



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4885

DATE FILMED 12-23-94 CAMERA NO. 2

CAMERAMAN JMH

4043601694

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSELDATE: August 15, 1994ANALYST: Jacques P. Andre'

I. COMMITTEE: Hiram Walker & Sons Inc. Political Action
Committee (HIRAM WALKER PAC)
(C00166926)
Robert Edward Taylor, Treasurer
(4/27/83 - Present)*
P.O. Box 33006
Detroit, MI 48232-3006

II. RELEVANT STATUTE: 2 U.S.C. §434(a)(4)(A)(i)
11 CFR §104.5(c)(1)(i)(A)

III. BACKGROUND:**Failure to Timely File the 1994 April Quarterly Report**

Hiram Walker & Sons Inc. Political Action Committee ("the Committee") failed to timely file the 1994 April Quarterly Report of Receipts and Disbursements covering the period from January 1, 1994 to March 31, 1994. The Committee was notified on March 22, 1994 that the report was due on April 15, 1994 (Attachment 2). A Non-Filer Notice was sent to the Committee on May 10, 1994 (Attachment 3).

On June 9, 1994, the Reports Analysis Division ("RAD") analyst called and left a message for the treasurer, Mr. Robert Taylor. The analyst told Mr. Taylor's office that the 1994 April Quarterly Report had not been received at the Commission. On June 10, 1994 Ms. Annette Benson, of Mr. Taylor's office, called the analyst and stated that there had been a change in staff, and that the report would be filed by June 17, 1994 (Attachment 4).

The report was subsequently filed on June 20, 1994 (Attachment 5).

*The April Quarterly Report lists "L.C. Cuddeback" as the treasurer, although the Committee has filed no amendments to its Statement of Organization, designating a new treasurer.

4043601695

ELECTION COMMISSION
1993-1994
COMMITTEE INDEX OF DISCLOSURE DOCUMENTS - (c)

COMMITTEE	DOCUMENT	RECEIPTS	DISBURSEMENTS	COVERAGES	DATES	# OF PAGES	MICROFILM LOCATION	TYPE OF FILER
HIRAN WALKER & SONS INC POLITICAL ACTION COMMITTEE (HIRAN WALKER PAC)								ID #C00166926 NON-PARTY QUALIFIED
CONNECTED ORGANIZATION: HIRAN WALKER & SONS INC								
	1993 MID-YEAR REPORT	5,115	19,750	1JAN93 -30JUN93	6	93FEC/850/1196		
	YEAR-END	14,835	8,000	1JUL93 -31DEC93	9	94FEC/883/1186		
	1994 APRIL QUARTERLY	0	15,100	1JAN94 -31MAR94	6	94FEC/903/2497		
	NOTICE OF FAILURE TO FILE			1JAN94 -31MAR94	2	94FEC/890/1259		
	JULY QUARTERLY	920	1,250	1APR94 -30JUN94	4	94FEC/907/0056		
	TOTAL	20,870	0 44,100					27 TOTAL PAGES

4043601696

All reports have been reviewed.
Ending cash-on-hand as of 6/3/094: \$6,828.69
Outstanding debts owed to or by the committee
as of 6/30/94: \$0

QUARTERLY REPORT NOTICE

FEDERAL ELECTION COMMISSION

PARTIES AND PACS

March 22, 1994

REPORT	REPORTING PERIOD*	REG./CERT. MAILING DATE**	FILING DATE
April Quarterly	01/01/94-03/31/94	04/15/94	04/15/94

WHO MUST FILE

Party committees and PACs (nonconnected committees and separate segregated funds) filing on a quarterly basis must file a Quarterly Report in April.

PRE-ELECTION REPORTING

Committees which make contributions or expenditures (including independent expenditures) in connection with an election, must also file a Pre-Election Report, if the activity was not previously reported. See January 1994 Record.

LAST-MINUTE INDEPENDENT EXPENDITURES

Any PAC that makes independent expenditures in connection with an election may have to file a 24 hour report. This reporting requirement will be triggered if the committee makes independent expenditures aggregating \$1,000 or more after the 20th day, but more than 24 hours, before the election day.

CHANGE IN FILING FREQUENCY

Committees wishing to change their reporting schedule (for example, from quarterly to monthly) must notify the Commission in writing when they file their next report due under their current reporting schedule. Committees may change their filing frequencies no more than once per calendar year.

