



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4184

DATE FILMED 10-9-96 CAMERA NO. 2

CAMERAMAN JMN

96043745102

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE

JAN 23 3 05 11 '95

MARK POLLICK

ATTORNEY AT LAW

THE CHAMBER BUILDING

110 WEST "C" STREET, SUITE 2100

SAN DIEGO, CALIFORNIA 92101

TELEPHONE (619) 232-9000

FAX (619) 232-6126

January 19, 1995

VIA CERTIFIED MAIL

NO. P-768-269-335

General Counsel
Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463

Complainant:
Mark Pollick, Esq.
110 W. "C" Street
Suite 2100
San Diego, CA 92101
(619) 234-3187

Respondent:
Mary Alice Acevedo for Congress
4399 Colling Road East
San Diego, California 92002
FEC ID #C00291427

To Whom It May Concern:

On November 1, 1994, Mary Alice Acevedo, a candidate for Congress in California's 50th District, filed a 48 hour notice regarding a personal loan made by herself to her campaign committee, the Mary Alice Acevedo for Congress Committee. In the notice, a copy of which is attached, the Mary Alice Acevedo for Congress committee failed to properly disclose Acevedo's employer. How can the campaign committee not know the employer of its own candidate?!

I hereby request a complete investigation as to why the candidate herself failed to fully disclose her employer and inform me of your findings.

Thank you for your prompt attention to this matter.

Signed and sworn to under penalty of perjury,


Mark Pollick

MP/pb



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20461

January 26, 1995

Mark Pollick
The Chamber Building
110 West C Street, Suite 2100
San Diego, CA 92101

Dear Mr. Pollick:

This is to acknowledge receipt on January 23, 1995, of your letter dated January 19, 1995. 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 did not contain a notarization on your signature and was not properly sworn to. Please note that the attachment mentioned in your letter was not enclosed.

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/her 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.

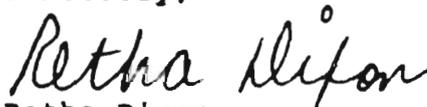
Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

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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: Mary Alice Acevedo for Congress

96043745105

MARK POLLICK

ATTORNEY AT LAW

THE CHAMBER BUILDING
110 WEST "C" STREET, SUITE 2100
SAN DIEGO, CALIFORNIA 92101
TELEPHONE (619) 232-9000
FAX (619) 232-6126

FEB 7 10 15 AM '95

FEB 7 10 21 AM '95

February 1, 1995

MUR 4184

VIA CERTIFIED MAIL
NO. P-768-269-336

General Counsel
Federal Election Commission
999 "E" Street, N.W.
Washington, D.C. 20463

Complainant:
Mark Pollick, Esq.
110 W. "C" Street
Suite 2100
San Diego, CA 92101
(619) 234-3187

Respondent:
Mary Alice Acevedo for Congress
4399 Colling Road East
San Diego, California 92002
FEC ID #C00291427

To Whom It May Concern:

On November 1, 1994, Mary Alice Acevedo, a candidate for Congress in California's 50th District, filed a 48 hour notice regarding a personal loan made by herself to her campaign committee, the Mary Alice Acevedo for Congress Committee. In the notice, a copy of which is attached, the Mary Alice Acevedo for Congress committee failed to properly disclose Acevedo's employer. How can the campaign committee not know the employer of its own candidate?!

I hereby request a complete investigation as to why the candidate herself failed to fully disclose her employer and inform me of your findings.

Thank you for your prompt attention to this matter.

Signed and sworn to under penalty of perjury,


Mark Pollick

MP/pb

Enclosure

619 234 3187

STATE OF CALIFORNIA)
)
COUNTY OF SAN DIEGO)

On February 1, 1995 before me, a Notary Public, personally appeared MARK POLLICK, personally known to me to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

WITNESS my hand and official seal.

