



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4341

DATE FILMED 1/16/98 CAMERA NO. 2

CAMERAMAN EES

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FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

APR 5 2 45 PM '96

PAUL ESPARZA
309 LAKE STREET
MAYWOOD, ILLINOIS 60153

March 28, 1996

OFFICE OF GENERAL COUNSEL
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RE: CONGRESSIONAL ACCOUNT 4TH DISTRICT
JUAN M. SOLIZ
ACCT # C00289090

NOTICE OF COMPLAINT

My name is Paul Esparza residing at 309 Lake Street, Maywood, Illinois 60153, and found that in calling Washington, D.C., Public Records that the above candidate, Juan M. Soliz, had not filed with the FEC reports for the 1994-1995 year, nor 1995-1996 reports. I had been checking to see if I had been listed on Mr. Soliz's D2 and being reported to have loaned Mr. Soliz \$30,000.00. Due to the fact that there was no filings, Mr. Soliz failed to report all his contributions, debts and did not close out his Congressional account or wind down the account.

Also I am not familiar with the rules and regulations of the FEC, the information was faxed to me from your offices on how to file a complaint, and in addition I was able to get a FEC campaign guide. In reading the guide, there is a federal provision, that, Mr. Soliz was not able to accept any corporate contributions to his campaign, that upon receipt of said corporate funds, the committee was to either mail back the contribution or refund/rewrite the check back to the corporation. This concerns me for the corporation I am President of, Mass Excavating Consultants, Inc., loaned Mr. Soliz \$5,000.00 paid by check, that was deposited into the political campaign of Mr. Soliz, and there had been other corporate contributors who gave Mr. Soliz money that was deposited into the political campaign account and never refunded back.

This concerns me that how can candidates run for a federal office, if they themselves do not abide by the federal rules set forth?

I was not aware this was a violation, nor did Mr. Soliz advise me of this. You would think that Mr. Soliz, who has been a candidate for many offices and an attorney would know what is required of a candidate at all times. Not only this, but to ignore and not file the required forms for the position that he was seeking office tends to make me feel insecure about this.

My family and I worked in the campaign for Mr. Soliz back in February 1994 and know where the bank account for the "Soliz for Congress" was opened and that his wife, Letecia Soliz was the secretary. Those accounts were carried at the Metropolitan Bank, 2201 West Cermak Road, Chicago, Illinois 60623.

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I have never been paid the money's that were loaned to Mr. Soliz, being \$25,000 in cash/ receipts and the \$5,000 loaned by Mass Excavating Consultants, Inc. I am not familure with your agency's process by I feel that this man may be committing a fraud, and not reported cash monies received which a perfect example is the monies I loaned to him were never recorded or filed with the FEC.

Other corporate contributors to the Soliz for Congress campaign in 1994 were as follows:

Ashley Trucking, Inc.
Abbot Construction, Northbrook, Illinois

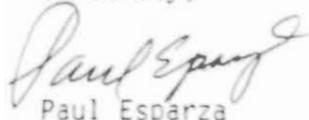
Salgado Trucking, Inc.
Montoya Construction, Inc.
Zepeda Construction, Inc.
Escc Industries, Inc.
La Magdalena, Inc., Addison, Ill

My concerns are that are violations being committed by Juan M Soliz and from my personal knowledge Mr. Soliz is violating the law.

Your immediate investigation into this prior candidate, his FEC committee and his bank accounts should be audited.

I await your reply regarding this complaint.

Sincerely,


Paul Esparza

PE/ce

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FEDERAL ELECTION COMMISSION

Washington, DC 20463

April 10, 1996

Paul Esparza
309 Lake Street
Maywood, IL 60153

Dear Mr. Esparza:

This is to acknowledge receipt on April 5, 1996, of your letter dated March 28, 1996. 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.

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.

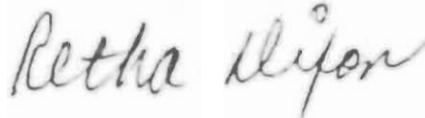
Enclosed is a Commission brochure entitled "Filing a Complaint." I hope this material will be helpful to you should you wish to file a legally sufficient complaint with the Commission.

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.

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

Sincerely,

A handwritten signature in cursive script that reads "Retha Dixon".

Retha Dixon
Docket Chief

Enclosure

cc: Juan Soliz for Congress

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Paul Esparza
309 Lake Street
Maywood, Illinois 60153

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

APR 17 2 45 PM '96

April 15, 1996

MUR 4341

Federal Election Commission
Office of General Counsel
Attn: Retha Dixon
999 E Street, N W
Washington, D.C. 20463

Re: Complaint of March 28, 1996 and acknowledged April 5, 1996
Juan M. Soliz d/b/a Soliz for Congress Acct# C00289090

Dear Ms. Dixon;

In response to your letter of April 10, 1996 that was received this afternoon, please be advised that the original complaint of March 28, 1996 had been notarized. I am following your instructions and have had the Notary Public, put on the complaint:

"Subscribed and sworn to before me on this ____ day of ____ 1996".

as you requested.

I am sending to your attention a "Second" complaint that has been properly notarized as your instructions and would appreciate it if you acknowledge receipt thereof by U.S. Mail and VIA fax to your office. I can be reached at (708)450-9407 during business hours.

If there is any additional information you may request please contact me immediately, or via fax to (708)450-1055.


Paul Esparza

cc: Via Fax and U.S. Mail

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PAUL ESPARZA
309 LAKE STREET
MAYWOOD, ILLINOIS 60153

March 28, 1996

OFFICE OF GENERAL COUNSEL
FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RE: CONGRESSIONAL ACCOUNT 4TH DISTRICT
JUAN M. SOLIZ
ACCT # C00289090

NOTICE OF COMPLAINT

My name is Paul Esparza residing at 309 Lake Street, Maywood, Illinois 60153, and found that in calling Washington, D.C., Public Records that the above candidate, Juan M. Soliz, had not filed with the FEC reports for the 1994-1995 year, nor 1995-1996 reports. I had been checking to see if I had been listed on Mr. Soliz's D2 and being reported to have loaned Mr. Soliz \$30,000.00. Due to the fact that there was no filings, Mr. Soliz failed to report all his contributions, debts and did not close out his Congressional account or wind down the account.

Also I am not familiar with the rules and regulations of the FEC, the information was faxed to me from your offices on how to file a complaint, and in addition I was able to get a FEC campaign guide. In reading the guide, there is a federal provision, that, Mr. Soliz was not able to accept any corporate contributions to his campaign, that upon receipt of said corporate funds, the committee was to either mail back the contribution or refund/rewrite the check back to the corporation. This concerns me for the corporation I am President of, Mass Excavating Consultants, Inc., loaned Mr. Soliz \$5,000.00 paid by check, that was deposited into the political campaign of Mr. Soliz, and there had been other corporate contributors who gave Mr. Soliz money that was deposited into the political campaign account and never refunded back.

This concerns me that how can candidates run for a federal office, if they themselves do not abide by the federal rules set forth?

