



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4543

DATE FILMED 7/9/98 CAMERA NO. 4

CAMERAMAN EES

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

OCT 28 11 12 AM '96

MUR 4543

October 16, 1996

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

RE: Violations of the Federal Election Campaign
Act (FECA) by the Hinchey for Congress
campaign, Besicorp Group and Michael Zinn

Dear Mr. Noble:

Pursuant to the provisions of 2 USC 437g (a) (1), I submit this letter under oath as a formal complaint against the identified respondents.

It is my belief that the Hinchey for Congress campaign has accepted prohibited corporate contributions in violation of 2 USC 441b. It is my further belief that the source of these prohibited contributions was Besicorp Group and Michael Zinn.

RESPONDENTS

The respondent, Maurice Hinchey for Congress campaign, Charles Landi, Treasurer, is the principal campaign committee for Representative Maurice Hinchey. Respondent, Besicorp Group is a New York corporation doing business in Ulster County, New York. Respondent Michael Zinn is president and chairman of Besicorp Group.

The respondents have violated the Act in the manner described below:

VIOLATIONS OF FECA

The respondents have violated the provisions of 2 USC 441b (a) which states that it is "unlawful for any national bank, or any corporation organized under any law of Congress, to make a contribution or expenditure in connection with any election to any political office...or for any candidate, political committee or other person knowingly to accept or receive any contribution prohibited by this section." 2 USC 441b (a)

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Upon information and belief, respondents Besicorp Group and Michael Zinn made prohibited corporate contributions under this section to the Hinchey for Congress campaign. (Exhibit A) Despite knowing that said contributions were in violation of the Act, respondent Hinchey for Congress campaign accepted said contributions and to date, has not returned them.

FACTS

THE REIMBURSEMENT SCHEME

From July 31, 1992 through October of 1994, the Hinchey for Congress campaign has received at least \$17,900 in contributions from employees of Besicorp Group. (Exhibit B)

By information and belief, several of these contributions were prohibited under the FECA. This assertion is founded in a May 10, 1996 article of The Times Herald Record. In that article, a source described a scheme where employees were "encouraged" to make contributions to the Hinchey for Congress campaign.

"It didn't say you have to give a donation but it pretty much implied that," said a source who recalled seeing it. "And it said that if they made a donation they would receive a bonus from the company to reimburse them." (Emphasis added) (See Exhibit A)

This financial shell game is clearly violative of the Act. It's money laundering approach rips at the core of our federal election laws. As such, it should be dealt with by the Commission swiftly and sternly.

PROVIDING ILLEGAL IN-KIND CONTRIBUTIONS

In addition to the illegal scheme to funnel money into the campaign, upon information and belief, Besicorp provided the Hinchey for Congress campaign with prohibited in-kind corporate contributions.

As documented in The Times Herald Record:

"Other sources said employees were also solicited to stuff envelopes, make telephone calls or perform other volunteer work for Hinchey's 1992 and 1994 campaign on company time. 'Zinn absorbed whatever the campaign didn't pay for,' said a source. 'Some people would spend a good 80 percent of their day donated to the campaign for Hinchey.'" (See Exhibit A)

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According to 11 CFR 114.1(a)(1), a contribution includes any direct or indirect payment, services, or anything of value given to a federal political committee in connection with an election. The provision of any goods or services without charge or at a charge less than a generally accepted commercial rate is considered a contribution under the Act. 11 CFR 100.7 (a)

"Lending out" of employees to a campaign without reimbursement at commercially acceptable rates is clearly prohibited by the Act. Hinchey for Congress FEC reports of 1992 through 1994 fail to disclose any reimbursements to the Basicorp Group for the services of employees during those years. This blatant failure to disclose required information was obviously not accidental. Clearly, the Hinchey for Congress campaign knew that Basicorp employees were spending a significant amount of time performing campaign work on company time.

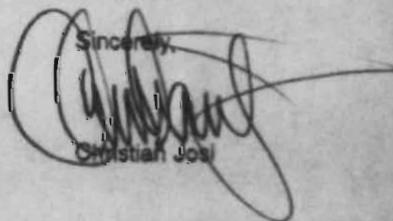
CONCLUSION

The aforementioned facts clearly reveal that all respondents have acted in a manner contrary to the Act. Maurice Hinchey is not an innocent victim in this effort to illegally funnel money into his campaign. If he were interested in full compliance with campaign finance laws, he would immediately return the tainted money or at least make a comparable sum unavailable for this election.

The Times Herald Record indicates that other federal entities are conducting an investigation into the alleged misdeeds of the respondents. It would behoove the Federal Election Commission to do the same.

REDRESS SOUGHT

I respectfully request that the Commission investigate these matters and prosecute these violations to the fullest extent of the law. The FEC should also request that the Hinchey for Congress campaign immediately return these monies to their ill-begotten sources. I appreciate your immediate attention to these matters.

Sincerely,

Christian Josi

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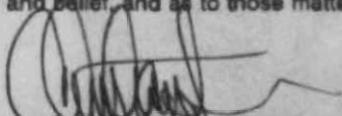
STATE OF NEW YORK

ULSTER COUNTY

CERTIFICATION

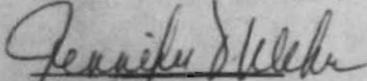
Christian Josi, being duly sworn deposes and says:

That the contents of the foregoing letter are true to his own knowledge, except as to matters stated on information and belief, and as to those matters, he believes them to be true.


Christian Josi

Sworn to and subscribed before me, this

23 day of October, 1996


Notary Public

JENNIFER D. WEBER
NOTARY PUBLIC, State of New York
Qualified in Ulster County
Commission Expires Aug 31 1997

My commission expires on _____

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besicorp investigation

Hinchey donations probed

Feds subpoena Besicorp records

By JOSH MARGOLIN
Staff Writer

LAKE KATHRE — Federal authorities are investigating allegations that Besicorp Group Inc. violated federal election law in making contributions to the congressional campaign of Rep. Maurice D. Hinchey.

Besicorp acknowledged that federal subpoenas for documents or testimony before a grand jury have been served on the company and some of its officers and employees. The company said it didn't know "the exact nature" of the investigation.

But a spokesman for Hinchey said yesterday that Michael F. Zinn, Besicorp's president and chairman, notified the congressman's campaign lawyer May 7 that federal authorities were looking at his role as a contributor.

"It's something related to Zinn's activity with the campaign," said the spokesman, Erik Smith. "Maurice is confident that this has nothing to do with his campaign activity."

Smith said federal authorities haven't approached Hinchey or any of his campaign staff and sources familiar with the investigation said Hinchey doesn't appear to be a target.

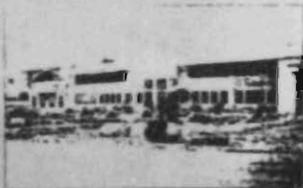
The Saratoga Democrat, who represents a district stretching from Kingston to Binghamton, is seeking reelection to his third term. He declined to be interviewed for this article.

Former and current employees of Besicorp and other sources said federal investigators appear to be trying to determine whether the company made illegal corporate contributions to Hinchey's 1992 and 1994 campaigns — either by reimbursing employees who made donations or by allowing employees to do volunteer campaign work on company time. One source said the authorities have been looking at Besicorp for about a year and will convene a grand jury in U.S. District Court in White Plains later this month.

