of other individuals to make yet additional \$1,000 contributions in an apparent attempt to evade this contribution limitation. In short, it appears that Mr. O'Connor knowingly and wilfully sought to violate the Act by making various contributions in the names of others in an effort to contribute more than he was lawfully allowed in connection with a Federal election.

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Accordingly, there is reason to believe that Thomas O'Connor, Jr., knowingly and wilfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 23, 1996

Ron Peters
4995 Wagonwheel Way
Richmond, CA 94803

RE: MUR 4037

Dear Mr. Peters:

On , August 19, 1994, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on April 17, 1996, found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Act. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

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 receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of additional information, 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.

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.

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Ron Peters
Page 2

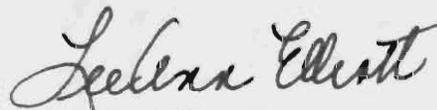
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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 matter 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 Craig Reffner, the attorney assigned to this matter, at (202) 219-3400.

Sincerely,



Lee Ann Elliott
Chairman

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

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FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Ron Peters

MUR: 4037

I. GENERATION OF MATTER

This matter was generated by a complaint filed with the Federal Election Commission (the "Commission") by Joseph W. Paolilli, Jr., who alleges that Ron Peters permitted his name to be used to make contributions to the Marty Meehan for Congress Committee (the "Committee"). See 2 U.S.C. § 437g(a)(1).

II. FACTUAL AND LEGAL ANALYSIS

Pursuant to Section 441f of the Federal Election Campaign Act of 1971, as amended (the "Act"), "[n]o person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution."

According to Mr. Paolilli, disclosure reports filed with the Commission by the Committee show that Ron Peters contributed to the Committee on the same date and in the same amount as other individuals. The complainant notes that some of these contributions came from individuals identified as students and avers that, under the circumstances, the various contributions may have been made by another person. The contributions Mr. Paolilli identifies are as follows:

<u>Name of Contributor</u>	<u>Amount of Contribution</u>	<u>Date of Contribution</u>
Thomas O'Connor, Jr.	\$2,000	10-19-92
Thomas O'Connor, III	\$2,000	10-19-92
Charles O'Connor	\$2,000	10-19-92
Carol Millken	\$2,000	07-23-93
Ron Peters	\$2,000	07-23-93
Peter Favro	\$2,000	07-23-93
Ruth C. O'Connor	\$2,000	12-07-93
Thomas O'Connor, Jr.	\$2,000	12-07-93
Thomas O'Connor, III	\$2,000	12-07-93
Charles O'Connor	\$2,000	12-07-93

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In response to the complaint, Mr. Peters states: "This is to certify that my donation to Marty Meehan's campaign is fact, using my own monies." Although Mr. Peters acknowledges making the contributions in question, his response was not made under oath and he does not explicitly address the allegation that he permitted his name to be used by another to make a contribution to the Committee. In addition, disclosure reports show that Mr. Peters is employed as the "Office Manager" at Page International, which is the company that Thomas O'Connor presides over and Mr. O'Connor has since admitted that he solicited Ron Peters to contribute to the Committee and that he purchased a cashier's check in Mr. Peter's name using his own personal funds to make a contribution to the Committee. Under these circumstances, it appears that Ron Peters permitted Thomas O'Connor to use his name to make a contribution to the Committee.

Therefore, there is reason to believe that Ron Peters violated 2 U.S.C. § 441f.

96043735100

STATEMENT OF DESIGNATION OF COUNSEL

NUM MUR 4037

NAME OF COUNSEL: MR. R.F. BAVER

ADDRESS: Perkins - Coie
607 14th St. N.W.
WASH D.C. 2005-2011

TELEPHONE: Phone 202-666-6600
FAX 202-434-1690

RECEIVED
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COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 9 12 17 PM '96

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.

29 Apr 96
Date

Ruth C. O'Connor
Signature

RESPONDENT'S NAME: R C O'Connor

ADDRESS: 59 MILL ST #302
DRACT MASS. 01826

HOME PHONE: _____

BUSINESS PHONE: _____

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Copy of original sent via PRIORITY MAIL

BEFORE THE FEDERAL ELECTION COMMISSION

MAY 30 12 34 PM '80
MUR 4037

In the Matter of)
)
Peter Favro, Jr.)
Carol Millken)
Thomas O'Connor, Jr.)
Thomas O'Connor, III)
Charles O'Connor)
Ruth C. O'Connor)
Ron Peters)
Marty Meehan for Congress and)
Mary Anastopoulos, as treasurer)

SENSITIVE

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement signed by counsel for Respondents. Attachment. This agreement concerns some \$16,000 in contributions that Mr. O'Connor made to Marty Meehan for Congress (the "Meehan Committee") using the names of six other individuals, including two of his sons, Thomas O'Connor, III, and Charles O'Connor, his sons' college friend, Peter Favro, his mother, Ruth O'Connor, his ex-wife, Carol Millken, and a former employee of his business, Ron Peters. For the reasons set forth below, this Office recommends that the Commission accept the attached agreement and close the file in this matter.