LABEL

Committees should affix the peel-off label from the envelope to Line 1 of the report. Corrections should be made on the label.

COMPLIANCE

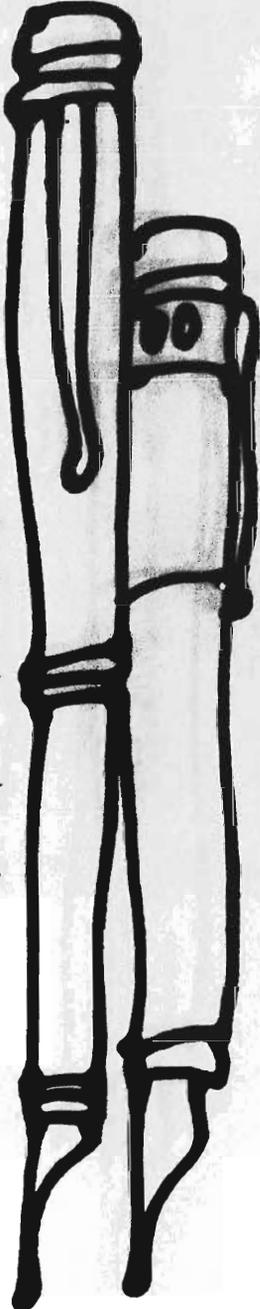
TREASURERS OF POLITICAL COMMITTEES ARE RESPONSIBLE FOR FILING ALL REPORTS ON TIME. FAILURE TO DO SO IS SUBJECT TO ENFORCEMENT ACTION. COMMITTEES FILING ILLEGIBLE REPORTS OR USING NON-FEC FORMS WILL BE REQUIRED TO REFILE.

*The period begins with the close of the last report filed by the committee. If the committee has filed no previous reports, the period begins with the date of the committee's first activity.

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

FOR INFORMATION, Call: 800/424-9530 or 202/219-3420

4043601697





FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

RQ-7

May 10, 1994

Robert Edward Taylor, Treasurer
Hiram Walker & Sons Inc. Political
Action Committee (HIRAM WALKER PAC)
P.O. Box 33006
Detroit, MI 48232

Identification Number: C00166926

Reference: April Quarterly Report (1/1/94-3/31/94)

Dear Mr. Taylor:

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

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

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

If you have any questions, please contact J.P. Andre' on our toll-free number (800) 424-9530. Our local number is (202) 219-3580.

Sincerely,

John D. Gibson
Assistant Staff Director
Reports Analysis Division

4043601698

TELECON

ANALYST: JACQUES P. ANDRE JR.
CONTACT: MR. TAYLOR'S OFFICE (ANNETTE BENSON)
COMMITTEE: HIRAM WALKER & SONS INC. PAC
DATE: JUNE 9, 1994
SUBJECT: 1994 APRIL QUARTERLY REPORT

I called HIRAM WALKER PAC to inform the treasurer that the Commission had not received the 1994 April Quarterly Report. I left the message on Mr. Taylor's voice mail.

DATE: JUNE 10, 1994

Received return phone call from Ms. Annette Benson in Mr. Taylor's office, to whom I repeated the message. She responded that there had been a change in staff, and that the report would be filed by June 17, 1994.

14043601699

REPORT OF RECEIPTS AND DISBURSEMENTS

For Other Than An Authorized Committee
(Summary Page)

USE FEC MAILING LABEL
OR
TYPE OR PRINT

1. NAME OF COMMITTEE (in full)
HIRAM WALKER & SONS INC. POLITICAL ACTION COMMITTEE
(HIRAM WALKER PAC)

ADDRESS (number and street) Check if different than previously reported
P.O. Box 33006

CITY, STATE and ZIP CODE
DETROIT, MICHIGAN 48232-3006

2. FEC IDENTIFICATION NUMBER
C00166926

3. This committee has qualified as a multicandidate committee. (see FEC FORM 1M)
qualified prior to January 1, 1994

4. TYPE OF REPORT

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

- Monthly Report Due On:
- February 20
 - March 20
 - April 20
 - May 20
 - June 20
 - July 20
 - August 20
 - September 20
 - October 20
 - November 20
 - December 20
 - January 31
- Twelfth day report preceding _____ (Type of Election) election on _____ in the State of _____
- Thirtieth day report following the General Election on _____ in the State of _____