I was not aware this was a violation, nor did Mr. Soliz advise me of this. You would think that Mr. Soliz, who has been a candidate for many offices and an attorney would know what is required of a candidate at all times. Not only this, but to ignore and not file the required forms for the position that he was seeking office tends to make me feel insecure about this.

My family and I worked in the campaign for Mr. Soliz back in February 1994 and know where the bank account for the "Soliz for Congress" was opened and that his wife, Leticia Soliz was the secretary. Those accounts were carried

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at the Metropolitan Bank, 2201 West Cermak Road, Chicago, Illinois 60623.

I have never been paid the money's that were loaned to Mr. Soliz, being \$25,000 in cash/ receipts and the \$5,000 loaned by Mass Excavating Consultants, Inc. I am not famillure with your agency's process by I feel that this man may be committing a fraud, and not reported cash monies received which a perfect example is the monies I loaned to him were never recorded or filed with the FEC.

Other corporate contributors to the Soliz for Ccngress campaign in 1994 were as follows:

- Ashley Trucking, Inc.
- Abbot Construction, Northbrook, Illinois
- Salgado Trucking, Inc.
- Montoya Construction, Inc.
- Zepeda Construction, Inc.
- Esco Industries, Inc.
- La Magdalena, Inc., Addison, Ill

My concerns are that are violations being committed by Juan M Soliz and from my personal knowledge Mr. Soliz is violating the law.

Your immediate investigation into this prior candidate, his FEC committee and his bank accounts should be audited.

I await your reply regarding this complaint.

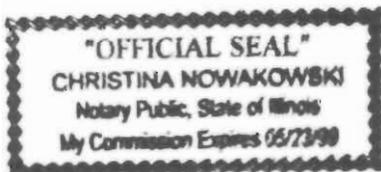
Sincerely,

Paul Esparza
Paul Esparza

State of Ill, County of Cook
 Signed before me on this 15th day
 of June, 1996 by Paul Esparza
 Notary Public Christina Nowakowski

Subscribed and sworn to before me on this 15th day of June, 1996.

Christina Nowakowski
 NOTARY PUBLIC



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FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Paul Esparza
309 Lake Street
Maywood, IL 60153

RE: MUR 4341

Dear Mr. Esparza:

This letter acknowledges receipt on April 17, 1996, 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 4341. 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,

A handwritten signature in black ink, appearing to read "Colleen Sealander".

Colleen Sealander, Attorney
Central Enforcement Docket

Enclosure
Procedures

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Leticia Soliz, Treasurer
Juan Soliz for Congress
1343 West 19th Street
Chicago, IL 60608

RE: MUR 4341

Dear Ms. Soliz:

The Federal Election Commission received a complaint which indicates that Juan Soliz 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 4341. Please refer to this number in all future correspondence.

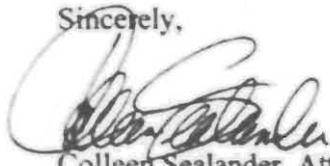
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Committee and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements 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 a member of the Central Enforcement Docket at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Juan Soliz
2332 West 24th Place
Chicago, IL 60608

RE: MUR 4341

Dear Mr. Soliz:

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 4341. Please refer to this number in all future correspondence.

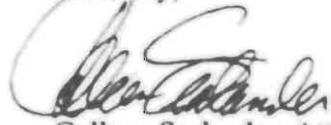
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under 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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If you have any questions, please contact a member of the Central Enforcement Docket at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney
Central Enforcement Docket

Enclosures

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

2 8 0 4 7 8 5 3 8 3 8



FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Robert Bokuniewicz, Registered Agent
Zepeda Construction, Inc.
9625 S. Colfax
Chicago, IL 60615

RE: MUR 4341

Dear Mr. Bokuniewicz:

The Federal Election Commission received a complaint which indicates that Zepeda Construction, Inc., 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 4341. 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 Zepeda Construction, Inc., 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 a member of the Central Enforcement Docket at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Michael C. Deutsch, Registered Agent
La Magdalena, Inc.
2425 Royal Blvd.
Elgin, IL 60123

RE: MUR 4341

Dear Mr. Deutsch:

The Federal Election Commission received a complaint which indicates that La Magdalena, Inc. 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 4341. Please refer to this number in all future correspondence.

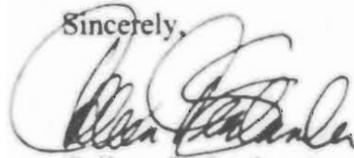
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against La Magdalena, Inc. in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be 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 a member of the Central Enforcement Docket at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Robert K. Polovin, Registered Agent
Ashley Trucking, Inc.
180 N. LaSalle Street
Suite 1625
Chicago, IL 60601

RE: MUR 4341

Dear Mr. Polovin:

The Federal Election Commission received a complaint which indicates that Ashley Trucking, Inc. 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 4341. Please refer to this number in all future correspondence.

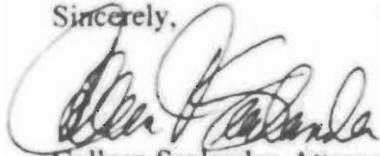
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Ashley Trucking, Inc. in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should 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 a member of the Central Enforcement Docket at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Edward Joseph Stanek, III, Registered Agent
TPM International, Inc. (fka Esco Industries, Inc.)
P.O. Box 697
567 Highland Avenue
Antioch, IL 60002

RE: MUR 4341

Dear Mr. Stanek:

The Federal Election Commission received a complaint which indicates that TPM International, Inc., formerly known as Esco Industries, Inc. 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 4341. Please refer to this number in all future correspondence.

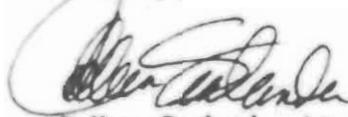
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against TPM International, Inc., in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should 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 a member of the Central Enforcement Docket at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Greg Salgado, President
Salgado Trucking, Inc.
1100 N. Ellis Ave.
Bensenville, IL 60106

RE: MUR 4341

Dear Mr. Salgado:

The Federal Election Commission received a complaint which indicates that Salgado Trucking, Inc. 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 4341. Please refer to this number in all future correspondence.

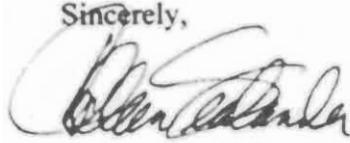
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Salgado Trucking, Inc. in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should 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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If you have any questions, please contact a member of the Central Enforcement Docket at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Stanley Brook, President
B.R. Abbot Construction Company, Inc.
830 Oak Drive
Glencoe, IL 60022

RE: MUR 4341

Dear Mr. Brook:

The Federal Election Commission received a complaint which indicates that B.R. Abbot Construction Company, Inc. 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 4341. Please refer to this number in all future correspondence.