On May 2, "The FBI and IRS appeared at several

Staff Writer Robert Romano contributed to this report.

Besicorp at a glance



Besicorp corporate headquarters

What happened:

Federal authorities have subpoenaed Besicorp and some of its officers and employees to produce documents, and in some cases testify before a grand jury. The company says it doesn't know "the exact nature" of the inquiry but other sources claim federal authorities are investigating whether any illegal campaign contributions were made to Rep. Maurice D. Hinchey of Saratoga.

What is Besicorp:

Besicorp Group Inc. specializes in the development of independent power plants and energy technologies. The company, founded in 1976, has its headquarters at 1151 Hudson Road in the Town of Ulster, just outside Kingston. It employs about 80 people.

Corporate history:

Michael F. Zinn started the business by building what collectors in Spring Glen. The founder, who is president and chairman of the company, Besicorp went public in 1981 and it lists on the American Stock Exchange's Electronic Company Marketplace. Its 1995 stock high was \$17 and low is 7.25. In 1995, it reported a net loss of \$367,817 on revenues of \$6.8 million and \$10.8 million in assets.

Besicorp



ERIC ROSENBERG/The Record

Sources said federal investigators appear to be trying to determine whether Besicorp made illegal

employees homes at 7 a.m., said one Besicorp source. "They were asking about the Hinchey campaign. They were talking about corporate contributions."

Agents from the FBI and the IRS served subpoenas at Besicorp's corporate headquarters on Hudson Road at the same time. Sources said among the people served were Zinn, Executive Vice President and Chief Operating Officer Steven Kussner, Vice President and Chief Financial Officer Michael Dany, several executive secretaries and several former employees.

The company's board of directors met the following day, May 3, and later circulated a memo among employees that said, in part, "our lawyers have requested that we instruct you that effective immediately, and until further notice, you should not alter, destroy or dispose of any existing records..." The Times Herald's source obtained a copy of the memo.

Besicorp officers, directors and lawyers declined to elaborate on the two-paragraph press release that the company issued Wednesday night.

William M. Dushky, who identified himself as Zinn's personal lawyer and a criminal lawyer in Manhattan, would only say, "My client is innocent of any wrongdoing." Dushky returned calls to Zinn.

Spokesmen for the federal agency, the FBI, IRS and the U.S. attorney's office, said they couldn't confirm or deny the existence of any investigation as a matter of policy.

corporate contributions to Rep. Maurice D. Hinchey's 1992 and 1994 campaigns.

Current and former employees said the authorities are looking for memos that Zinn allegedly sent to employees saying that the company was supporting Hinchey and suggested they do, too.

"It didn't say you have to give a donation but it pretty much implied that," said a source who recalled seeing it. "And it said that if they made a donation, they would receive a letter from the company for whatever amount."

Other sources said employees were also ordered to staff envelopes, make telephone calls or perform other volunteer work for Hinchey's 1992 and 1994 campaigns on company time.

"Zinn absorbed whatever the campaign didn't pay for," said a source. "Some people would get 25 percent of their day devoted to the campaign for Hinchey."

Smith, Hinchey's spokesman, said Zinn and Hinchey then a state legislator, became political associates in 1992, shortly before his first run for Congress. James Dougherty, Hinchey's campaign treasurer, said Zinn was more active in the 1992 campaign, serving as a fund raiser who could deposit checks directly into Hinchey's account. A number of campaign meetings were also held at Besicorp's offices. But by the second campaign, Dougherty and Smith said Zinn was simply a contributor.

Investigation targets two specific allegations

By JOSH MARGOLIN
Staff Writer

Federal law has prohibited companies from giving money to politicians for longer than it has required candidates to disclose the identity of campaign contributors.

"The theory is that influence (is) political as derived by the amount of money involved," said Jan Striton, a spokesman for the Federal Election Commission. "If you had access to great amounts of wealth, you could corrupt the system somehow."

The only way the law allows companies to contribute to candidates for federal office is by forming and registering political action committees — a process designed to control the influence wielded by wealthy corporations in the democratic process. Through PACs that must report their every move, companies can channel money at goods and services with financial value to

candidates.

Persons familiar with the federal investigation of Besicorp Group Inc. say the authorities appear to be probing two allegations: one, that employees were encouraged to contribute to Maurice D. Hinchey's congressional campaigns and then be reimbursed by the company; and two, that employees were encouraged to work as volunteers on the campaign and then allowed to do the work on company time.

In both instances, federal law would consider Besicorp the original source of the contributions if it compensated employees for their donations of time or money. Local, state and federal records show Besicorp has no PAC and Hinchey's records show no contributions from the company — only from several Besicorp officers and directors, including founder Michael F. Zinn and his wife, Valerie. The contributions date to 1992 and totaled \$12,000.

"The original source of the money is essentially the contributor," Striton said. "If somebody is giving you the money for the contribution, then it's considered a contribution in the name of another."

Striton made his comments in response to hypothetical questions. He did not speak directly to the Besicorp allegations.

"Contributions have to be voluntary," said Striton. "Companies can solicit contributions, but they have to tell those employees that their contribution is voluntary. If they don't wish to contribute they don't have to."

The same holds true for soliciting volunteers, whom work on company time would represent an in-kind contribution — services that have a financial value.

Violations of federal election law usually are resolved through negotiations and civil suits. Striton said. Violations of other federal laws are handled by the U.S. Department of Justice or Department of the Treasury.

Attorney Nancy Sweeney contributed to this report.

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EXHIBIT B**CONTRIBUTIONS TO MAURICE HINCHEY'S CAMPAIGN FROM BESICORP PERSONNEL & RELATED PERSONS**

LAST NAME	FIRST NAME	TITLE (IF AT BESICORP)	LOCATION	AMT	DATE	NOTE
Daley	Michael	VP, Finance & Admin	Saugerties	1000	09-Sep-92	
Daley	Michael	VP	Woodstock	900	14-Oct-94	
DePietro	Guy	Self-emplyd, Route Sales	East Durham	1000	10-Sep-92	Husband
DePietro	Joyce	Asst to President	East Durham	1000	10-Sep-92	
Eisenberg	Stephen	VP	Tuxedo	1000	03-Oct-94	
Enowitz	Deborah	Housewife	Rye Brook	1000	18-Aug-92	
Enowitz	Martin	Chief Financial Officer	Rye Brook	1000	31-Jul-92	
Enowitz	Nathan	Retired	Brooklyn	1000	09-Sep-92	Relative of Martin Enowitz
Enowitz	Shirley	Retired	Brooklyn	1000	09-Sep-92	Relative of Martin Enowitz
Levine	Cheryl	Homemaker	Boxborough MA	1000	24-Aug-92	Wife of Steven Levine
Levine	Steven	Attorney to VP, (Bes)	Boxborough MA	1000	24-Aug-92	
Pasky	Lozanne	Developer for Besicorp	Red Hook	1000	03-Oct-94	
Zinn	Andrea	Graphic Artist	Brooklyn	1000	24-Aug-92	Relative of Michael Zinn
Zinn	Andrea	Graphic Artist	Brooklyn	1000	14-Oct-92	Relative of Michael Zinn
Zinn	Anne	Retired	Lake Katrine	1000	24-Aug-92	Relative of Michael Zinn
Zinn	Anne	Retired	Lake Katrine	1000	15-Oct-92	Relative of Michael Zinn
Zinn	Eric	NYC Teacher	Brooklyn	1000	24-Aug-92	Relative of Michael Zinn
Zinn	Eric	NYC Teacher	Brooklyn	1000	14-Oct-92	Relative of Michael Zinn
Zinn	George	Retired	Lake Katrine	1000	24-Aug-92	Relative of Michael Zinn
Zinn	George	Retired	Lake Katrine	1000	15-Oct-92	Relative of Michael Zinn
Zinn	Michael	President	Kingston	1000	13-Oct-92	
Zinn	Michael	CEO & President	Kingston	1000	07-Dec-93	
Zinn	Michael	CEO & President	Kingston	1000	31-Jul-92	
Zinn	Michael	CEO & President	Kingston	1000	28-Mar-94	
Zinn	Michael	CEO & President	Kingston	250	26-Sep-95	
Zinn	Valerie	Homemaker	Kingston	750	26-Sep-95	Earmarked for Hinchey -- thru LCV PAC
Zinn	Valerie	Homemaker	Kingston	1000	28-Mar-94	
Zinn	Valerie	Homemaker	Kingston	1000	31-Jul-92	Wife of Michael Zinn
Zinn	Valerie	Homemaker	Kingston	1000	13-Oct-92	Wife of Michael Zinn