(SEAL)



Patricia L. Brown
Notary Public

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HAKINS & SEITZ - 132007701

TELETYPE SERVICE

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OFFICE OF THE CLERK
U.S. HOUSE OF REPRESENTATIVES

FAX

48 HOUR NOTICE OF CONTRIBUTIONS/LOANS RECEIVED
(See Form 6 for instructions)

NAME OF CONTRIBUTOR
MARY ALICE ACEVEDO FOR CONGRESS
 ADDRESS
355 THIRD AVENUE, SUITE C
CHULA VISTA, CA 91910
 NAME OF CONTRIBUTOR
MARY ALICE ACEVEDO

162170

A. Full Name, Mailing Address and ZIP Code		Name of Employer	Date Received (Mo./Day/Year)	Amount
Acevedo, Mary Alice 4399 Collins Road East Chula Vista, CA <i>"Lawrence House"</i>		requested <i>Business owner</i>	10/26/94	1,488.01
Chandler MIA P.O. Box 5755 Bethune, WA 97006		N/A <i>Owner</i>	11/1/94	1,500.00
Hardage, Samuel A. 12707 High Bluff Drive #200 San Diego, CA 92130		The Hardage Group <i>Owner</i>	11/1/94	1,000.00
(Empty row)		(Empty row)	(Empty row)	(Empty row)
(Empty row)		(Empty row)	(Empty row)	(Empty row)
Katay Ugeed		N/A	11/1/94	

FEC FORM 6
(1/93)



FEDERAL ELECTION COMMISSION
WASHINGTON, DC 20461

February 8, 1995

Mark Pollick, Esq.
110 West C Street, Suite 2100
San Diego, CA 92101

RE: MUR 4184

Dear Mr. Pollick:

This letter acknowledges receipt on February 7, 1995, 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 4184. 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

9504745109



FEDERAL ELECTION COMMISSION

WASHINGTON, DC 20463

February 8, 1995

David A. Hawkins, Treasurer
Mary Alice Acevedo for Congress
12780 High Buff Drive #270
San Diego, CA 92130

RE: MUR 4184

Dear Mr. Hawkins:

The Federal Election Commission received a complaint which indicates that Mary Alice Acevedo 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 4184. Please refer to this number in all future correspondence.

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

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

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If you have any questions, please contact Alva E. Smith 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

cc: Mary Alice Acevedo

201.745111

HAWKINS & SCOTT
CERTIFIED PUBLIC ACCOUNTANTS, INC.

MEMBERS:
■ AMERICAN INSTITUTE OF
CERTIFIED PUBLIC ACCOUNTANTS
■ CALIFORNIA SOCIETY OF
CERTIFIED PUBLIC ACCOUNTANTS



REC'D
FEB 17 1995

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12780 High Bluff Drive/270
San Diego, CA 92130-2016
619/481-7775
FAX 619/481-1829
1629 Columbia Street
San Diego, CA 92101-2572
619/235-6531
FAX 619/696-5397

FEB 17 10 27 AM '95

FEB 17 1995

February 13, 1995

Federal Election Commission
Washington, D.C. 20463

Re: MUR4184
Mary Alice Acevedo for Congress

Gentlemen:

In 1994, during the campaign, Mary Alice Acevedo's husband sold his portion of the family business to his brothers. The negotiations were long and held in strict confidence. The committee was neither involved in these negotiations nor informed of all of the terms of the eventual sale. Mary Alice Acevedo was an officer and an employee of the corporation when the campaign first started and this information was noted in the early reports.

At the time of Mrs. Acevedo's loan of \$1488.00 to the committee my main concern was timely filing of the 48 hour report. Proper and timely reporting of the amount and source of the funds was the priority. As treasurer, I attempted to reach Mrs. Acevedo and determine if she was an employee of the corporation and if not, who was her new employer. Unfortunately, it was difficult to reach her just before the election and the new business owners (her husband's brothers) were unwilling to discuss any aspects of the business based on confidentially clauses in the sales agreement. Since the business owners were family, I was not certain that she did not still work for the company.