(b) Is this Report an Amendment? YES NO

40439603174001

SUMMARY		COLUMN A This Period	COLUMN B Calendar Year-to-Date
5. Covering Period	<u>01/01/94</u> through <u>03/31/94</u>		
6. (a) Cash on Hand January 1, 19 <u>94</u>			\$ 22,258.69
(b) Cash on Hand at Beginning of Reporting Period		\$ 22,258.69	
(c) Total Receipts (from Line 19)		\$ 0.00	\$ 0.00
(d) Subtotal (add Lines 6(b) and 6(c) for Column A and Lines 6(a) and 6(c) for Column B)		\$ 22,258.69	\$ 22,258.69
7. Total Disbursements (from Line 30)		\$ 15,100.00	\$ 15,100.00
8. Cash on Hand at Close of Reporting Period (subtract Line 7 from Line 6(d))		\$ 7,158.69	\$ 7,158.69
9. Debts and Obligations Owed TO the Committee (Itemize all on Schedule C and/or Schedule D)		\$	
10. Debts and Obligations Owed BY the Committee (Itemize all on Schedule C and/or Schedule D)		\$	

For further information contact:
Federal Election Commission
999 E Street, NW
Washington, DC 20463
Toll Free 800-424-6630
Local 202-219-3420

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

Type or Print Name of Treasurer
L.C. CUDDERBACK, TREASURER

Signature of Treasurer *L.C. Cudderback* Date **JUN 14 1994**

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

--	--	--	--	--	--	--	--	--	--

FILED SUMMARY PAGE
OF RECEIPTS AND DISBURSEMENTS
PAGE 2, FEC FORM 3X

(revised 1/1/91)

NAME OF COMMITTEE HIRAM WALKER & SONS INC.
POLITICAL ACTION COMMITTEE (HIRAM WALKER PAC)

REPORT COVERING PERIOD
FROM 01/01/94 TO 03/31/94

COLUMN A
Total This Period

COLUMN B
Calendar Year

I. Receipts

11. Contributions (other than loans) From:			
a. Individual/Persons Other Than Political Committees			
i. Itemized (use Schedule A)	0.00	0.00	11(a)(i)
ii. Unitemized	0.00	0.00	11(a)(ii)
iii. Total	0.00	0.00	11(a)(iii)
b. Political Party Committees	0.00	0.00	11(b)
c. Other Political Committees (such as PACs)	0.00	0.00	11(c)
d. Total Contributions	0.00	0.00	11(d)
12. Transfers From Affiliated/Other Party Committees	0.00	0.00	12
13. All Loans Received	0.00	0.00	13
14. Loan Repayments Received	0.00	0.00	14
15. Offsets To Operating Expenditures (Refunds, Rebates, etc.)	0.00	0.00	15
16. Refunds of Contributions Made to Federal Candidates and Other Political Committees	0.00	0.00	16
17. Other Federal Receipts (Dividends, Interest, etc.)	0.00	0.00	17
18. Transfers from Nonfederal Account for Joint Activity	0.00	0.00	18
19. Total Receipts	0.00	0.00	19
20. Total Federal Receipts	0.00	0.00	20

II. Disbursements

21. Operating Expenditures:			
a. Shared Federal/Non-Federal Activity (from Schedule H4)			
i. Federal Share	0.00	0.00	21(a)(i)
ii. Non-Federal Share	0.00	0.00	21(a)(ii)
b. Other Federal Operating Expenditures	0.00	0.00	21(b)
c. Total Operating Expenditures	0.00	0.00	21(c)
22. Transfers to Affiliated/Other Party Committees	0.00	0.00	22
23. Contributions to Federal Candidates/Committees and Other Political Committees	15,100.00	15,100.00	23
24. Independent Expenditures (use Schedule E)	0.00	0.00	24
25. Coordinated Expenditures Made by Party Committees (2 U.S.C. 441a(d)) (use Schedule F) ..	0.00	0.00	25
26. Loan Repayments Made	0.00	0.00	26
27. Loans Made	0.00	0.00	27
28. Refunds of Contributions To:			
a. Individual/Persons Other Than Political Committees	0.00	0.00	28(a)
b. Political Party Committees	0.00	0.00	28(b)
c. Other Political Committees (such as PACs)	0.00	0.00	28(c)
d. Total Contribution Refunds	0.00	0.00	28(d)
29. Other Disbursements	0.00	0.00	29
30. Total Disbursements	15,100.00	15,100.00	30
31. Total Federal Disbursements	15,100.00	15,100.00	31