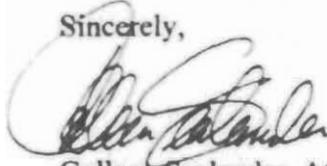
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against B.R. Abbot Construction Company, Inc. in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements 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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If you have any questions, please contact a member of the Central Enforcement Docket at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney
Central Enforcement Docket

Enclosures

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

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FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Paul Lively, Registered Agent
Montoya & Sons Construction Company, Inc.
180 N. Stetson Avenue
Chicago, IL 60601

RE: MUR 4341

Dear Mr. Lively:

The Federal Election Commission received a complaint which indicates that the Montoya & Sons Construction Company, Inc. 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 4341. Please refer to this number in all future correspondence.

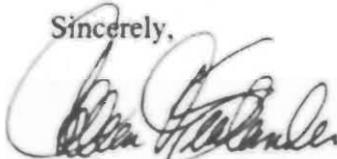
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Montoya & Sons Construction Company, Inc. in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, 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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If you have any questions, please contact a member of the Central Enforcement Docket at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen Sealander, Attorney
Central Enforcement Docket

Enclosures

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

23047853972



FEDERAL ELECTION COMMISSION
Washington, DC 20463

April 24, 1996

Mr. Paul Esparza, President
Mass Excavating Consultants, Inc.
309 Lake Street
Maywood, IL 60153

RE: MUR 4341

Dear Mr. Esparza:

The Federal Election Commission received your complaint which indicates that you and your corporation, Mass Excavating Consultants, Inc., 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 4341. Please refer to this number in all future correspondence.

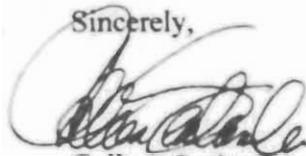
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you and Mass Excavating Consultants, Inc., in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, 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.

23043853903

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

Sincerely,



Colleen Sealander, Attorney
Central Enforcement Docket

Enclosures

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

2 3 0 4 8 5 3 9 0 4

Mass Excavating Consultants, Inc.
Paul Esparza
309 Lake Street
Maywood, Illinois 60153

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 3 12 02 PM '96

April 30, 1996

Ms. Fran Hagen
Federal Election Commission
Office of General Counsel
999 E Street, NW
Washington, D.C. 20463

RE: MUR 4341

Dear Ms. Hagen;

9 8 0 4 3 8 5 3 9 0 5

Responding to the letter of April 24, 1996 and our conversation of April 29, 1996. I was very upset with the letter I received from Colleen Sealander that stated, my business and I, "may have violated the Federal Election Campaign Act of 1971. Which prompted my call to you yesterday. It appears that our good faith effort to file a sincere complaint that effected my firm and myself in becoming victims of the political tactics of candidates and/or campaigns. We did not know we may have been violating any election regulations. Then, if this was the case, we must be among the thousands of individuals and businesses affected. That is why I request a complete copy of the Federal Election Campaign Act of 1971 so that it can be reviewed in order to get a better understanding so that any future solicitation from any other candidates seeking election of offices will be done within the election guidelines.

We admit no wrong on the part of Mass and myself. Mr. Soliz was the candidate soliciting contributions and borrowing monies. He did not make his contributors aware of the right and wrong of contributions.

It was you who opened my eyes, during our conversation yesterday, that contributions made by corporations to candidates were in violation of election guidelines. This is why it is imparative that you forward the copies of documents I have requested. Had we been made aware of any potential violations would take place, this would have never taken place had we been informed of this. Evidently, Mr. Soliz must have been aware of the violation and if there ever was a complaint filed against him his contributors would likely be made the guilty parties.

This only shows the underhanded tactics of this individual, Mr. Soliz and he should be totally investigated. Not only was Mr. Soliz a candidate in many elections, with that experience must know the law, for he is also a lawyer by profession who studies and practices the law and is not ignorant of the law.

Laws must be governed to prohibit candidates to prey on innocent individuals and businesses so that they are not abused by candidates and not considered of violating election guidelines.

Our intention was to seek a remedy in the situation of the monies borrowed to Mr. Soliz for I was not they only source that Mr. Soliz borrowed money from.

The information regarding this matter must be held in strict confidence and is not intended for the matter to be made public, for we do not want any reprisals from the candidate, Mr. Soliz, for his political influence could cause severe harm to me, my family and business. Which the letter of April 24, 1996 states that this information will be held in confidence in accordance with 2 U.S.C. 437g(a)(4)(B), 437g(a)(12)(A) and in the "procedures" of processing complaints, cites 2U.S.C., 437g, 11 CFR Part 111 of which I request copies of those 2 U.S.C. cited captions so that I am made aware of what this entitles for my knowledge.

I am requesting that you respond to the contents of this response within 7 days from the date of the letter and to forward the documents that I have requested immediately.

Respectfully,

MASS EXCAVATING CONSULTANTS, INC.

By: Paul Esparza, President
Paul Esparza

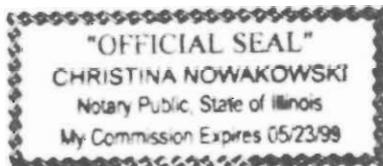
Paul Esparza, Individually
Paul Esparza

City of ILL. County of Cook
Signed before me on this 30th day
of April, 1996 by PAUL ESPARZA
Notary Public Christina Nowakowski

Subscribed and sworn to before me on this 30th day of April, 1996.

Christina Nowakowski
NOTARY PUBLIC

(seal)



08043853906



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 8, 1996

Mr. Paul Esparza
309 Lake Street
Maywood, IL 60153

RE: MUR 4341

Dear Mr. Esparza:

This is in response to your request for documents dated April 30, 1996, relating to the Federal Election Campaign Act of 1971, as amended. We have advised the Information Division of your request, and the documents will be forwarded to you under separate cover.

If you have additional document requests, you may contact the Information Division directly on the Commission's toll free number: 800-424-9530.

Sincerely,

A handwritten signature in cursive script that reads "Frances B. Hagan".

Frances B. Hagan, Paralegal Specialist
Central Enforcement Docket

98043853907

(312) 978-8050
FAX:
(312) 978-6734



P.O. BOX 17547
9625 S. Colfax Ave.
Chicago, Illinois 60617

May 1, 1996

Federal Election Commission
Central Enforcement Docket
999 E. Street, N.W.
Washington, D.C. 20463

MAY 8 12 15 PM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Attention: Colleen Sealander, Esq.

RE: MUR 4341

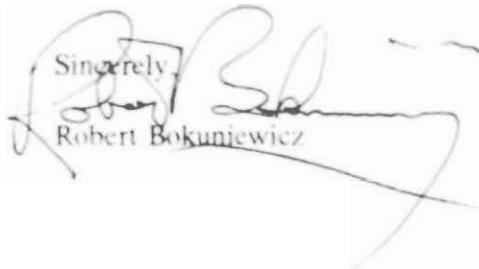
Dear Ms. Sealander:

Thank you for your letter of April 24, 1996 regarding our involvement with Mr. Juan Soliz. We have reviewed our transactions with Mr. Soliz for 1994 through 1995.