DISBURSEMENTS BY HINCHEY CAMPAIGN TO BESICORP OR MICHAEL ZINN

Zinn	Michael	President	Kingston	1778	Year 1992	Loan: Postage \$452 Charter FR \$400, Off Supp \$924
BESICORP INC			Kingston	642	16-Mar-94	Refreshments & Meet Rm Rent
BESICORP INC			Kingston	363	21-Apr-94	Meet Rm, Suppl & Refreshments
BESICORP INC			Kingston	550	15-Sep-94	Airplane Flight



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Christian Josi
P.O. Box 778
Lake Katrine, NY 12449

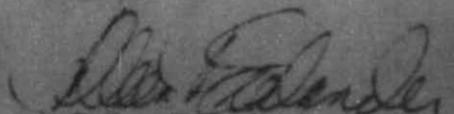
RE: MUR 4543

Dear Mr. Josi:

This letter acknowledges receipt on October 28, 1996, of the complaint you filed 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 4543. 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,


Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosure
Procedures

98043893375



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Charles Landi, Treasurer
Friends of Maurice Hinchey
PO Box 4497
Kingston, NY 12401

RE: MUR 4543

Dear Mr. Landi:

The Federal Election Commission received a complaint which indicates that Friends of Maurice Hinchey 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 4543. Please refer to this number in all future correspondence.

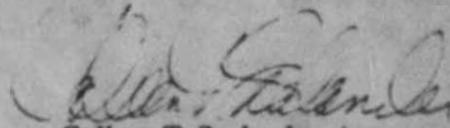
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against Friends of Maurice Hinchey and you, as treasurer, in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate,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

Sincerely,



Colleen T. 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

November 4, 1996

Michael Zinn, President
Besicorp Group
1151 Flatbush Road
Kingston, NY 12401

RE: MUR 4543

Dear Mr. Zinn:

The Federal Election Commission received a complaint which indicates that the Besicorp Group and 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 4543. Please refer to this number in all future correspondence.

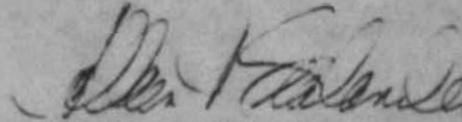
Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Besicorp Group and you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should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

Sincerely,



Colleen T. 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

November 4, 1996

Valerie Zinn
214 Ulster Landing Rd.
Kingston, NY 12401

RE: MUR 4543

Dear Ms. Zinn:

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 4543. 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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Sincerely,



Colleen T. 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

November 4, 1996

Louanne Pauley
103 Manor Road
Red Hook, NY 12571

RE: MUR 4543

Dear Ms. Pauley:

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 4543. Please refer to this number in all future correspondence.

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Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

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

9 8 0 4 3 8 9 3 3 3 8 3



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Stephen Eisenberg
208 Deer Path Road
Tuxedo, NY 10987

RE: MUR 4543

Dear Mr. Eisenberg:

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 4543. Please refer to this number in all future correspondence.

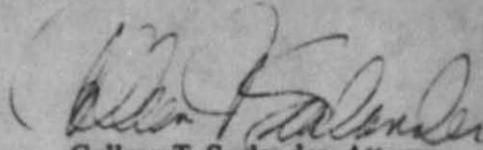
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Colleen T. Sealander, Attorney
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FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Martin Enowitz
17 Candy Lane
Rye Brook, NY 10573

RE: MUR 4543

Dear Mr. Enowitz:

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 4543. Please refer to this number in all future correspondence.

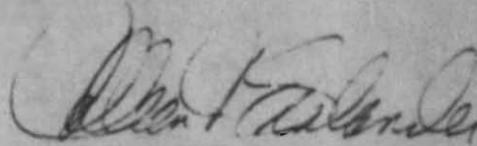
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Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

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98043893387



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Deborah Enowitz
17 Candy Lane
Rye Brook, NY 10573

RE: MUR 4543

Dear Ms. Enowitz:

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 4543. Please refer to this number in all future correspondence.

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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.

98043893388

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

980433893389



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Nathan Enowitz
1490 Ocean Avenue
Brooklyn, NY 11230

RE: MUR 4543

Dear Mr. Enowitz:

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 4543. Please refer to this number in all future correspondence.

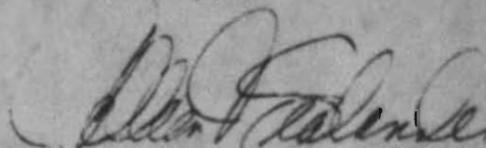
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9804389339C

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

9 8 0 4 3 8 9 3 3 9 1



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Shirley Enowitz
1490 Ocean Avenue
Brooklyn, NY 11230

RE: MUR 4543

Dear Ms. Enowitz:

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 4543. Please refer to this number in all future correspondence.

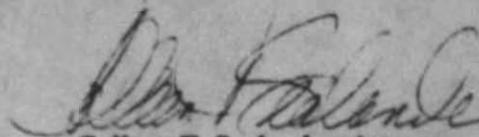
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9 8 0 4 3 8 9 3 3 9 2

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

98043893393



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Michael Daley
6074 Malden Turnpike
Saugerties, NY 12477

RE: MUR 4543

Dear Mr. Daley:

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 4543. Please refer to this number in all future correspondence.

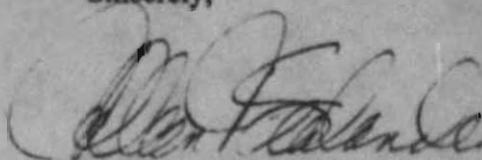
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98043394

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

9 8 0 4 3 8 9 3 3 9 5



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Guy De Pietro
RR1 Box 1460
East Durham, NY 12423

RE: MUR 4543

Dear Mr. De Pietro:

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 4543. 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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98043893396

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

98043893397



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Joyce De Pietro
RR1 Box 1460
East Durham, NY 12423

RE: MUR 4543

Dear Ms. De Pietro:

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 4543. Please refer to this number in all future correspondence.