III. Net Contributions/Operating Expenditures

32. Total Contributions (other than loans)(from line 11d)	0.00	0.00	32
33. Total Contribution Refunds (from line 28d)	0.00	0.00	33
34. Net Contributions (other than loans)(subtract line 33 from 32)	0.00	0.00	34
35. Total Federal Operating Expenditures	0.00	0.00	35
36. Offsets to Operating Expenditures (from line 15)	0.00	0.00	36
37. Net Operating Expenditures	0.00	0.00	37

4043360314070

**Federal Election Commission
ENVELOPE REPLACEMENT PAGE
FOR INCOMING DOCUMENTS**

The Commission has added this page to the end of this filing to indicate how it was received.

Hand Delivered

DATE OF RECEIPT

First Class Mail

POSTMARKED

6/14/94

Registered/Certified Mail

POSTMARKED

No Postmark

Postmark Illegible

Received from the House Office of Records
and Registration

DATE OF RECEIPT

Received from the Senate Office of Public
Records

DATE OF RECEIPT

Other (Specify):

POSTMARKED

and/or DATE OF RECEIPT

E.S.
PREPARER

6/20/94
DATE PREPARED

24243601:702

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARY

Oct 6 10 1e AM '94

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

FIRST GENERAL COUNSEL'S REPORT

SENSITIVE

RAD Referral #94NF-7
Staff Member: Stephan O. Kline

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

RESPONDENTS: Hiram Walker & Sons Inc. Political Action Committee
Robert Edward Taylor, as treasurer

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

INTERNAL REPORTS CHECKED: Disclosure Reports
Referral Materials

FEDERAL AGENCIES CHECKED: None

I. GENERATION OF MATTER

The Office of General Counsel received a referral from the Reports Analysis Division ("RAD") on August 15, 1994. Attachment 1. The basis for the attached referral is the failure of the Hiram Walker & Sons Inc. Political Action Committee and Robert Edward Taylor, as treasurer, ("Respondents") to file timely their 1994 April Quarterly Report.

II. FACTUAL AND LEGAL ANALYSIS

Based on the Factual and Legal Analysis, see Attachment 2, this Office recommends that the Commission find reason to believe Respondents violated 2 U.S.C. § 434(a)(4)(A)(i).

III. DISCUSSION OF CONCILIATION AND CIVIL PENALTY

4043601703

4043601704

IV. RECOMMENDATIONS

1. Open a MUR.
2. Find reason to believe that the Hiram Walker & Sons Inc. Political Action Committee and Robert Edward Taylor, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the attached Factual and Legal Analysis, conciliation agreement, and the appropriate letter.

Lawrence M. Noble
General Counsel

October 5, 1994
Date

BY:

Lois G. Lerner *g3*
Lois G. Lerner
Associate General Counsel

Attachments:

1. Referral Materials
2. Factual and Legal Analysis
3. Proposed Conciliation Agreement

4043601705

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Hiram Walker & Sons Inc.
Political Action Committee and
Robert Edward Taylor, as treasurer.

MUR 4085

)
)
) RAD Referral
) #94NF-07

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 12, 1994, the Commission decided by a vote of 4-0 to take the following actions in RAD Referral #94NF-07:

1. Open a MUR.
2. Find reason to believe that the Hiram Walker & Sons, Inc. Political Action Committee and Robert Edward Taylor, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) and enter into conciliation prior to a finding of probable cause to believe.
3. Approve the Factual and Legal Analysis, Conciliation Agreement, and the appropriate letter, as recommended in the General Counsel's Report dated October 5, 1994.

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

Attest:

10-12-94
Date

Delores Hardy
for Marjorie W. Emmons
Secretary of the Commission

Received in the Secretariat: Thurs., Oct. 6, 1994 10:18 a.m.
Circulated to the Commission: Thurs., Oct. 6, 1994 11:00 a.m.
Deadline for vote: Wed., Oct. 12, 1994 4:00 p.m.

esh

4043601706



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

October 17, 1994

Robert Edward Taylor, Treasurer
Hiram Walker & Sons Inc.
Political Action Committee
P.O. Box 33006
Detroit, MI 48232-3006

RE: MUR 4085
Hiram Walker & Sons Inc.
Political Action Committee and
Robert Edward Taylor, as
treasurer

Dear Mr. Taylor:

On October 12, 1994, the Federal Election Commission found that there is reason to believe the Hiram Walker & Sons Inc. Political Action Committee and you, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of your receipt of this letter. Where appropriate, statements should be submitted under oath. In the absence of 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.