II. DISCUSSION

Initially, the Commission approved seven conciliation agreements in settlement of this matter: one agreement for Mr. O'Connor and six agreements for the six individuals who permitted him to use their names to make the contributions at issue in this matter.

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The attached conciliation agreement submitted by counsel provides for an admission that Mr. O'Connor knowingly and willfully violated 2 U.S.C. §§ 441f and 441a(a)(1)(A) and includes a civil penalty of \$35,000. This agreement also includes language that shows that "Thomas O'Connor, Jr., accepts full responsibility for his actions, and further accepts responsibility for causing the participation in these unlawful contributions of family members and friends who relied upon Mr. O'Connor's request for assistance and who believed that they could make contributions in this manner." Attachment at Section VI.

Under the circumstances presented in this matter, this Office believes that the attached conciliation agreement constitutes an acceptable resolution of this matter. Indeed, this Office's investigation has shown that Thomas O'Connor is the individual who had the pivotal role in the Section 441f scheme in this matter and that the individuals whose names he used to make the contributions in question were either members of his family or his friends who, as counsel explains, were merely responding to Mr. O'Connor's request for assistance.

In short, the attached conciliation agreement represents Mr. O'Connor's greater degree of culpability, as reflected in his admission of having knowingly and willfully violated the Act as well as his offer to pay a civil penalty of \$35,000, which is more than 200% of the amount of contributions that he made using the names of his family members and friends. Accordingly, this Office recommends that the Commission accept the attached conciliation agreement, take no further action against the other Respondents in this matter and close the file.

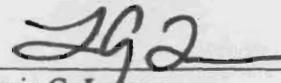
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III. RECOMMENDATIONS

- 1. Accept the attached agreement from Thomas O'Connor, Jr.
- 2. Take no further action against Thomas O'Connor, III, Charles O'Connor, Ruth C. O'Connor, Carol Millken, Peter Favro and Ron Peters.
- 3. Close the file.

Lawrence M. Noble
General Counsel

5/29/96
Date

BY: 
Lois G. Lerner
Associate General Counsel

Attachment
Conciliation Agreement

Staff assigned: Craig D. Reffner

96043735104



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

June 13, 1996

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Joseph W. Paolilli, Jr.
45 Richardson Road
N. Cheimsford, MA 01863

RE: MUR 4037

Dear Mr. Paolilli:

This is in reference to the complaint you filed with the Federal Election Commission on August 12, 1994, concerning various contributions made to Marty Meehan for Congress and Mary Anastopoulos, as treasurer ("the Committee"), by Peter Favro, Jr., Carol Millken, Ron Peters, Thomas O'Connor, Jr., Thomas O'Connor, III, Charles O'Connor and Ruth C. O'Connor.

On May 23, 1995, the Commission found reason to believe that Thomas O'Connor, Jr., Thomas O'Connor, III, Charles O'Connor and Peter Favro violated 2 U.S.C. § 441f a provision of the Federal Election Campaign Act of 1971 and instituted an investigation into this matter. Thereafter, on April 17, 1996, the Commission found that there was reason to believe that Thomas O'Connor, Jr., knowing and willfully violated 2 U.S.C. §§ 441a(a)1(A) and 441f and that Ruth C. O'Connor, Ron Peters and Carol Millken each violated 2 U.S.C. § 441f. On June 4, 1996, a conciliation agreement signed by Thomas O'Connor's counsel was accepted by the Commission in settlement of his violation of 2 U.S.C. §§ 441a(a)1(A) and 441f. On the same date the Commission decided to take no further action against Thomas O'Connor, III, Charles O'Connor, Ron Peters, Peter Favro, Carol Millken and Ruth C. O'Connor and closed the file in this matter. A copy of Thomas O'Connor, Jr.'s agreement is enclosed for your information.

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

Sincerely,

Craig D. Reffner
Attorney

Enclosure
Conciliation Agreement

96043735106



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 13, 1996

Mary Anastopoulos, Treasurer
Marty Meehan for Congress
75 Princeton Street
No. Chelmsford, MA 01863

RE: MUR 4037

Dear Ms. Anastopoulos:

On August 19, 1994, the Federal Election Commission notified you of a complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

This is to advise you that this matter is now closed. 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.

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

Sincerely,


Craig D. Reffner
Attorney

96043735107



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

June 13, 1996

Robert F. Bauer, Esq.
Perkins Coie
607 Fourteenth Street, N.W.
Washington, D.C. 20005-2011

RE: MUR 4037
Thomas O'Connor, Jr., et al.