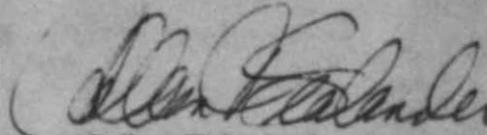
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If you have any questions, please contact Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen T. 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

November 4, 1996

Eric Zinn
629 E. 24th Street
Brooklyn, NY 11210

RE: MUR 4543

Dear Mr. Zinn:

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 4543. Please refer to this number in all future correspondence.

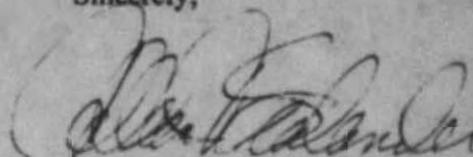
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If you have any questions, please contact Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

9 8 0 4 3 8 9 3 4 0 1



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Andrea Zinn
629 E. 24th Street
Brooklyn, NY 11210

RE: MUR 4543

Dear Ms. Zinn:

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 4543. Please refer to this number in all future correspondence.

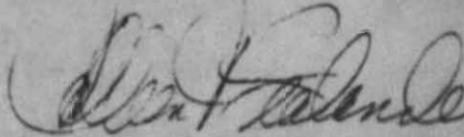
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If you have any questions, please contact Erik Morrison at (202) 219-3400. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

98043893403



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

George Zinn
33 Penstock Lane
Lake Katrine, NY 12449

RE: MUR 4543

Dear Mr. Zinn:

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 4543. Please refer to this number in all future correspondence.

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98043893404

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

98043693405



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Anne Zinn
33 Penstock Lane
Lake Katrine, NY 12449

RE: MUR 4543

Dear Ms. Zinn:

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 4543. Please refer to this number in all future correspondence.

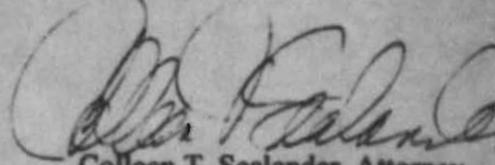
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9 8 0 4 3 8 9 3 4 0 6

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

98043893407



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Cheryl Levine
67 Hager Lane
Boxborough, MA 01719

RE: MUR 4543

Dear Ms. Levine:

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 4543. Please refer to this number in all future correspondence.

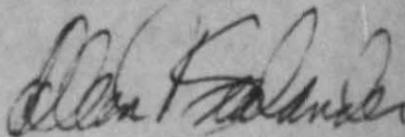
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98043893408

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

98043893409



FEDERAL ELECTION COMMISSION
Washington, DC 20463

November 4, 1996

Steven Levine
67 Hager Lane
Boxborough, MA 01719

RE: MUR 4543

Dear Mr. Levine:

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 4543. Please refer to this number in all future correspondence.

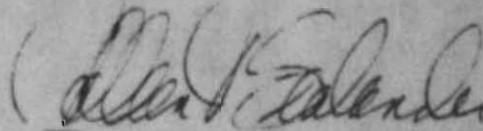
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9804389341C

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

Sincerely,



Colleen T. Sealander, Attorney
Central Enforcement Docket

Enclosures

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

98043893411

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

STATEMENT OF DESIGNATION OF COUNSEL Nov 8 3 16 PM '96

MUR 4543

NAME OF COUNSEL: DAVID LENEFSKY

FIRM: DAVID LENEFSKY LAW OFFICE

ADDRESS: 18 EAST 48TH ST

NEW YORK CITY

NEW YORK 10017

TELEPHONE: (212) 371-8787

FAX: (212) 644-2298

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.

11/8/96
Date

Charles Landi
Signature

RESPONDENT'S NAME: CHARLES LANDI

ADDRESS: 20 ARLMONT ST.

KINGSTON, N.Y. 12401

TELEPHONE: HOME (914) 338-6955

BUSINESS (914) 895-2081 X 3954

PLEASE NOTE: CHARLES LANDI BECAME CAMPAIGN TREASURER ON JANUARY 10, 1995

98043893412

BRACH, EICHLER, ROSENBERG, SILVER, BERNSTEIN, HAMMER & GLADSTONE

A PROFESSIONAL CORPORATION

COUNSELLORS AT LAW

101 EISENHOWER PARKWAY
ROSELAND, N.J. 07068-1067

(201) 228-5700

FAX (201) 228-7882

26 EAST 64th STREET
NEW YORK, N. Y. 10021
(212) 935-9012

PLEASE RESPOND TO ROSELAND OFFICE

ALAN H. BERNSTEIN
WILLIAM L. BRACH
TODD C. BROWER
RICHARD J. DRIVER*
BURTON L. EICHLER*
JOHN D. FANBURG*
WILLIAM J. FRIEDMAN**
STUART M. GLADSTONE*
CHARLES X. GORMALLY**
JOSEPH M. GORRELL*

ALAN R. HAMMER**
BRUCE KLEINMAN**
BRIAN R. LENKER
ALAN S. PRALGEVER*
DAVID J. RITTER
PAUL F. ROSENBERG
MICHAEL I. SCHNECK
HARRIS R. SILVER
ALEXANDER J. TAFRO

ANN D. STEVENS
ALDIS V. HABJAN**
DAVID J. KLEIN**
THOMAS M. BADENHAUSEN*
DAVID S. BERNSTEIN
GEORGETTE J. SIEGEL
ROBERT C. MIGNELLA
RICHARD B. ROBINS
GARY W. HERSCHMAN*
JOSEPH M. DAVIS
SUSAN Y. LEONARD
BRIAN KALVER*
REGINA A. McGUIRE
JOHN P. INGLESINO
DANIEL L. SCHMUTTER*
JILL DAITCH ROSENBERG*
TRACEY S. BAUER*

VICKI SUE HULL*
JOHN P. WYCISKALA
MICHAEL S. ZICHERMAN*
CARL J. SORANNO
SIMONE HANDLER HUTCHINSON*
HELEN A. NAU*
JAMES L. PETSCHKE
ALISA M. L. JACOBSON*
MICHAEL P. MARTIRANO
DAVID M. NEUENHALS*
SHARON L. WEINER*
DEBRA K. SAMPTON
KATHERINE M. WEINSTOCK*
KRISTINE L. BOGARDUS
ALLEN J. POPOWITZ*
SUSAN A. ROHRBACH**

OF COUNSEL:
LANCE A. POSNER*
GEORGE Y. SODDOWICK
STUART L. PACHMAN
JONATHAN H. BARKHORN*

ALLAN H. KLINGER
(1987-1992)
DOROTHY G. BLACK
(1978-1996)

ALSO ADMITTED TO PRACTICE IN
• NY □ PA □ DC □ OTHER DISTRICTS
* CERTIFIED CIVIL TRIAL ATTORNEY

November 13, 1996

Colleen T. Sealander, Attorney
Central Enforcement Docket
Federal Election Commission
999 E. St. Northwest
Room 657
Washington, DC 20463

Re: Martin and Deborah Enowitz
MUR 4543

Dear Ms. Sealander:

This office represents the interests of Martin and Deborah Enowitz in connection with the matters contained in your November 4, 1996 correspondence to them. I have enclosed the executed Statement of Designation of Counsel with respect to our representation in this matter. Please mark your file accordingly.