4043601707

Mr. Taylor
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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Stephan Kline, the attorney assigned to this matter, at (202) 219-3690.

For the Commission,


Trevor Potter
Chairman

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

14043601708

FEDERAL ELECTION COMMISSION

FACTUAL AND LEGAL ANALYSIS

RESPONDENTS: Hiram Walker & Sons Inc. **NUR 4085**
 Political Action Committee
 and Robert Edward Taylor,
 as treasurer

This matter was generated based on information ascertained by the Federal Election Commission ("the Commission") in the normal course of carrying out its supervisory responsibilities. See 2 U.S.C. § 437g(a)(2).

The Federal Election Campaign Act of 1971, as amended, ("the Act") requires treasurers of political committees other than authorized committees of a candidate to file periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(1). In any calendar year in which a regularly scheduled general election is held, all political committees that choose not to file on a monthly basis shall file quarterly reports which shall be filed no later than the 15th day after the last day of each calendar quarter, except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year.

2 U.S.C. § 434(a)(4)(A)(i).

The Hiram Walker & Sons Inc. Political Action Committee ("the Committee") is a political committee not authorized by any candidate and has elected to report on a quarterly basis. The treasurer is Robert Edward Taylor.

Pursuant to 2 U.S.C. § 434(a)(4)(a)(i), the due date for the

4043601709

committee's 1994 April Quarterly Report was April 15, 1994. On March 22, 1994, Respondents were notified that their 1994 April Quarterly Report was due on April 15, 1994. A Non-Filer Notice was sent to Respondents on May 10, 1994. Respondents filed their 1994 April Quarterly Report on June 20, 1994, 66 days late, disclosing receipts totaling \$0.00 and disbursements totaling \$15,100.

For these reasons, there is reason to believe that the Hiram Walker & Sons Inc. Political Action Committee and Robert Edward Taylor, as treasurer, violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file timely their 1994 April Quarterly Report.

4043601710

HIRAM WALKER

& SONS, INC.
Please reply to:
P.O. Box 33006
Detroit, MI 48232

RECEIVED
FEDERAL ELECTION
COMMISSION
MAIL ROOM

Nov 16 11 02 AM '94

November 15, 1994

NOV 17 10 39 AM '94

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

BOURBON:

Maker's Mark
Walker's Deluxe

CANADIAN WHISKIES:

Canadian Club
Canadian Club Classic
Rich & Rare

CHAMPAGNE:

Lanson

COGNAC:

Courvoisier

GIN:

Beefeater

IMPORTED LIQUEURS:

Carolans Irish Creams
Drambuie
Irish Mist
Kahlua
Klar Es
Midori
Opal Nera
Tusca

LIQUEURS & SPECIALTIES:

Hiram Walker Liqueurs
Salvador's Margarita

OTHER WHISKIES:

Suntory Whiskies
Quilmore Dew

BRM:

Lamb's Navy

SCOTCH WHISKIES:

Ballantine's
Curry Sack
Old Smuggler
Teacher's

SHERRY/PORT:

Flavens

SINGLE MALT WHISKIES:

Laphroig
The Glendronach

TEQUILA:

Arandas
Two Fingers

VODKA:

Five Vodka Skandia

WINES:

Akadanta Plum Wine
Black Tower

Via Airborne Express

Mr. Stephan O. Kline
Federal Election Commission
Washington, DC 20463

RE: MUR 4085
Hiram Walker & Sons, Inc.
Political Action Committee

Dear Mr. Kline:

Further to your letter of November 4, 1994, we enclose herewith Conciliation Agreement duly executed by myself as Chairman of the Hiram Walker PAC along with a check in the amount of \$1,100.

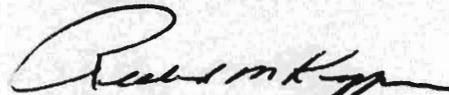
We are also enclosing the Statement of Organization amended to reflect Lawrence C. Cuddeback as Treasurer of the PAC.

We would appreciate your advice as to whether this Conciliation Agreement is accepted by the Commission. We note that your office has agreed to recommend approval of the Agreement.