In 1994, Mr. Soliz was given three checks totaling \$1,600.00. The first check was for \$400.00 (check #3617) written 1/1/94; the second check was for \$200.00 (check #3768) written 2/5/94; the third check was for \$1,000.00 (check #3802) written 3/8/94. While the first two checks have no reference as to what they were for, the third check is clearly marked "donation".

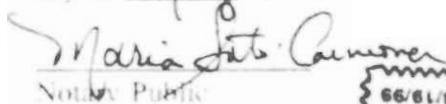
In 1995, one check was issued for \$200.00 in May. However, the check was issued to "Feria De Salud / Juan Soliz." I believe this check was written for a health fair. I do not know if that is considered a political donation.

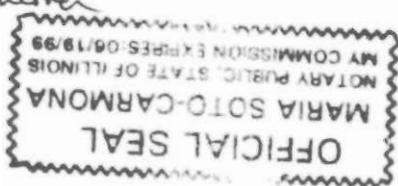
Zepeda Construction, Inc. will cooperate fully with any investigation by your office. Please advise us if any more information is needed. Thank you for your cooperation.

Sincerely,

Robert Bokuniewicz

cc: File

Subscribed and Sworn
to before me this 1st
day of May, 1996.


Notary Public



2804853908

Law Offices
Wolfe and Polovin

Robert K. Polovin
Richard A. Wolfe

of Counsel
Marc H. Pullman
Bernard B. Wolfe

May 8, 1996

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAY 10 10 00 AM '96

180 North LaSalle Street
Suite 2420
Chicago, Illinois 60601
Telephone (312) 782-1681
Telecopier (312) 782-5108

VIA FACSIMILE (202)219-3923
AND FIRST CLASS MAIL

Ms. Fran Hagan, Para-Legal Specialist
Office of the General Counsel
Central Enforcement Docket
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: MUR 4341/Ashly Trucking
Company, Inc.

Dear Ms. Hagan:

Pursuant to our phone conversation on Monday, May 6, 1996, I am enclosing herewith a Statement of Designation of Counsel, signed by Respondent, Ashly Trucking, Inc. I am requesting an extension of time to file my client's response until May 21, 1996. The extension is needed to allow me the opportunity to review the Complaint with my client and to assemble all of the factual information and documentation necessary for the preparation of the response.

Please confirm that the extension request is acceptable.

Very truly yours,

WOLFE AND POLOVIN



Robert K. Polovin

RKP/smn
enclosure

23042853909

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4341

NAME OF COUNSEL: ROBERT K. POLOVIN

FIRM: WOLFE AND POLOVIN

ADDRESS: 180 NORTH LASALLE

SUITE 2420

CHICAGO, ILLINOIS 60601

TELEPHONE: (312) 782-1681

FAX: (312) 782-5108

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 10 10 00 AM '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.

5/2/96
Date

Ashly Trucking Company, Inc
BY: [Signature] PRESIDENT
Signature

RESPONDENT'S NAME: ASHLY TRUCKING COMPANY, INC.

ADDRESS: 4701 NORTH CUMBEPLAND AVENUE

SUITE 18A

NORRIDGE, ILLINOIS 60656

TELEPHONE: HOME () _____

BUSINESS (708) 453-8887

98047853910



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 13, 1996

Robert K. Polovin, Esquire
Wolfe and Polovin
180 North LaSalle Street
Suite 2420
Chicago, IL 60601

RE: MUR 4341
Ashly Trucking Company, Inc.

Dear Mr. Polovin:

This is in response to your letter dated May 8, 1996, requesting an extension until May 21, 1996, to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on May 21, 1996.

If you have any questions, please contact the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Frances B. Hagan, Paralegal Specialist
Central Enforcement Docket

28043853911

Querrey & Harrow

Querrey & Harrow, Ltd
Two Prudential Plaza
180 North Stetson Avenue
Chicago, IL 60601-6791

TEL (312) 540-7000
FAX (312) 540-0578

Illinois Offices
Geneva
Joliet
Rockford
Waukegan
Wheaton
Woodstock
Wisconsin Office
Racine

May 9, 1996

VIA TELEFAX NO 202-219-3923
AND REGULAR MAIL

Francis Hagen, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 4341

Dear Ms. Hagen:

This will acknowledge receipt on May 3, 1996 of the Commission's letter and enclosures of April 24, 1996. Pursuant to our telephone conference of May 9, 1996, I am transmitting the completed Statement of Designation of Counsel.

As I stated in our conference Montoya & Sons Construction Company, Inc. requests a fifteen-day extension of time to respond to the Complaint. This request is predicated upon the time that will be necessary to review its business records to obtain information in an effort to confirm or deny the Complaint's allegations.

We appreciate your consideration in this matter.

Best regards,



Paul T. Lively
(312) 540-7038

PTL/snr
Enclosure

cc: Pete Montoya

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 13 3 02 PM '96

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2

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4341

NAME OF COUNSEL: Paul T. Lively

FIRM: Querrey & Harrow Ltd.

ADDRESS: Two Prudential Plaza

180 North Stetson Avenue

Chicago, Illinois 60601

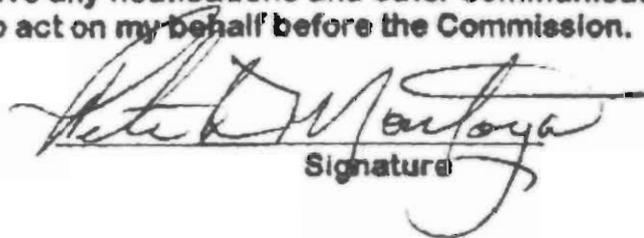
TELEPHONE: (312) 540-7000

FAX: (312) 540-0578

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
MAY 13 3 02 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.

5-9-96
Date


Signature

RESPONDENT'S NAME: Pete R. Montoya

ADDRESS: 2720 S. River Road, Suite 236

Des Plaines, Illinois 60018

TELEPHONE: HOME ()

BUSINESS (847) 390-6560

98043853913



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 13, 1996

Paul T. Lively, Esquire
Querrey & Harrow, Ltd.
Two Prudential Plaza
180 North Stetson Avenue, Suite 3500
Chicago, IL 60601-6791

RE: MUR 4341
Montoya & Sons Construction Co., Inc.

Dear Mr. Lively:

This is in response to your letter dated May 9, 1996, requesting a 15-day extension to respond to the complaint filed in the above-noted matter. After considering the circumstances presented in your letter, the Office of the General Counsel has granted the requested extension. Accordingly, your response is due by the close of business on June 4, 1996.

If you have any questions, please contact the Central Enforcement Docket at (202) 219-3400.

Sincerely,

Frances B. Hagan, Paralegal Specialist
Central Enforcement Docket

9 8 0 4 3 8 5 3 9 1 4

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAY 13 2 28 PM '96

LAW OFFICES

KEITH J. KULIE
228 E. Lake St. #102
Addison, IL 60101

Addison: 708-617-9828
Aurora: 708-892-3322
Fax: 847-698-9301

May 10, 1996

Federal Election Commission
Washington, DC 20463

RE: MUR 4341

Dear Sirs:

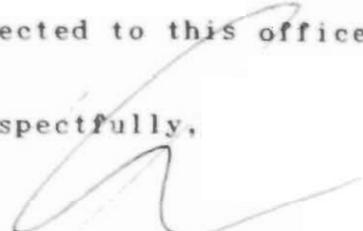
Your letter dated April 24, 1996 to La Magdalena, Inc. has been referred to this office for review.