Dear Mr. Bauer:

On June 4, 1996, the Federal Election Commission accepted the signed conciliation agreement that you submitted on behalf of Thomas O'Connor, Jr., in settlement of his violation of 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). On that same date, the Commission also determined to take no further action against the other Respondents in this matter. Accordingly, the file has been closed in this matter.

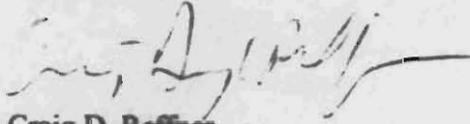
The confidentiality provisions at 2 U.S.C. § 437g(a)(12) no longer apply and this matter is now public. In addition, although the complete file must be placed on the public record within 30 days, this could occur at any time following certification of the Commission's vote. If you wish to submit any 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.

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

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Enclosed you will find a copy of the fully executed conciliation agreement for your files. Please note that the civil penalty is due within 30 days of the conciliation agreement's effective date. If you have any questions, please contact me at (202) 219-3400.

Sincerely,



Craig D. Reffner
Attorney

Enclosure
Conciliation Agreement

96043735109

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Thomas O'Connor, Jr.

)
) MUR 4037
)
)

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COMMISSION
OFFICE OF GENERAL
COUNSEL
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CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn, and notarized complaint by Joseph W. Paolilli, Jr. The Federal Election Commission ("Commission") found reason to believe that Thomas O'Connor, Jr., ("Respondent") knowing and willfully violated 2 U.S.C. §§ 441a(a)(1)(A) and 441f, provisions of the Federal Election Campaign Act of 1971, as amended (the "Act").

NOW, THEREFORE, the Commission and the Respondent, 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 Respondent 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. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.
- III. Respondent enters voluntarily into this agreement with the Commission.
- IV. The pertinent facts in this matter are as follows:
 - 1. Thomas O'Connor, Jr., is a person within the meaning of 2 U.S.C. § 441f.
 - 2. Thomas O'Connor, III, Charles O'Connor, Peter Favro, Ron Peters, Carol Millken and Ruth C. O'Connor are each a person within the meaning of 2 U.S.C. § 441f.

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3. The Honorable Martin Meehan, United States Congress, was a Federal Candidate, within the meaning of 2 U.S.C. § 431(2), in Massachusetts' 1992 and 1994 Fifth Congressional District elections.

4. Meehan for Congress is a political committee within the meaning of 2 U.S.C. § 431(4) and is the authorized campaign committee for Congressman Martin Meehan within the meaning of 2 U.S.C. § 431(6).

5. Pursuant to Section 441f of the Act, no person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution. The Commission's regulations specifically describe a contribution in the name of another as "[g]iving money or anything of value, all or part of which was provided to the contributor by another person (the true contributor) without disclosing the source of money or the thing of value to the recipient candidate or committee at the time the contribution is made." 11 C.F.R. § 110.4(b)(2)(i).

6. The Act also provides that, no person shall make a contribution to any candidate and his authorized political committee with respect to any election for Federal office which, in the aggregate, exceeds \$1,000. 2 U.S.C. § 441a(a)(1)(A).

7. In October 1992, Thomas O'Connor, Jr., asked his sons Thomas O'Connor III and Charles O'Connor, to assist with the making of contributions to the Meehan for Congress Committee, the principal campaign committee of Martin Meehan, a cousin of Mr. O'Connor's. Mr. O'Connor offered to provide the funds for these contributions which would be made in his sons' names, along with the contribution Mr. O'Connor proposed to make in his own name, also with his own funds. Mr. O'Connor's sons consented to this proposal on the understanding that they would be obligated over time to repay the amounts advanced in their names.

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8. On October 16, 1992, Thomas O'Connor, Jr., drew money from his bank account and purchased four cashier's checks each in the amount of \$1,000. Two cashier's checks were in Thomas O'Connor, III's name and represented a \$1,000 contribution for the 1992 primary election and a \$1,000 contribution for the 1992 general election. The other two cashier's checks were in Charles O'Connor's name. They represented a \$1,000 contribution for the 1992 primary election and a \$1,000 contribution for the 1992 general election. These contributions were received by Meehan for Congress on October 19, 1992. These contributions were in addition to the contributions that Thomas O'Connor, Jr., made in his own name which totaled \$1,000 for the 1992 primary election and \$1,000 for the 1992 general election.

9. Mr. O'Connor made the same proposal to fund contributions to the Meehan Committee to Peter Favro, a family friend; Ron Peters, then an employee of Mr. O'Connor's business; and Carol Millken, his ex-wife and mother of Thomas O'Connor III and Charles O'Connor. In July 1993, and with their consent, Thomas O'Connor, Jr., made contributions to Meehan for Congress with his funds in the names of Messrs. Favro and Peters and Ms. Millken.