Again, the timely filing of the 48 hour notice fully disclosing the amount and the source of the funds was met and was the priority. I requested the employer information as noted on the notice.

If you need any additional information or documents, do not hesitate to call me directly.

Yours very truly,

David A. Hawkins
Treasurer
Mary Alice Acevedo for Congress

574-745112

BEFORE THE FEDERAL ELECTION COMMISSION

FEDERAL ELECTION COMMISSION
U.S. DEPARTMENT OF JUSTICE

Aug 14 4 50 PM '96

In the Matter of

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)
)

Enforcement Priority

SENSITIVE

GENERAL COUNSEL'S REPORT

I. INTRODUCTION

In accordance with the objectives of the Enforcement Priority System ("EPS") adopted by the Commission in May 1993, the Office of the General Counsel has periodically recommended that the Commission not pursue cases that are stale or that, in comparison to other pending matters, do not appear to warrant the use of the Commission's limited resources. This General Counsel's Report recommends the Commission not pursue 43 cases that fall within these categories.

II. CASES RECOMMENDED FOR CLOSING

A. Cases Not Warranting Further Pursuit Relative to Other Cases Pending Before the Commission

A critical component of the Priority System is identifying those pending cases that do not warrant the further expenditure of Commission resources. Each incoming matter is evaluated using Commission-approved criteria and cases that, based on their rating, do not warrant pursuit relative to other pending cases are placed in this category. By closing such cases, the Commission is able to use its limited resources to focus on more important cases.

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Having evaluated incoming matters, this Office has identified 24 cases which do not warrant further pursuit relative to other pending matters.¹ A short description of each case and the factors leading to assignment of a relatively low priority and consequent recommendation not to pursue each case is attached to this Report. Attachments 1-24. As the Commission has previously requested, we have also attached responses and referral materials where that information has not been circulated previously to the Commission. Attachment 25.

B. Stale Cases

Investigations are severely impeded and require relatively greater resources when the activity, and the evidence of the activity, are old. Accordingly, the Office of the General Counsel recommends that the Commission focus its efforts on cases involving more recent activity. Such efforts will also generate more impact on the current electoral process and are a more efficient allocation of our limited resources. To this end, this Office has identified 19 cases that

this Office believes are

now too old to warrant the use of the Commission's resources

¹ These matters are: MUR 4227 (Wellstone for Senate) (Attachment 1); MUR 4273 (Jesse Wineberry) (Attachment 2); MUR 4290 (Lincoln Club of Riverside County) (Attachment 3); MUR 4292 (Congressman Ron Packard) (Attachment 4); MUR 4293 (Willie Colon for Congress) (Attachment 5); MUR 4294 (Alan Keyes for President '96) (Attachment 6); MUR 4299 (UAW-V-CAP) (Attachment 7); MUR 4312 (Sonoma County Republicans) (Attachment 8); MUR 4316 (Ross Perot) (Attachment 9); MUR 4318 (Patrick Combs for Congress) (Attachment 10); MUR 4324 (Buchanan for President) (Attachment 11); MUR 4325 (Dan Garstecki for Congress '96) (Attachment 12); MUR 4329 (Golden Door) (Attachment 13); MUR 4330 (Trice Harvey) (Attachment 14); MUR 4333 (WSB-TV) (Attachment 15); MUR 4334 (Cox Communications) (Attachment 16); MUR 4336 (WSB-TV) (Attachment 17); MUR 4339 (WSB-TV) (Attachment 18); MUR 4348 (Soglin for Congress) (Attachment 19); MUR 4359 (Francis Thompson for Congress) (Attachment 20); MUR 4360 (Weygand Committee) (Attachment 21); MUR 4363 (WSB-TV) (Attachment 22); MUR 4364 (Friends of Jimmy Blake) (Attachment 23) and Pre-MUR 328 (Department of the Interior) (Attachment 24)

0 6 0 4 3 7 4 5 1 4

Because our recommendation not to pursue these cases is based on their staleness, this Office has not prepared separate narratives for these cases. we have attached responses and referral materials in those instances where the information was not previously circulated. Attachments 26-45.