Enclosed is the Statement of Designation of Counsel form giving this office authority to represent La Magdalena, Inc. in this matter.

We will be reviewing the matter with our client and will prepare a response to the communication. However, in the meantime, we note with some concern that there is no reference in your April 24 communication of any specific provision of the Federal Election Campaign Act of 1971 which my client is alleged to have violated. Until we have that information we are not in a position to respond. Please advise as to what your specific assertion is so that we may prepare an appropriate response.

Any further questions may be directed to this office on behalf of La Magdalena, Inc.

Respectfully,


Keith J. Kulie

enc.

28043853915

STATEMENT OF DESIGNATION OF COUNSEL

MUR 4341

NAME OF COUNSEL: KEITH J. KULIE

FIRM: _____

ADDRESS: 228 E. Lake St., Ste #102

Addison, IL 60101

TELEPHONE: (708) 617-9828

FAX: (847) 698-9301

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.

5-5-96
Date

Jose Fernandez
Signature

RESPONDENT'S NAME: La Magdalena, Inc.
Jose Fernandez, Pres.

ADDRESS: 321 N. Addison Road

Addison, IL 60101

TELEPHONE: HOME(____) _____

BUSINESS(____) _____

98043853916

Law Offices
Wolfe and Polovin

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

MAY 21 10 23 AM '96

Robert K. Polovin
Richard A. Wolfe

of Counsel

Marc H. Pullman
Bernard B. Wolfe

May 20, 1996

180 North LaSalle Street
Suite 2420
Chicago, Illinois 60601
Telephone (312) 782-1681
Telecopier (312) 782-5108

VIA FEDERAL EXPRESS

Ms. Fran Hagan, Para-Legal Specialist
Office of the General Counsel
Central Enforcement Docket
Federal Election Commission
999 E Street N.W.
Washington, D.C. 20463

Re: MUR 4341/Ashly Trucking
Company, Inc.

Dear Ms. Hagan:

My client, Ashly Trucking Company, Inc., is engaged in the business of hauling materials. During the period in question, it was hauling materials for Abbott Construction from a City of Chicago job site to a dump site owned by Mr. Paul Esparza. In February, 1994, Mr. Esparza contacted my client and indicated that he was soliciting campaign contributions for Mr. Juan M. Soliz, who was running for an elected office. As a result of said solicitation, my client issued two checks, in accordance with Mr. Esparza's instructions, to Juan M. Soliz for Congress. The checks were picked up by Mr. Esparza. Enclosed are copies (front and back) of the two checks.

Very truly yours,

WOLFE AND POLOVIN



Robert K. Polovin

RKP/smn
enclosure

23042853917

9 8 0 4 3 8 5 3 9 1 8

ASHLY TRUCKING CO., INC.
4701 N. CUMBERLAND AVE.
NORRIDGE, IL 60656

BANK OF HINGDALE
400 EAST OGDEN AVE.
HINGDALE, IL 60621
70-881719

No. 0003117

CHECK NO. 3117

Sum of Five Hundred & 00/100 Dollars

DATE

AMOUNT

519530129 02/14/94

\$500.00

PAY
TO THE
ORDER
OF

JUAN M. SOLIZ FOR CONGRESS

⑈003117⑈ ⑈071908814⑈ 54 433 7⑈

⑈0000050000⑈

9 8 0 4 3 8 5 3 9 1 9

PAY TO THE ORDER OF
Metropolitan Bank & Trust Company
FOR DEPOSIT ONLY
SOLIZ FOR CONGRESS
36205720

68000600

68220553

000000000

7 FEB 14

CHICAGO, ILL
FEB 14 1994

1994 FEB 18
METRO BANK

19940217-1000041440-22114
METRO BANK
900 N. CERRITOS RD

9 8 0 4 3 8 5 3 9 2 0

ASHLY TRUCKING CO., INC.
4701 N. CUMBERLAND AVE.
NORRIDGE, IL 60656

BANK OF HINSDALE
400 EAST OGDEN AVE.
HINSDALE, IL 60621
70-581719

No. 0003128

CHECK NO. 3128

Sum of Six Hundred & 00/100 Dollars

DATE

AMOUNT

514530188 02/16/94

\$600.00

PAY
TO THE
ORDER
OF

JUAN M. SOLIZ FOR CONGRESS



⑈003128⑈ ⑆071908814⑆ 54 433 7⑈

⑈0000060000⑈

Querrey & Harrow

Querrey & Harrow, Ltd
Two Prudential Plaza
180 North Stetson Avenue
Chicago, IL 60601-6791

TEL (312) 540-7880
FAX (312) 540-0578

Illinois Offices:
Geneva
Joliet
Rockford
Waukegan
Wheaton
Woodstock
Wisconsin Office:
Racine

June 3, 1996

FEDERAL EXPRESS

Ms. Francis B. Hagan
Paralegal Specialist
Central Enforcement Docket
Federal Election Commission
Washington, D.C. 20463

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNCIL
JUN 4 9 52 AM '96

Re: MUR 4341

Dear Ms. Hagan:

As one of the attorneys for Montoya & Sons Construction Co., Inc. ("Montoya Co."), this letter provides Montoya Co.'s response to the complaint.

Montoya Co. has asked us to advise you that

- (i) Montoya Co. has never made any contribution of money by way of check or cash to Juan Soliz.
- (ii) Montoya Co.'s employees have reviewed the corporation's cancelled checks and can find no check made payable to either Mr. Soliz or his federal election campaign.

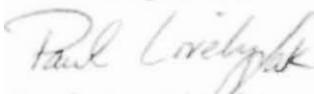
Enclosed are the Affidavits of Mr. Pete Montoya and Ms. Evelyn Montoya-Campos attesting to these facts.

We trust that the foregoing is responsive to your inquiry and will enable you to recommend to the Commission that it should find no reason to believe the Paul Esparga complaint, at

28044853922

Ms. Francis B. Hagan
June 3, 1996
Page Two

least as to Montoya Co., sets forth a possible violation of the Act and, accordingly should close its file as to Montoya Co. If you need anything further, please let me know.

Best regards,

Paul T. Lively
(312) 540-7038

PTL/snr
Enclosures

cc: Pete Montoya

28043853923

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

AFFIDAVIT

PETE MONTOYA, being first duly sworn on oath deposes and states as follows:

1. He makes this Affidavit based upon his own personal knowledge and in response to the complaint filed in the matter before the United States Federal Election Commission referenced as MUR 4341.

2. At all times mentioned hereinafter, he was the President of Montoya & Sons Construction Co., Inc. (the "Corporation") and an authorized signatory on the Corporation's demand deposit (checking) bank account (the "Account").