I have reviewed the enclosures which you sent to my clients, particularly, the October 16, 1996 correspondence from Christian Josi directed to the General Counsel of the Federal Election Commission. I have also had an opportunity to discuss the circumstances surrounding the contributions to the Hinchey Campaign from my clients. In my judgment, my clients can demonstrate that no action should be taken against them in response to the complaint. However, I would appreciate an opportunity to discuss this matter with you or a member of your staff prior to further action in this matter. Would you kindly contact me at your earliest opportunity.

Very truly yours,
Charles X. Gormally

CHARLES X. GORMALLY

CXG/dmr/Encs.

cc: Mr. & Mrs. Martin Enowitz

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
NOV 15 3 37 PM '96

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RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF RECORDS

STATEMENT OF DESIGNATION OF COUNSEL

NOV 15 3 37 PM '96

MUR 4543

NAME OF COUNSEL: _____

FIRM: _____

ADDRESS: _____

Mr. Charles X. Gormally
Brach, Eichler, Gladstone
101 Eisenhower Parkway
Roseland, NJ 07068

TELEPHONE: (201) 228-5700

FAX: (201) 228-7852

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.

11/8/96
Date

Martin E. Enowitz
Signature

RESPONDENT'S NAME: MARTIN E. ENOWITZ

ADDRESS: 17 Candy Lane
Rye Brook, N.Y. 10573

TELEPHONE: HOME (914) 937 6939

BUSINESS() _____

98043893414

STATEMENT OF DESIGNATION OF COUNSEL

RECEIVED
GENERAL ELECTION
COMMISSION
OFFICE OF GENERAL
3 37 PM '96

MUR 4543

NAME OF COUNSEL: _____

FIRM: _____

Mr. Charles X. Gornally
Brach, Eichler, Gladstone
101 Eisenhower Parkway
Roseland, NJ 07068

ADDRESS: _____

TELEPHONE: (201) 228-5700

FAX: (201) 228-7852

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.

11/8/96
Date

Deborah F. Enowitz
Signature

RESPONDENT'S NAME: Deborah F. ENOWITZ

ADDRESS: 17 Candy Lane
Rye Brook NY 10573

TELEPHONE: HOME (914) 937 6939

BUSINESS() _____

98043893415

November 14, 1996

Ms. Colleen T. Sealander, Attorney
Central Enforcement District
Federal Election Commission
999 E Street N.W.
Washington D.C. 20463.

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL
NOV 18 2 38 PM '96

Dear Ms. Sealander,

I am replying to your letter of November 4, 1996, pertaining to MUR 4543. My parents, Shirley and Nathan Brawif did not make contributions to the Hindey for Congress campaign in the amount of Two Thousand Dollars on September 9, 1992. at no other times did they ever contribute to the political campaign of Maurice Hindey. Any check that the Hindey for Congress campaign received that shows my parents' signatures or names is a forged instrument.

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This illegal and fraudulent scheme to violate campaign finance laws was conceived by Mr. Michael Zinn, the chairman of Bracing Group and implemented by him and senior executives of Bracing Group. As of September 9, 1992 my brother Martin Brawif was the chief financial officer of Bracing Group. He had a close business and personal relationship with Michael Zinn.

My parents lived their entire married life of sixty one years in Brooklyn, New York. They had no knowledge of the Hindey for Congress campaign or of Maurice Hindey. They were decent hard working people and I will not allow Mr. Michael Zinn to bring disrepute to them and our family. My parents are deceased; my father passed away in August 1993 and my mother in July 1994.

There are criminal violations of campaign finance laws and Internal Revenue Service tax laws. I am requesting that this information be made available to the Department of Justice and the Internal Revenue Service.

Respectfully,
Philip Brawif

KELLEY DRYE & WARREN LLP

A PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

1200 19TH STREET, N.W.

SUITE 500

WASHINGTON, D. C. 20036

(202) 955-0800

FACSIMILE

(202) 955-9792

NEW YORK, N.Y.

LOS ANGELES, CA.

MIAMI, FL.

CHICAGO, IL.

STAMFORD, CT.

PARSIPPANY, N.J.

BRUSSELS, BELGIUM

HONG KONG

AFFILIATED OFFICES

NEW DELHI, INDIA

TOKYO, JAPAN

November 20, 1996

DOUGLAS P. LOBEL

OF COUNSEL

DIRECT LINE (202) 955-9670

VIA HAND DELIVERY

Colleen T. Sealander, Esq.
Central Enforcement Docket
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

CONFIDENTIAL

NOV 20 10 35 AM '96

RECEIVED
FEDERAL ELECTION
COMMISSION
OFFICE OF GENERAL
COUNSEL

Re: MUR 4543

Dear Ms. Sealander:

This firm represents Besicorp Group, Inc. ("Besicorp") and Steven Eisenberg, an Officer and Director of Besicorp. My clients are in receipt of your letter, dated November 4, 1996 and received on November 6, 1996, regarding possible violations of the Federal Election Act of 1971, as amended. You have requested a response to your letter within 15 days of receipt. This letter constitutes my clients' timely response.

You may know that the matter of alleged illegal campaign contributions in connection with the Hinchey for Congress Campaign is under active investigation by a Federal Grand Jury in the Southern District of New York, White Plains, N.Y. The investigation is being handled by Assistant U.S. Attorney Elliott Jacobson, (914) 993-1940. Because of the pendency of the criminal investigation, my clients are not in a position to make any substantive statements concerning the allegations or to otherwise participate in the FEC investigation. My clients' refusal to respond substantively at this time should not be construed as an unwillingness to participate in the FEC process, but rather is a result of the limitations my clients are under because of the pending grand jury investigation.

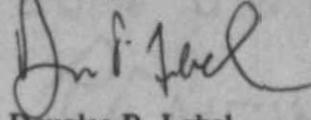
In light of the inability of my clients -- as well as many others to whom you have issued letters -- to participate in the FEC's investigation, we request that you stay the FEC's investigation until such time as the grand jury investigation is resolved.

98043893417

Colleen T. Sealander, Esq.
November 20, 1996
Page 2

Thank you for your consideration of this matter.

Sincerely,



Douglas P. Lobel

DPL/bbg

98043893418



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

November 26, 1996

Douglas P. Lobel, Esquire
Kelley Drye & Warren, LLP
1200 19th Street, NW
Washington, DC 20036

re: MUR 4543

Dear Mr. Lobel:

This is in response to your letter of November 20, 1996 regarding your request for a stay of investigation of the above-captioned Matter Under Review (MUR).

Regrettably, we are unable to honor your request. As of this date, the Federal Election Commission has not commenced any investigation of this matter. In accordance with 2 U.S.C. §437g and 11 C.F.R. § 111, the Commission may not start an investigation of an alleged violation of the Federal Election Campaign Act (FECA) unless and until it makes a formal finding that it has "reason to believe" that such a violation has occurred. We have not yet reached this stage in the process.

Pursuant to 2 U.S.C. § 437g(a)(1), complaints alleging violations of the FECA are forwarded to potential respondents within five days of receipt. A Respondent then may submit a written response to the complaint within 15 days of notification. Respondents are not obligated to respond to a complaint. We draw no adverse inference from a respondent's failure or inability to file a response within the allotted time period.