Thank you for your cooperation.

Very truly yours,

HIRAM WALKER & SONS, INC.



Richard M. Kippen
Senior Vice President

vb
Encl.

cc L. Cuddeback

4043601712

HIRAM WALKER & SONS INC.

J 666695

National Bank of Detroit-Dearborn
Dearborn, Michigan

Date: 94/11/09

74-1292
724

PAY
One Thousand One Hundred and 00 /100th Dollars

TO
THE
ORDER
OF

FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463
USA

PAY \$1,100.00
HIRAM WALKER & SONS INC.

G. H. Smith
BY AUTHORIZED CORPORATE SIGNATOR

THE FACE OF THIS DOCUMENT HAS A COLORED BACKGROUND ON WHITE PAPER

⑈666695⑈ ⑆072412927⑆ 00095946⑈

4
0
4
3
6
0
1
7
1
3



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
Nov 17 10 39 AM '94

11/16/94

TWO WAY MEMORANDUM

TO: OGC, Docket

FROM: Rosa E. Swinton
Accounting Technician

SUBJECT: Account Determination for Funds Received

We recently received a check from Hiram Walker & Sons Inc, check number 46665, dated 11-09-94, and in the amount of \$1,100.00. Attached is a copy of the check and any correspondence that was forwarded. Please indicate below the account into which it should be deposited, and the MUR number and name.

TO: Rosa E. Swinton
Accounting Technician

FROM: OGC, Docket By aa

In reference to the above check in the amount of \$1,100.00 the MUR number is 4085 and in the name of Hiram Walker & Sons Inc, PAC. The account into which it should be deposited is indicated below:

- Budget Clearing Account (OGC), 95F3875.16
- Civil Penalties Account, 95-1099.160
- Other: _____

Anita Macejander
Signature

11-17-94
Date

4043601714

RECEIVED
FEDERAL ELECTION
COMMISSION
SECRETARIAT

Nov 20 12 48 PM '94

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Hiram Walker & Sons Inc.)
Political Action Committee)
and L.C. Cuddeback,)
as treasurer)
)

SENSITIVE

MUR 4085

GENERAL COUNSEL'S REPORT

I. BACKGROUND

The Federal Election Commission (the "Commission") found reason to believe that the Hiram Walker & Sons Inc. Political Action Committee and its treasurer (the "Respondents") violated 2 U.S.C. § 434(a)(4)(A)(i) by failing to file timely their 1994 April Quarterly Report. At the same time, the Commission determined to offer to enter into preprobable cause conciliation with those Respondents and approved an agreement

4043601715

4043601716

III. RECOMMENDATIONS

1. Find reason to believe that the Hiram Walker & Sons, Inc. Political Action Committee, and L.C. Cuddeback, as treasurer, violated 2 U.S.C. § 433(c).
2. Approve the attached conciliation agreement with the Hiram Walker & Sons, Inc. Political Action Committee, and L.C. Cuddeback, as treasurer.
3. Approve the appropriate letter.
4. Close the file.

Lawrence M. Noble
General Counsel

Date

11-28-94

BY:


 Lois G. Lerner
 Associate General Counsel

Attachments:

1. Conciliation Agreement
2. Statement of Organization
3. Copy of Civil Penalty Check

Staff Assigned: Stephan O. Kline

4043601717

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Hiram Walker & Sons Inc. Political) MUR 4085
Action Committee and L.C. Cuddeback,)
as treasurer.)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on December 1, 1994, the Commission decided by a vote of 6-0 to take the following actions in MUR 4085:

1. Find reason to believe that the Hiram Walker & Sons, Inc. Political Action Committee, and L.C. Cuddeback, as treasurer, violated 2 U.S.C. § 433(c).
2. Approve the conciliation agreement with the Hiram Walker & Sons, Inc. Political Action Committee, and L.C. Cuddeback, as treasurer, as recommended in the General Counsel's Report dated November 28, 1994.