3. At no time did he, on behalf of the Corporation, write or authorize any employee of the Corporation to write any check on the Account to Candidate Juan Soliz or any authorized Soliz political committee.

4. At no time did he, on behalf of the Corporation, make or authorize any employee of the Corporation to make any contribution in cash to candidate Juan Soliz or any authorized Soliz political committee.

Further affiant sayeth not.


Pete Montoya

Subscribed and Sworn to before me this 3rd day of June, 1996.


Notary Public



98042853924

STATE OF ILLINOIS)
) SS
COUNTY OF COOK)

AFFIDAVIT

EVELYN MONTOYA-CAMPOS, being first duly sworn on oath deposes and states as follows:

1. She makes this Affidavit based upon her own personal knowledge and in response to the complaint filed in the matter before the United States Federal Election Commission referenced as MUR 4341.

2. At all times mentioned hereinafter, she was the Executive Vice President of Montoya & Sons Construction Co., Inc. (the "Corporation") and an authorized signatory on the Corporation's demand deposit (checking) bank account (the "Account").

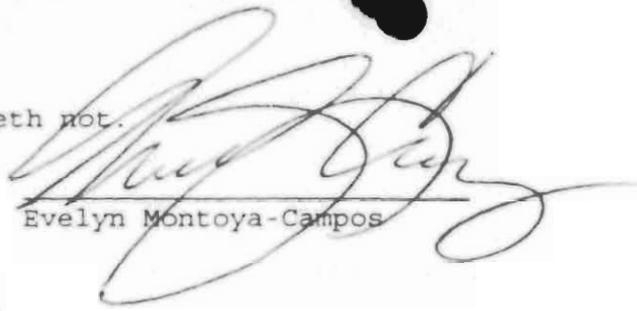
3. At no time did she, on behalf of the Corporation, write or authorize any employee of the Corporation to write any check on the Account to Candidate Juan Soliz or any authorized Soliz political committee.

4. At no time did she, on behalf of the Corporation, make or authorize any employee of the Corporation to make any contribution in cash to candidate Juan Soliz or any authorized Soliz political committee.

5. She has personally reviewed and accounted for disbursements from the Account for the calendar years 1993 and 1994 and has found no disbursement, by any other signatory to the Account, to candidate Jaun Soliz or any authorized Soliz political committee

23047853925

Further, affiant sayeth not.



Evelyn Montoya-Campos

Subscribed and Sworn to
before me this 3rd day of
June, 1996.

Claudia L. Ibarra
Notary Public



Document #: 36840

98047853926

REC'D
FEDERAL E
COMMISS
OFFICE OF CE
COUNCIL
David Fernandez & Associates, P.A., L.L.C.
1350 Eye Street, N.W.
Suite 200
Washington, D.C. 20005
(202) 828-0033 • Fax (202)828-0088

July 3, 1996

Colleen Sealander, Esquire
Central Enforcement Docket
Federal Election Commission
Washington, D.C. 20463

Re: MUR 4341

Dear Ms. Sealander:

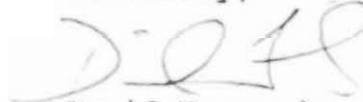
Pursuant to our telephone discussion on Monday, I am submitting this notice of representation for Mr. Greg Salgado, President, Salgado Trucking, Inc. I am submitting an "Authorization to Represent" which has been duly executed by Mr. Salgado.

Furthermore, it is our contention that Mr. Salgado has not violated the Federal Election Campaign Act of 1971 as reflected in the MUR 4341 Complaint.

As we discussed, we want to be cooperative in this matter and hope that our discussion provided you with this impression and was helpful to you.

Should you have any questions, do not hesitate to contact me.

Sincerely,


David Fernandez

Enclosure:

28043853927

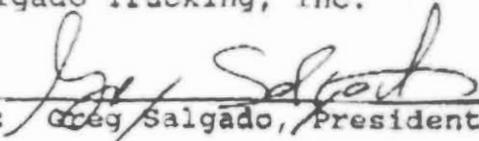
**AUTHORIZATION TO REPRESENT
FROM GREG SALGADO
TO DAVID FERNANDEZ & ASSOCIATES, PLLC**

I, Greg Salgado, President of Salgado Trucking, Inc. and living in Illinois, hereby authorize my Agent, David Fernandez & Associates, PLLC or its agents, to investigate and resolve the item with the Federal Election Commission titled MUR 4341.

I feel it best to have such representation for these preliminary matters.

Salgado Trucking, Inc.

6.19.96
Date:


By: Greg Salgado, President

9 8 0 4 3 8 5 3 9 2 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)
)

ENFORCEMENT PRIORITY

May 10 3 21 PM '97

SENSITIVE

GENERAL COUNSEL'S REPORT

I. INTRODUCTION.

The cases listed below have been identified as either stale or of low priority based upon evaluation under the Enforcement Priority System (EPS). This report is submitted to recommend that the Commission no longer pursue these cases.

This is the first Enforcement Priority Report that reflects the impact of the 1996 election cycle cases on the Commission's enforcement workload. We have identified [redacted] cases that are stale [redacted] which are recommended for dismissal at this time. This is the highest number of cases identified as stale in a single report, and the highest number of stale cases recommended for closure at one time, since the inception of EPS in 1993.

9 8 0 4 3 8 5 3 9 2 9

II. CASES RECOMMENDED FOR CLOSURE.

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

EPS was created to identify pending cases which, due to the lower priority of the issues raised in the matters relative to others presently pending before the Commission, do not warrant further expenditure of resources. Central Enforcement Docket (CED) evaluates each incoming matter using Commission-approved criteria, resulting in a numerical rating for each case.

Closing such cases permits the Commission to focus its limited resources on more important cases presently pending before it. Based upon this review, we have identified cases that do not warrant further action relative to other pending matters.³ Attachment I to this report contains summaries of each case, the EPS rating, and the factors leading to assignment of a low priority and recommendation not to further pursue the matter.