After the response time has elapsed, the General Counsel's office evaluates the matter. Based upon this evaluation, the General Counsel may recommend to the Commission whether or not it should find "reason to believe" that a violation has occurred in accordance with 11 C.F.R. § 111.7. Pursuant to 2 U.S.C. § 437g(a)(2), the Commission formally notifies the respondent of its action concerning a reason to believe recommendation, including the alleged violation and its factual basis if reason to believe is found.

Given the facts and circumstances outlined in your letter, we understand your clients' reluctance to submit a substantive response at this time. If these circumstances change, any further response your clients would like to submit would be most appreciated and duly considered.

Many thanks for your consideration. If I may be of any further assistance, please do not hesitate to call me at (202) 219-3690.

Very truly yours,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

98043893419

BADEN KRAMER HUFFMAN & BRODSKY, P.C.
ATTORNEYS AT LAW

WAYNE I. BADEN
WILLIAM M. BRODSKY
RICHARD L. HUFFMAN
DOUGLAS J. KRAMER

JONATHAN MAZER

COUNSEL
MANUEL H. QUINTANA
ELAINE C. SCHREGER
SAMUEL FRANKEL (1909-1992)

20 BROAD STREET
NEW YORK, NY 10005

TELEPHONE
(212) 363-7020

TELECOPIER
(212) 797-3369

November 19, 1996

VIA FEDERAL EXPRESS
AIRBILL NO. 1831108801

Colleen T. Sealander, Esq.
Central Enforcement Docket
Federal Election Commission
999 E. Street, N.W.
Washington, DC 20463

Re: MUR 4543

Dear Ms. Sealander:

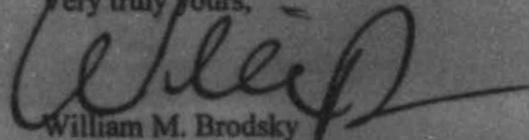
We represent Michael Zinn, CEO and a Director of Besicorp Group, Inc., as well as his wife Valerie and mother Anne. George Zinn, Michael Zinn's father is deceased. My clients have received your letters, dated November 4, 1996, regarding possible violations of the Federal Election Act of 1971, as amended. You have requested a response to your letter within 15 days of receipt. This letter constitutes my clients' timely response.

The matter of alleged illegal campaign contributions in connection with the Hinchey for Congress Campaign is under active investigation by a federal grand jury in the Southern District of New York. The investigation is being handled by Assistant United States Attorney Elliott Jacobson, (914) 993-1940. Because of the pendency of the criminal investigation, my clients are not in a position to make any substantive statements concerning the allegations or otherwise to participate in the FEC investigation. My clients' declination to respond substantively at this time should not be construed as an unwillingness to participate in the FEC process, but rather as a result of the limitations my clients are under because of the pending grand jury investigation.

In light of the inability of my clients -- as well as many others to whom you have issued letters -- to participate in the FEC's investigation, we request that you stay the FEC's investigation until such time as the grand jury investigation is resolved.

Thank you for your consideration of this matter.

Very truly yours,



William M. Brodsky

WMB/lk

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 26, 1996

William M. Brodsky, Esquire
Baden Kramer Huffman & Brodsky, PC
20 Broad Street
New York, NY 10005

re: MUR 4543

Dear Mr. Brodsky:

This is in response to your letter of November 19, 1996 regarding your request for a stay of investigation of the above-captioned Matter Under Review (MUR).

Regrettably, we are unable to honor your request. As of this date, the Federal Election Commission has not commenced any investigation of this matter. In accordance with 2 U.S.C. §437g and 11 C.F.R. § 111, the Commission may not start an investigation of an alleged violation of the Federal Election Campaign Act (FECA) unless and until it makes a formal finding that it has "reason to believe" that such a violation has occurred. We have not yet reached this stage in the process.

Pursuant to 2 U.S.C. § 437g(a)(1), complaints alleging violations of the FECA are forwarded to potential respondents within five days of receipt. A Respondent then may submit a written response to the complaint within 15 days of notification. Respondents are not obligated to respond to a complaint. We draw no adverse inference from a respondent's failure or inability to file a response within the allotted time period.

After the response time has elapsed, the General Counsel's office evaluates the matter. Based upon this evaluation, the General Counsel may recommend to the Commission whether or not it should find "reason to believe" that a violation has occurred in accordance with 11 C.F.R. § 111.7. Pursuant to 2 U.S.C. § 437g(a)(2), the Commission formally notifies the respondent of its action concerning a reason to believe recommendation, including the alleged violation and its factual basis if reason to believe is found.

Given the facts and circumstances outlined in your letter, we understand your clients' reluctance to submit a substantive response at this time. If these circumstances change, any further response your clients would like to submit would be most appreciated and duly considered.

Many thanks for your consideration. If I may be of any further assistance, please do not hesitate to call me at (202) 219-3690.

Very truly yours,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

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DAVID LENEFSKY
ATTORNEY & COUNSELOR AT LAW

SELIG LENEFSKY (1907-1981)
GEORGEANNE O'KEEFE

18 EAST 48TH STREET
NEW YORK, N.Y. 10017
(212) 371-8787
FAX (212) 644-2298

November 14, 1996

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

Re: MUR 4543

Dear General Counsel:

This office represents both Friends of Maurice Hinchey ("Friends"), and Mr. Charles Landi, Treasurer. This letter is in response to your letter to both dated November 4, 1996. Mr. Landi has mailed under separate cover a statement of designation of counsel, which presumably the Commission is in receipt. Comments herein shall be divided into two parts, the first dealing with Mr. Landi.

Charles Landi, Treasurer

The complaint alleges two violations: illegal financial contributions from employees of Besicorp Group, and illegal in-kind contributions from Besicorp employees. The allegation with regard to employee financial contributions is time specific, alleging that contributions were made "from July 31, 1992 through October of 1994." The allegations with regard to illegal in-kind contributions is not time specific other than its reference to a newspaper article which cites that these contributions were made in "Hinchey's 1992 and 1994 campaign."

As the accompanying affidavit from Mr. Landi states, he became Treasurer of Friends on January 10, 1995. Because Mr. Landi was not Treasurer of Friends at any time cited in the complaint, Mr. Landi respectfully requests that the Commission dismiss the

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Federal Election Commission
Page Two
November 14, 1996

complaint as against him.

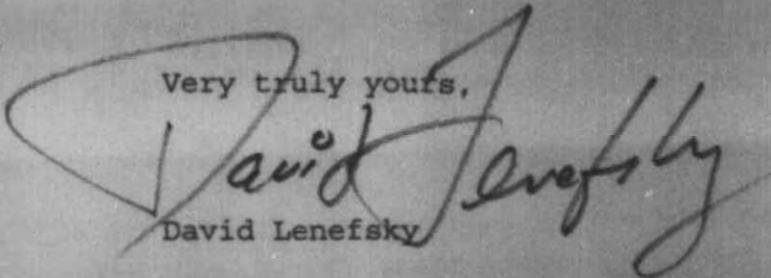
Friends of Maurice Hinchey

The identical allegations contained in the complaint are presently the subject matter of an investigation by the U.S. Attorney, Southern District of New York. This can be verified by contacting the Assistant United States Attorney in charge of the case, Elliott B. Jacobson, who can be reached at (914) 993-1940. Both the Congressman and Friends are cooperating fully with the United States Attorney's Office.