(continued)

4043601718

3. Approve the appropriate letter, as recommended in the General Counsel's Report dated November 28, 1994.

4. Close the file.

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

Attest:

12-2-94
Date

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

Received in the Secretariat: Mon., Nov. 28, 1994 12:46 p.m.
Circulated to the Commission: Mon., Nov. 28, 1994 4:00 p.m.
Deadline for vote: Thurs., Dec. 01, 1994 4:00 p.m.

bjr

4043601719



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

December 5, 1994

**Richard Rippen, Esq.
Hiram Walker & Sons Inc.
Political Action Committee
P.O. Box 33006
Detroit, MI 48232-3006**

**RE: MUR 4085
Hiram Walker & Sons Inc.
Political Action Committee
and L.C. Cuddeback,
as treasurer**

Dear Mr. Rippen:

On December 1, 1994, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted on behalf of the Hiram Walker & Sons Inc. Political Action Committee and L.C. Cuddeback, as treasurer, in settlement of violations of 2 U.S.C. §§ 433(c) and 434(a)(4)(A)(i), provisions of the Federal Election Campaign Act of 1971, as amended ("the Act"). 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 respondents 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.

4043601720

Mr. Rippen
Page 2

Enclosed you will find a copy of the fully executed
conciliation agreement for your files. If you have any questions,
please contact me at (202) 219-3690.

Sincerely,



Stephan O. Kline
Attorney

Enclosure
Conciliation Agreement

4043601721

RECEIVED
FEDERAL ELECTION
COMMISSION
GENERAL
OFFICE OF COUNSEL
NOV 17 10 39 AM '94

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Hiram Walker & Sons Inc.)
Political Action Committee) MUR 4085
and L.C. Cuddeback,)
as treasurer)
)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission ("Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found reason to believe that the Hiram Walker & Sons Inc. Political Action Committee and L.C. Cuddeback, as treasurer, ("Respondents") violated 2 U.S.C. § 433(c) and 2 U.S.C. § 434(a)(4)(A)(i).

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

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

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

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

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

4043601722

1. The Hiram Walker & Sons Inc. Political Action Committee (the "Committee") is a political committee within the meaning of 2 U.S.C. § 431(4) and is not an authorized committee of any candidate. It has elected to report on a quarterly basis.

2. The present treasurer of the Hiram Walker and Sons Inc. Political Action Committee is L.C. Cuddeback. Although Robert Edward Taylor was the "treasurer of record" for the Committee during the time period relevant to this matter, Mr. Cuddeback has acted as treasurer and signed the late-filed report at issue.

3. The Federal Election Campaign Act of 1971, as amended, (the "Act") requires each political committee to file a statement of organization. 2 U.S.C. § 433(a). Any changes in information previously submitted in the statement of organization shall be reported no later than 10 days after the date of the change. 2 U.S.C. § 433(c).

4. The Committee did not amend its statement of organization to reflect the change in treasurer within the required time period. The Committee has since amended its statement of organization designating L.C. Cuddeback as treasurer.

5. The Act also requires treasurers of political committees other than authorized committees of a candidate to file periodic reports of receipts and disbursements. 2 U.S.C. § 434(a)(1).

6. In any calendar year in which a regularly scheduled general election is held, all political committees that choose not to file on a monthly basis shall file quarterly reports which

4043601723

shall be filed no more than the 15th day after the last day of each calendar quarter, except that the report for the quarter ending on December 31 of such calendar year shall be filed no later than January 31 of the following calendar year. 2 U.S.C. § 434(a)(4)(A)(i).

7. Respondents' 1994 April Quarterly Report was due on April 15, 1994. 2 U.S.C. § 434(a)(4)(A)(i). On June 20, 1994, Respondents filed their 1994 April Quarterly Report, 66 days late, disclosing receipts totaling \$0.00 and disbursements totaling \$15,100.

V. 1. Respondents failed to file timely their 1994 April Quarterly Report, in violation of 2 U.S.C. § 434(a)(4)(A)(i).

2. Respondents failed to amend their statement of organization to reflect a change in treasurer within 10 days of when the change took place, in violation of 2 U.S.C. § 433(c).

VI. Respondents will pay a civil penalty to the Federal Election Commission in the amount of one thousand, one hundred dollars (\$1,100), pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

4043601724

approved the entire agreement.

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

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

FOR THE COMMISSION:

Lawrence M. Noble
General Counsel

BY:

L. G. Lerner
Lois G. Lerner
Associate General Counsel

December 5, 1994
Date

FOR THE RESPONDENTS:

Richard M. Kippen
Name Richard M. Kippen
Position Chairman
Hiram Walker & Sons, Inc.
Political Action Committee

NOV. 15, 1994
Date

4043601725



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4085

DATE FILMED 12-23-94 CAMERA NO. 9

CAMERAMAN JMH

4043601726