10. Specifically, Thomas O'Connor, Jr., drew funds from his bank account and purchased cashier's checks totaling \$6,000. Of this amount: \$2,000 in cashier's checks represented contributions in Carol Millken's name; a \$1,000 contribution for the 1994 primary election and a \$1,000 contribution for the 1994 general election. Similarly, \$2,000 in cashier's checks represented contributions in Ron Peters' name; a \$1,000 contribution for the 1994 primary election and a \$1,000 contribution for the 1994 general election. The remaining \$2,000 in cashier's checks represented contributions in Peter Favro's name; a \$1,000 contribution for the 1994 primary election and a \$1,000 contribution for the 1994 general election.

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11. In December 1993, Thomas O'Connor, Jr., made contributions to Meehan for Congress, once again with his funds but under the names and with the consent of his two sons and his mother Ruth O'Connor. Specifically, on December 6, 1993, Thomas O'Connor, Jr., drew funds from his account and purchased three cashier's checks each in the amount of \$2,000. One of the cashier's checks was in Thomas O'Connor III's name and represented a \$1,000 contribution for the 1994 primary election and a \$1,000 for the 1994 general election. The second cashier's check was in Charles O'Connor's name and represented a \$1,000 contribution for the 1994 primary and a \$1,000 contribution for the 1994 general election. The third cashier's check was in Ruth C. O'Connor's name and represented a \$1,000 contribution for the 1994 primary election and a \$1,000 contribution for the general election. These contributions were in addition to the contributions that Thomas O'Connor, Jr., made in his own name which totaled \$1,000 for the 1994 primary election and \$1,000 for the 1994 general election.

IV. A. Thomas O'Connor, Jr., knowing and willfully violated 2 U.S.C. § 441f by using the names of other people to make contributions to Meehan for Congress.

B. Thomas O'Connor, Jr., knowing and willfully violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to Meehan for Congress.

V. Thomas O'Connor, Jr., accepts full responsibility for his actions, and further accepts responsibility for causing the participation in these unlawful contributions of family members and friends who relied upon Mr. O'Connor's request for assistance and who believed that they could make contributions in this manner.

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of thirty five thousand dollars (\$35,000), pursuant to 2 U.S.C. § 437g(a)(5)(B).

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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 requirements contained in this agreement and to so notify the Commission.

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

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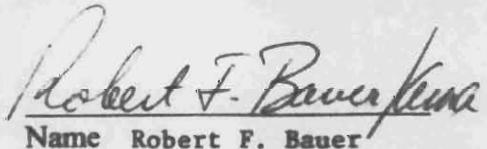
FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY: 
Lois G. Lerner
Associate General Counsel

6/13/96
Date

FOR THE RESPONDENT:



Name Robert F. Bauer
Position Counsel to Thomas O'Connor, Jr.

5/24/96
Date

9604373515

★ CONGRESSMAN ★

MARTY MEEHAN

July 2, 1996

Lawrence Noble
General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

JUL 3 10 17 AM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Dear Mr. Noble:

This is in response to a letter from Craig D. Reffner informing the Marty Meehan for Congress Committee that MUR 4037 has been closed. I request that this letter be included with the file and be made part of the public record.

Over the course of the 1992 and 1994 election cycles, the Marty Meehan for Congress Committee received \$16,000 in donations from individuals related to or associated with Thomas J. O'Connor Jr. In each instance, the Meehan Committee accepted the donations because they were represented as coming from the individual listed on the contribution. The FEC investigation of the matter and the agreement reached with O'Connor confirmed that the Meehan Committee had no knowledge that the contributions were not from the individuals listed on the checks.

However, on June 18, 1996, the Meehan Committee was informed that Mr. O'Connor had admitted to the Federal Election Commission that he was the source of the donations and had agreed to pay a \$35,000 fine. After learning that the donations were not proper, the Meehan Committee promptly returned the \$16,000 in improper contributions and the \$4,000 in proper contributions to Mr. O'Connor.

The Marty Meehan for Congress Committee holds itself to ethical standards above those required by election law. The Meehan Committee is disappointed that improper contributions were made by Mr. O'Connor and supports swift enforcement of election laws by the FEC. The Meehan Committee has responded to this unfortunate situation by returning all donations made by Mr. O'Connor.

Sincerely,



Mary Anastopoulos, Treasurer
Marty Meehan for Congress Committee

75 PRINCETON STREET, NO. CHELMSFORD, MASSACHUSETTS 01863 TEL. 508/251-8804

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4037

DATE FILMED 7/2/96 CAMERA NO. 2

CAMERAMAN SES

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