Friends presently has no information either to affirm or deny the allegations made against Besicorp. Friends therefore respectfully requests that the Commission defer any decision on this matter (not with regard to Mr. Landi however), pending the outcome of the U.S. Attorney's investigation. Because the investigation is dealing with the 1992 campaign, the five year statute of limitations requires the U.S. Attorney to decide within months whether or not to proceed.

(Incidentally, the complaint received by the FEC was submitted by Christian Josi, the campaign manager of Mr. Hinchey's opponent, Sue Wittig, in the election last week. Mr. Josi was quoted in local newspapers on October 31, 1996 describing himself as a hired gun, a designation which Friends does not dispute.)

Very truly yours,


David Lenefsky

DL/jmc

980433893423

FEDERAL ELECTION COMMISSION

-----X

In the Matter of a Complaint

MUR 4543

- against -

FRIENDS OF MAURICE HINCHEY
and CHARLES LANDI, Treasurer

-----X

STATE OF NEW YORK
COUNTY OF ULSTER

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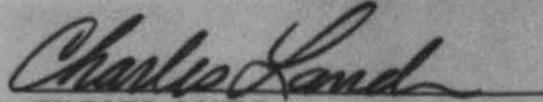
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OFFICE OF GENERAL

CHARLES LANDI, being duly sworn, deposes and says:

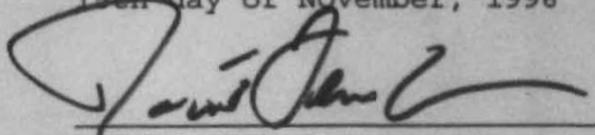
1. I reside at Kingston, New York.
2. I have read the complaint, which has been assigned the above reference number, which alleges a violation of the Federal Election Campaign Act of 1971, as amended, against me and the Friends of Maurice Hinchey.
3. The complaint alleges improper contributions to the Hinchey campaign "from July 31, 1992 through October 1994."
4. With regard to providing the campaign with alleged illegal in-kind contributions, there is no time frame provided in the complaint other than a reference to a newspaper article which cites the 1992 and 1994 campaign.
5. I became Treasurer of Friends of Maurice Hinchey on January 10, 1995.

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6. Accordingly, I respectfully request that the complaint against me be dismissed.


CHARLES LANDI

Sworn to before me this
15th day of November, 1996



NOTARY PUBLIC

DAVID LENEFSKY
NOTARY PUBLIC, STATE OF NEW YORK
No. 81-62019
Qualified in New York County
Term Expires March 30, 1997

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COMMISSION
OFFICE OF GENERAL
COUNSEL

Nov 25 10 31 AM '96

LAW OFFICES OF
DOAR DEVORKIN & RIECK

WOOLWORTH BUILDING
(212) 619-3730

JOHN DOAR
MICHAEL S. DEVORKIN
JOHN JACOB RIECK, JR.
CHRISTOPHER E. CHANG
WALTER MACK
JEREMY M. KLAUSNER

10TH FLOOR
233 BROADWAY
NEW YORK, N.Y. 10279-0173
FACSIMILE: (212) 962-5037

November 21, 1996

Colleen T. Sealander, Esq.
Central Enforcement Docket
Federal Election Commission
999 E Street, N.W.
Washington, DC 20463

Dear Miss Sealander:

I am writing as the attorney for Joyce and Guy DePietro, Steven P. Levine, and Eric and Andrea Zinn who have received letters from you concerning matter MUR4543. Because there is pending in the Southern District of New York a related criminal investigation about which I assumed you had prior knowledge, my clients decline to respond to your inquiry at this time. I understand from Douglas B. Lobel who wrote you on November 19, 1996, you are not adverse to postponing your civil investigation until the conclusion of the criminal investigation. If I am in error, I trust you will so advise me.

Sincerely,

John Jacob Rieck, Jr.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 27, 1996

John Jacob Rieck, Jr., Esquire
Doar, Devorkin & Rieck
233 Broadway, 10th Floor
New York, NY 10279-0173

re: MUR 4543

Dear Mr. Rieck:

Thank you for your letter of November 21, 1996 regarding the above-captioned Matter Under Review (MUR).

I am writing to correct any misperceptions which may have been conveyed to you concerning postponement of any civil investigation of this matter by the Federal Election Commission. We have received two formal requests to stay any action by the FEC in connection with this MUR during the pendency of a parallel investigation in the Southern District of New York. Regrettably, we are unable to honor such requests, and have made no promises or commitments to any party that we would refrain from any further processing or action on this matter conditioned upon the conclusion of any investigations or other actions by the Department of Justice in the Southern District of New York.

As of this date, the Federal Election Commission has not commenced any investigation of this matter. In accordance with 2 U.S.C. §437g and 11 C.F.R. § 111, the Commission may not start an investigation of an alleged violation of the Federal Election Campaign Act (FECA) unless and until it makes a formal finding that it has "reason to believe" that such a violation has occurred. We have not yet reached this stage in the process.

Pursuant to 2 U.S.C. § 437g(a)(1), complaints alleging violations of the FECA are forwarded to potential respondents within five days of receipt. A respondent may then submit a written response to the complaint within 15 days of notification. Respondents are not obligated to respond to a complaint. We draw no adverse inference from a respondent's failure or inability to file a response within the allotted time period.

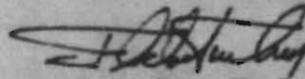
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After the response time has elapsed, the General Counsel's office evaluates the matter. Based upon this evaluation, the General Counsel may recommend to the Commission whether or not it should find "reason to believe" that a violation has occurred in accordance with 11 C.F.R. § 111.7. Pursuant to 2 U.S.C. § 437g(a)(2), the Commission formally notifies the respondent of its action concerning a reason to believe recommendation, including the alleged violation and its factual basis if reason to believe is found.

Given the facts and circumstances outlined in your letter and those of others who have corresponded with us in connection with this matter, we understand your clients' reluctance to submit a substantive response at this time. If these circumstances change, any further response your clients would like to submit would be most appreciated and duly considered.

Many thanks for your consideration. If I may be of any further assistance, please do not hesitate to call me at (202) 219-3690.

Very truly yours,



F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

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BEFORE THE FEDERAL ELECTION COMMISSION

MAY 22 3 34 PM '98

In the Matter of _____)
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CASE CLOSURES UNDER
ENFORCEMENT PRIORITY

GENERAL COUNSEL'S REPORT

SENSITIVE

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.

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 length of their pendency in inactive status or 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 which results in a numerical rating of each case.

Closing cases permits the Commission to focus its limited resources on more important cases presently

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pending before it. Based upon this review, we have identified 14 cases that do not warrant further action relative to other pending matters.¹ The attachment to this report contains a factual summary 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 means to identify those cases which 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.

¹ These cases are: Pre-MUR 360 (*First National Bank of Wheaton, IL*); Pre-MUR 361 (*Teresa Isaac for Congress*); MUR 4663 (*Rodriguez for Congress*); MUR 4698 (*Mayor Louis Bencardino*); MUR 4699 (*Warren County Democratic Committee*); MUR 4705 (*Fox for Congress*); MUR 4706 (*Carl Lindner*); MUR 4712 (*Fox for Congress*); MUR 4714 (*Mary Jane Garcia for Congress*); MUR 4717 (*Hoslettler for Congress*); MUR 4718 (*Oxley for Congress*); MUR 4723 (*Oscar H. Flores*); MUR 4724 (*Feinberg for Congress*); and MUR 4727 (*Madison Magazine*).