B. **Stale Cases**

Effective enforcement relies upon the timely pursuit of complaints and referrals to ensure compliance with the law. Investigations concerning activity more remote in time usually require a greater commitment of resources, primarily due to the fact that the evidence of such activity becomes more difficult to develop as it ages. Focusing investigative efforts on more recent and more significant activity also has a more positive effect on the electoral process and the regulated community. In recognition of this fact, EPS provides us with the

³ These cases are: RAD 97L-10 (*Citizens for Randy Borow*); RAD 97L-16 (*Republican State Central Committee of South Dakota*); Pre-MUR 347 (*Producers Lloyds Insurance Company*); Pre-MUR 348 (*Peoples National Bank of Commerce*); Pre-MUR 349 (*Trump Plaza*); Pre-MUR 350 (*Citibank, N.A.*); Pre-MUR 355 (*Feingold Senate Committee*); MUR 4494 (*Georgianna Lincoln*);

MUR 4586 (*Friends of Zach Wamp*); MUR 4590 (*Oklahoma Education Association*); MUR 4600 (*San Diego Police Officers Assoc.*); MUR 4612 (*Teresa Doggett for Congress*); MUR 4615 (*Catholic Democrats for Christian Values*); MUR 4616 (*American Legislative Exchange Council*); MUR 4620 (*Eastern Connecticut Chamber of Commerce*); MUR 4622 (*Telles for Mayor*); MUR 4628 (*Gutknecht for Congress*); MUR 4629 (*Janice Schakowsky*); MUR 4636 (*IBEW Local 505*); MUR 4637 (*Dettman for Congress*); MUR 4639 (*Larson for Congress*); MUR 4641 (*Becker for Congress*); MUR 4644 (*Detroit City Council*); MUR 4651 (*Mike Ryan*); MUR 4653 (*Pritzker for Congress*); MUR 4656 (*H. Carroll for Congress*); and MUR 4657 (*Buchanan for President*).

means to identify those cases which, though earning a higher rating when received, remained unassigned for a significant period due to a lack of staff resources for effective investigation. The utility of commencing an investigation declines as these cases age, until they reach a point when activation of a case would not be an efficient use of the Commission's resources.

We have identified cases that have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We are recommending the closure of cases based on staleness.⁶

* These cases are: MUR 4283 (*Chenoweth for Congress*); MUR 4341 (*Juan Soliz for Congress*); MUR 4402 (*U.S. Representative Helen Chenoweth*); MUR 4435 (*Lincoln for Congress*); MUR 4439 (*UAW*); MUR 4442 (*Lipinski for Congress*); MUR 4444 (*Roberts for Congress*); MUR 4445 (*Randy Tate for Congress*); MUR 4446 (*Clinton/Gore '96 Primary*); MUR 4447 (*Random House, Inc.*); MUR 4449 (*Clinton Administration*); MUR 4453 (*Mike Ward for Congress*); MUR 4454 (*Ralph Nader*); MUR 4459 (*Clinton/Gore '96*); MUR 4474 (*Salvi for Senate*); MUR 4477 (*BBDO-New York*); MUR 4481 (*Diamond Bar Caucus*); MUR 4485 (*Perot '92 Petition Committee*); MUR 4486 (*Bunda for Congress*); MUR 4495 (*Pennsylvania PACE for Federal Elections*); MUR 4496 (*Norwood for Congress*); MUR 4497 (*Pease for Congress*); MUR 4510 (*Stabenow for Congress*); MUR 4511 (*Bob Coffin for Congress*); MUR 4514 (*Friends for Franks*); MUR 4515 (*Clinton Investigative Commission*); MUR 4521 (*WMAJL 630 AM*); MUR 4525 (*Senator Larry Pressler*); MUR 4527 (*Brennan for Senate*); MUR 4536 (*Signature Properties, Inc.*); MUR 4540 (*Tim Johnson for SD*); MUR 4542 (*Dan Frisa for Congress*); MUR 4552 (*Charles W. Norwood*); MUR 4554 (*John Byron for Congress*); MUR 4556 (*Jim Wiggins for Congress*); MUR 4561 (*Jay Hoffman for Congress*); MUR 4564 (*National Republican Congressional Committee*); MUR 4567 (*DNC Services Corp.*); MUR 4569 (*McGovern Committee*); RAD 96L-11 (*New York Republican County Committee*); Pre-MUR 343 (*NRSC*); and Pre-MUR 312 (*Joseph Demio*). The Demio case involves fundraising related to former Congresswoman Mary Rose Oakar's 1992 congressional campaign. It was held as a courtesy to the Department of Justice pending resolution of a parallel criminal matter in the District Court for the District of Columbia. Mr. Demio recently entered into a plea agreement with the Department of Justice (on which we were not consulted) in which he agreed, among other things, to waive the statute of limitations regarding civil violations of the FECA. Considering the age of the case and activity, the fact that DOJ has not formally referred this matter to us, and the Commission's continuing resource constraints, dismissal is the appropriate disposition of this matter.

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We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective November 17, 1997. Closing these cases as of this date will permit CED and the Legal Review Team the necessary time to prepare closing letters and case files for the public record.

III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective November 17, 1997, and approve the appropriate letters in the following matters:

RAD 96L-11

Pre-MUR 312

Pre-MUR 349

RAD 97L-10

Pre-MUR 343

Pre-MUR 350

RAD 97L-16

Pre-MUR 347

Pre-MUR 355

Pre-MUR 348

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B. Take no action, close the file effective November 17, 1997, and approve the appropriate letters in the following matters:

MUR 4283
MUR 4341
MUR 4402
MUR 4435
MUR 4439
MUR 4442
MUR 4444
MUR 4445
MUR 4446
MUR 4447
MUR 4449
MUR 4453
MUR 4454
MUR 4459
MUR 4474
MUR 4477
MUR 4481
MUR 4485
MUR 4486

MUR 4494

MUR 4495
MUR 4496
MUR 4497
MUR 4510
MUR 4511
MUR 4514
MUR 4515

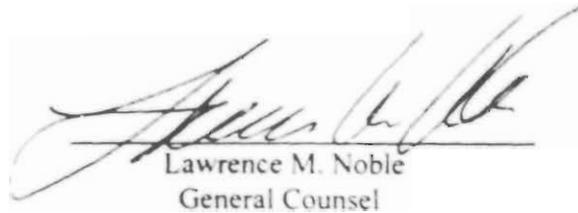
MUR 4521
MUR 4525
MUR 4527
MUR 4536
MUR 4540
MUR 4542
MUR 4552
MUR 4554
MUR 4556
MUR 4561

MUR 4564
MUR 4567

MUR 4569
MUR 4586
MUR 4590
MUR 4600
MUR 4612
MUR 4615
MUR 4616
MUR 4620
MUR 4622
MUR 4628
MUR 4629
MUR 4636
MUR 4637
MUR 4639
MUR 4641
MUR 4644
MUR 4651
MUR 4653
MUR 4656
MUR 4657

9 8 0 4 3 8 5 3 9 3 3

Date 7/97


Lawrence M. Noble
General Counsel

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) Agenda Document No. X97-77
Enforcement Priority)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on December 2, 1997, do hereby certify that the Commission took the following actions with respect to Agenda Document No. X97-77:

1. Decided by a vote of 5-0 to

A. Decline to open a MUR, close the file effective December 15, 1997, and approve the appropriate letters in the following matters:

- | | |
|----------------|-----------------|
| 1. RAD 96L-11 | 7. Pre-MUR 347 |
| | 8. Pre-MUR 348 |
| 3. RAD 97L-10 | 9. Pre-MUR 349 |
| 4. RAD 97L-16 | 10. Pre-MUR 350 |
| 5. Pre-MUR 312 | 11. Pre-MUR 355 |
| 6. Pre-MUR 343 | |

B. Take no action, close the file effective December 15, 1997, and approve the appropriate letters in the following matters:

- | | |
|-------------|--------------|
| 1. MUR 4283 | 6. MUR 4442 |
| 2. MUR 4341 | 7. MUR 4444 |
| 3. MUR 4402 | 8. MUR 4445 |
| 4. MUR 4435 | 9. MUR 4446 |
| 5. MUR 4439 | 10. MUR 4447 |

(continued)

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Federal Election Commission
Certification: Agenda Document
No. X97-77
December 2, 1997

Page 2

- | | | | |
|-----|----------|-----|----------|
| 11. | MUR 4449 | 36. | MUR 4556 |
| 12. | MUR 4453 | 37. | MUR 4561 |
| 13. | MUR 4454 | 38. | MUR 4564 |
| 14. | MUR 4459 | 39. | MUR 4567 |
| 15. | MUR 4474 | 40. | MUR 4569 |
| 16. | MUR 4477 | 41. | MUR 4586 |
| 17. | MUR 4481 | 42. | MUR 4590 |
| 18. | MUR 4485 | 43. | MUR 4600 |
| 19. | MUR 4486 | 44. | MUR 4612 |
| 20. | MUR 4494 | 45. | MUR 4615 |
| 21. | MUR 4495 | 46. | MUR 4616 |
| 22. | MUR 4496 | 47. | MUR 4620 |
| 23. | MUR 4497 | 48. | MUR 4622 |
| 24. | MUR 4510 | 49. | MUR 4628 |
| 25. | MUR 4511 | 50. | MUR 4629 |
| 26. | MUR 4514 | 51. | MUR 4636 |
| 27. | MUR 4515 | 52. | MUR 4637 |
| 28. | MUR 4521 | 53. | MUR 4639 |
| 29. | MUR 4525 | 54. | MUR 4641 |
| 30. | MUR 4527 | 55. | MUR 4644 |
| 31. | MUR 4536 | 56. | MUR 4651 |
| 32. | MUR 4540 | 57. | MUR 4653 |
| 33. | MUR 4542 | 58. | MUR 4656 |
| 34. | MUR 4552 | 59. | MUR 4657 |
| 35. | MUR 4554 | | |

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

Attest:

12-4-97
Date

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

98043853935



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Paul Esparza, President
Mass Excavating Consultants, Inc.
309 Lake Street
Maywood, IL 60153

RE: MUR 4341

Dear Mr. Esparza:

On April 17, 1996, the Federal Election Commission received your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended ("the Act").

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action in the matter. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997. This matter will become part of the public record within 30 days.

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

Sincerely,

F. Andrew Tarley
Supervisory Attorney
Central Enforcement Docket

28043853936



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Leticia Soliz, Treasurer
Juan Soliz for Congress
1343 West 19th Street
Chicago, IL 60608

RE: MUR 4341

Dear Ms. Soliz:

On April 24, 1996, 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.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against Juan Soliz for Congress and you, as treasurer. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Tuttle".

F. Andrew Tuttle
Supervisory Attorney
Central Enforcement Docket

28043853937



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Juan Soliz
2332 West 24th Place
Chicago, IL 60608

RE: MUR 4341

Dear Mr. Soliz:

On April 24, 1996, 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.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against you. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyd on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Furley".

F. Andrew Furley
Supervisory Attorney
Central Enforcement Docket

98043853938



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Robert Bokuniewicz, Registered Agent
Zepeda Construction, Inc.
9625 S. Colfax
Chicago, IL 60615

RE: MUR 4341

Dear Mr. Bokuniewicz:

On April 24, 1996, 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.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against Zepeda Construction, Inc. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Farley".

F. Andrew Farley
Supervisory Attorney
Central Enforcement Docket

98043853939



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Keith J. Kulie, Esq.
228 E. Lake Street, Ste #102
Addison, IL 60101

RE: MUR 4341
La Magdalena, Inc.

Dear Mr. Kulie:

On April 24, 1996, the Federal Election Commission notified your client 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.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against your client. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

28043853940



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Robert K. Polovin, Esq.
Wolfe and Polovin
180 North LaSalle, Ste. 2420
Chicago, IL 60601

RE: MUR 4341
Ashly Trucking Company, Inc.

Dear Mr. Polovin:

On April 24, 1996, the Federal Election Commission notified your client 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.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against your client. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyd on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

F. Andrew Tarley
Supervisor, Attorney
Central Enforcement Docket

28043853941



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Edward Joseph Stanek, III, Registered Agent
TPM International, Inc. (fka Esco Industries, Inc.)
P.O. Box 697
567 Highland Avenue
Antioch, IL 60002

RE: MUR 4341

Dear Mr. Stanek:

On April 24, 1996, 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.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against TPM International, Inc. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

F. Andrew Tarley
Supervisory Attorney
Central Enforcement Docket

98043853942



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

David Fernandez, Esq.
David Fernandez & Associates
1350 Eye Street, NW, Ste. 200
Washington, DC 20005

RE: MUR 4341
Salgado Trucking, Inc.

Dear Mr. Fernandez:

On April 24, 1996, the Federal Election Commission notified your client 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.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against your client. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

F. Andrew Tuttle
Supervisory Attorney
Central Enforcement Docket

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Stanley Brook, President
B.R. Abbot Construction Co., Inc.
830 Oak Drive
Glencoe, IL 60022

RE: MUR 4341

Dear Mr. Brook:

On April 24, 1996, 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.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against B.R. Abbot Construction Co., Inc. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Tarley".

F. Andrew Tarley
Supervisory Attorney
Central Enforcement Docket

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Paul T. Lively, Registered Agent
Querrey & Harrow, Ltd.
Two Prudential Plaza
180 N. Stetson Ave.
Chicago, IL 60601-6791

RE: MUR 4341
Montoya & Sons Construction Company, Inc.

Dear Mr. Lively:

On April 24, 1996, 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.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against Montoya & Sons Construction Company, Inc. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Turley".

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

98043853945



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 15, 1997

Paul Esparza, President
Mass Excavating Consultants, Inc.
309 Lake Street
Maywood, IL 60153

RE: MUR 4341

Dear Mr. Esparza:

On April 24, 1996, the Federal Election Commission notified you that you were a respondent to your complaint alleging certain violations of the Federal Election Campaign Act of 1971, as amended. A copy of the complaint was enclosed with that notification.

After considering the circumstances of this matter, the Commission exercised its prosecutorial discretion to take no action against Mass Excavating Consultants, Inc. This case was evaluated objectively relative to other matters on the Commission's docket. In light of the information on the record, the relative significance of the case, and the amount of time that has elapsed, the Commission determined to close its file in this matter on December 15, 1997.

The confidentiality provisions of 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 prior to receipt of your additional materials, any permissible submissions will be added to the public record when received.

If you have any questions, please contact Jennifer H. Boyt on our toll-free number, (800)-424-9530. Our local number is (202) 219-3690.

Sincerely,

A handwritten signature in black ink, appearing to read "F. Andrew Tuttle".

F. Andrew Tuttle
Supervisory Attorney
Central Enforcement Docket

98043853946



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4341
DATE FILMED 1/16/98 CAMERA NO. 2
CAMERAMAN EES

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