This Office recommends the Commission exercise its prosecutorial discretion and no longer pursue the cases listed below effective September 3, 1996. By closing the cases effective that day, CED and the Legal Review Team each will have the necessary time to prepare closing letters and case files for the public record.

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III. RECOMMENDATIONS

A. Decline to open a MUR, close the file effective September 3, 1996, and approve the appropriate letters in the following matters:

- 1) Pre-MUR 293
- 2) Pre-MUR 311
- 3) Pre-MUR 328
- 4) RAD Referral 95L-03
- 5) RAD Referral 95L-11
- 6) RAD Referral 95L-16
- 7) RAD Referral 95L-22
- 8) RAD Referral 95NF-21

B. Take no action, close the file effective September 3, 1996, and approve the appropriate letters in the following matters:

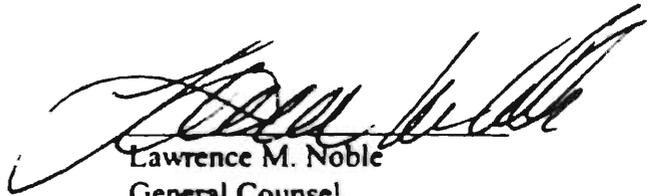
- 1) MUR 4061
- 2) MUR 4074
- 3) MUR 4101
- 4) MUR 4146
- 5) MUR 4151
- 6) MUR 4175
- 7) MUR 4180
- 8) MUR 4184
- 9) MUR 4198
- 10) MUR 4201
- 11) MUR 4227
- 12) MUR 4232
- 13) MUR 4273
- 14) MUR 4290
- 15) MUR 4292
- 16) MUR 4293
- 17) MUR 4294
- 18) MUR 4299
- 19) MUR 4312
- 20) MUR 4316
- 21) MUR 4318
- 22) MUR 4324
- 23) MUR 4325
- 24) MUR 4329
- 25) MUR 4330
- 26) MUR 4333
- 27) MUR 4334

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- 28) MUR 4336
- 29) MUR 4339
- 30) MUR 4348
- 31) MUR 4359
- 32) MUR 4360
- 33) MUR 4363
- 34) MUR 4364

C. Take no further action, close the file effective September 3, 1996, and approve the appropriate letters in MUR 3826.

8/14/96
Date


Lawrence M. Noble
General Counsel

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Federal Election Commission
Certification for Enforcement
Priority
August 23, 1996

Page 2

- 10) MUR 4227
- 11) MUR 4232
- 12) MUR 4273
- 13) MUR 4290
- 14) MUR 4292
- 15) MUR 4293
- 16) MUR 4294
- 17) MUR 4299
- 18) MUR 4312
- 19) MUR 4316
- 20) MUR 4318
- 21) MUR 4324
- 22) MUR 4325
- 23) MUR 4329
- 24) MUR 4330
- 25) MUR 4333
- 26) MUR 4334
- 27) MUR 4336
- 28) MUR 4339
- 29) MUR 4348
- 30) MUR 4359
- 31) MUR 4360
- 32) MUR 4363
- 33) MUR 4364

Commissioners Aikens, Elliott, McDonald,
McGarry, and Thomas voted affirmatively with
respect to each of the above-noted matters.

Attest:

8-26-96
Date

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

Received in the Secretariat: Wed., Aug. 14, 1996 4:56 p.m.
Circulated to the Commission: Fri., Aug. 16, 1996 12:00 p.m.
Deadline for vote: Wed., Aug. 21, 1996 4:00 p.m.

bjr

6043745119



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4184

DATE FILMED 10-9-96 CAMERA NO. 2

CAMERAMAN JMN

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