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We have identified cases that have remained on the Central Enforcement Docket for a sufficient period of time to render them stale. We recommend that these cases be closed.³

We recommend that the Commission exercise its prosecutorial discretion and direct closure of the cases listed below, effective June 3, 1998. 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.

³ These cases are: MUR 4539 (*Sallie Mae Student Loan*); MUR 4543 (*Besicorp*); MUR 4625 (*Hinojosa for Congress*); MUR 4640 (*New Mexicans Accion del Pueblo Citizen Action*); RAD 97L-02 (*Cooksey for Congress*); RAD 97L-03 (*Maxfield for Congress*); RAD 97NF-03 (*Dan Hansen for Congress*); RAD 97NF-08 (*Congressional Accountability PAC*); RAD 97NF-16 (*America's Fund*); 97NF-18 (*Faith, Family & Freedom PAC*); and 97NF-19 (*Pro-Hispanic PAC*).

98043893431

III. RECOMMENDATIONS.

A. Decline to open a MUR, close the file effective June 3, 1998, and approve the appropriate letters in the following matters

RAD 97L-02	RAD 97NF-08	RAD 97NF-19
RAD 97L-03	RAD 97NF-16	Pre-MUR 360
RAD 97NF-03	RAD 97NF-18	Pre-MUR 361

B. Take no action, close the file effective June 3, 1998, and approve the appropriate letters in the following matters:

	MUR 4698	MUR 4718
	MUR 4699	MUR 4723
MUR 4539	MUR 4705	MUR 4724
MUR 4543	MUR 4706	MUR 4727
MUR 4625	MUR 4712	
MUR 4640	MUR 4714	
MUR 4663	MUR 4717	

5/22/98
Date

LM Noble (LNF)
Lawrence M. Noble
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
Case Closures Under) Agenda Document No. X98-31
Enforcement Priority)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session on June 9, 1998, do hereby certify that the Commission took the following actions with respect to Agenda Document No. X98-31:

1. Decided by a vote of 5-0 to

A. Decline to open a MUR, close the file effective June 15, 1998, and approve the appropriate letters in the following matters:

- | | |
|----------------|----------------|
| 1. RAD 97L-02 | 6. RAD 97NF-18 |
| 2. RAD 97L-03 | 7. RAD 97NF-19 |
| 3. RAD 97NF-03 | 8. Pre-MUR 360 |
| 4. RAD 97NF-08 | 9. Pre-MUR 361 |
| 5. RAD 97NF-16 | |

(continued)

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B. Take no action, close the file effective June 15, 1998 and approve the appropriate letters in the following matters:

- | | |
|-------------|--------------|
| 1. MUR 4539 | 9. MUR 4706 |
| 2. MUR 4543 | 10. MUR 4712 |
| 3. MUR 4625 | 11. MUR 4714 |
| 4. MUR 4640 | 12. MUR 4717 |
| 5. MUR 4663 | 13. MUR 4718 |
| 6. MUR 4698 | 14. MUR 4723 |
| 7. MUR 4699 | 15. MUR 4724 |
| 8. MUR 4705 | 16. MUR 4727 |

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

Attest:

6-10-98
Date

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

98043893434



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Christian Josi
P.O. Box 778
Lake Katrine, NY 12449

RE: MUR 4543

Dear Mr. Josi:

On October 28, 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 June 15, 1998. 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 Turley
Supervisory Attorney
Central Enforcement Docket

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

Frank Koenig, Treasurer
Friends of Maurice Hinchey
P.O. Box 4497
Kingston, NY 12402

RE: MUR 4543

Dear Mr. Koenig:

On November 4, 1996, the Federal Election Commission notified Charles Landi, former treasurer of Friends of Maurice Hinchey, 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 Friends of Maurice Hinchey 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 June 15, 1998.

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) 694-1650.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

cc: Maurice D. Hinchey
cc: David Lenefsky

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

Charles X. Gormally, Esq.
Brach, Eichler, Gladstone
101 Eisenhower Parkway
Roseland, NJ 07068

RE: MUR 4543
Martin E. Enowitz and Deborah F. Enowitz

Dear Mr. Gormally:

On November 4, 1996, the Federal Election Commission notified your clients 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 clients. 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 June 15, 1998.

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) 694-1650.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1998

Michael Zinn, President
Besicorp Group
1151 Flatbush Roda
Kingston, NY 12401

RE: MUR 4543

Dear Mr. Zinn:

On November 4, 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 Besicorp Group and 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 June 15, 1998.

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) 694-1650.

Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

cc: William M. Brodsky
cc: Douglas P. Lobel

98043693438



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

Valerie Zinn
214 Ulster Landing Rd.
Kingston, NY 12401

RE: MUR 4543

Dear Ms. Zinn:

On November 4, 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 June 15, 1998.

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Sincerely,

F. Andrew Tutley
Supervisory Attorney
Central Enforcement Docket

cc: William M. Brodsky

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1998

Louanne Pauley
2 Laura Lane
Otisville, NY 10963-9742

RE: MUR 4543

Dear Ms. Pauley:

On November 4, 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 June 15, 1998.

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Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

Stephen Eisenberg
208 Deer Path Road
Tuxedo, NY 10987

RE: MUR 4543

Dear Mr. Eisenberg:

On November 4, 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 June 15, 1998.

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Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

cc: Douglas P. Lobel

98043893441



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

Cheryl Levine
67 Hager Lane
Boxborough, MA 01719

RE: MUR 4543

Dear Ms. Levine:

On November 4, 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 June 15, 1998.

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Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

98043893442



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

Steven Levine
67 Hager Lane
Boxborough, MA 01719

RE: MUR 4543

Dear Mr. Levine:

On November 4, 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.

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Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

cc: John Jacob Rieck, Jr.

98043893443



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1998

Eric Zinn and Andrea Zinn
629 E. 24th Street
Brooklyn, NY 11210

RE: MUR 4543

Dear Mr. and Ms. Zinn:

On November 4, 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 June 15, 1998.

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Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

cc: John Jacob Rieck, Jr.

98043893444



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1998

Anne Zinn
33 Penstock Lane
Lake Katrine, NY 12449

RE: MUR 4543

Dear Ms. Zinn:

On November 4, 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 June 15, 1998.

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Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

cc: William M. Brodsky

98043893445



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

Guy De Pietro and Joyce De Pietro
RR1 Box 1460
East Durham, NY 12423

RE: MUR 4543

Dear Mr. and Ms. De Pietro:

On November 4, 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 June 15, 1998.

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Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

cc: John Jacob Rieck, Jr.

98043893446



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

June 16, 1998

Michael Daley
396 John Joy Road
Woodstock, NY 12498

RE: MUR 4543

Dear Mr. Daley:

On November 4, 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.

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Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

98043893447



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 16, 1998

Nathan Enowitz and Shirley Enowitz
1490 Ocean Avenue
Brooklyn, NY 11230

RE: MUR 4543

Dear Mr. and Ms. Enowitz:

On November 4, 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 June 15, 1998.

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Sincerely,

F. Andrew Turley
Supervisory Attorney
Central Enforcement Docket

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4543
DATE FILMED 7/9/98 CAMERA NO. 4
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