



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 4657

DATE FILMED 1-12-98 CAMERA NO. 2

CAMERAMAN E.S.

28043853746

FEDERAL ELECTIONS COMMISSION  
U.S. DEPARTMENT OF JUSTICE

*John F. McBurney*

JUL 7 3 37 PM '97

Attorney  
100 Cottage Street  
Pawtucket, Rhode Island 02860  
(401) 725-4730

June 28, 1997

General Counsel  
999 E St. NW  
Federal Elections Commission  
Washington, DC 20463

Dear Sir or Madam,

Enclosed is a complaint against Patrick Buchanan for failure to include the campaign contribution of \$ 500.00 from Susan Berge Kent of Burrillville, Rhode Island for the election cycle 1992.

Sincerely,

*John F. McBurney*  
John F. McBurney

JFM/enc

28043853747

ZBIGNIEW MACISZEWSKI

MUR 4657

VS

BUCHANAN FOR PRESIDENT COMMITTEE

**FEDERAL ELECTION COMMISSION  
COMPLAINT**

On September 15, 1995, Susan Berge-Kent, testified under oath that she contributed the sum of Five Hundred and 00/100 (\$ 500.00) Dollars to the Buchanan for President Committee for the election cycle 1992 (tr. page 10).

The said contribution was delivered to Thomas Post, the Chairman of the Rhode Island Buchanan for President Committee by means of a single transaction.

The records of contributions to the Buchanan Campaign for 1992 fail to include the Five Hundred and 00/100 (\$500.00) Dollar contribution of Susan Berge- Kent.

28043853748

*Zbigniew Maciszewski*  
Zbigniew Maciszewski  
50 Oakhill Drive  
Cumberland, RI 02864

State of Rhode Island  
Providence, SC

Subscribed and sworn to before me this 27 day of Jan, 1997 in the City of Providence R.I., County of Providence, State of Rhode Island.

*John J. McBurney*  
Notary Public

**CERTIFICATION**

I hereby certify that I mailed a copy of the within to the Office of the General Counsel, Federal Election Commission, Washington, D.C. 20463 and to Stephen Griffin, Esquire, Partridge, Snow and Hahn, 180 South Main Street, Providence, RI 02903 on this 27 day of June, 1997.

John J. Murphy

28043853749

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS

PROVIDENCE, SC.

SUPERIOR COURT

ZABIGNIEW MACISZIEWSKI )

VS )

C.A. NO. 93-2236

BUCHANAN FOR PRESIDENT )  
COMMITTEE )

D-E-P-O-S-I-T-I-O-N

DEPOSITION of SUSAN BERGE-KENT, Plaintiff in the above  
entitled cause, taken on behalf of the defendant, pursuant  
to notice, before Brenda Aloisio Scharver, Notary Public in  
and for the State of Rhode Island, at the offices of  
McBurney Law Services, 100 Cottage Street, Providence,  
Rhode Island on August 15, 1995 at 1 p.m.

A-P-P-E-A-R-A-N-C-E-S

FOR THE DEFENDANT . . . . . MCBURNEY LAW SERVICES  
BY: JOHN F. MCBURNEY, ESQ.  
RICHARD H. JAMES, ESQ

FOR THE DEFENDANT . . . . . STEPHEN P. GRIFFIN,, ESQ.

BRENDA ALOISIO SCHARVER

*Ms. P. S. P.*

28043853750  
FORM CSR LASER REPORTERS PAPER & MFG. CO. 800-626-6313

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

MR. MCBURNEY: In the matter of Zabigniew Maciszewski versus Buchanan for President, 93-2236, the deposition that was taken of Susan Berge-Kent on June 15, 1995 at 1 p.m. the following statement may be added --

(OFF THE RECORD CONVERSATION)

MR. JAMES: On June 15, 1995 I spoke with Eugene Toro who expressed to me that he no longer represented Ms. Kent, that he was under the impression that "the attorney for the insurance company had spoken to her, that she had indicated she had not been subpoenaed and therefore was told she didn't have to show up." It was never told to me specifically that Attorney Stephen Griffin had spoken to Ms. Susan Berge-Kent.

MR. MCBURNEY: You never represented the insurance company.

MR. GRIFFIN: No. That's what we're clearing up, that's the misunderstanding.

MR. JAMES: And that Attorney Stephen Griffin is here today and also states that he has never spoke to Ms. Kent prior to today.

SUSAN BERGE KENT.

BRENDA ALOISIO SCHARVER

28043853751  
FORM CSR LASER REPORTERS PAPER & MFG. CO. 800-626-6313

1 Being duly sworn, deposes and testifies in the

2 Following manner:

3 DIRECT EXAMINATION BY MR. MCBURNEY:

4 Q What is your full name and address?

5 A Susan Berge -- no hyphen -- Kent. Address is 50  
6 Benedict Road, Harrisville, Rhode Island.

7 Q Now Mrs. Kent, you're appearing here without an  
8 attorney, correct?

9 A Yes.

10 Q And Mr. Griffin does not represent you?

11 A No, I've never met him before.

12 Q And you know that you're entitled to have  
13 representation here?

14 A Yes. It's my understanding that I'm not a  
15 defendant, that I'm a witness.

16 Q That's correct. And with that in mind you have  
17 elected to go forward without an attorney?

18 A Yes, sir.

19 Q And nobody has forced you to do this, this is  
20 your own free will?

21 A Yes.

22 Q Now, calling your attention to the last time the  
23 matter was scheduled, the incident that just  
24 arose, did anyone instruct you not to appear at

BRENDA ALOISIO SCHARVER

28043853752  
FORM CSR LASER REPORTERS PAPER & MFG CO. 800-626-6313

1 the last scheduled deposition?

2 A No.

3 Q You did not appear I take it?

4 A That's right.

5 Q And you didn't speak to any lawyer about  
6 attendance?

7 A I spoke to two lawyers and they both said unless  
8 you are subpoenaed you are not required by law to  
9 attend.

10 Q I see. All right. Now of course we're here for  
11 the incident that happened on March 9, 1992,  
12 right?

13 A Yes.

14 Q Where did you reside at that time?

15 A In New Hampshire.

16 Q And do you still own that property in New  
17 Hampshire?

18 A Yes, sir.

19 Q And your business address is Providence or was at  
20 the time?

21 A Providence, yes.

22 Q And what is the street address of your Providence  
23 business?

24 A Two Charles Street.

BRENDA ALOISIO SCHARVER

1 Q And you also have a residence in Rhode Island?

2 A Yes.

3 Q And were you residing there on the day of this  
4 accident?

5 A I had just returned from New Hampshire on the day  
6 of this accident.

7 Q And what is that address?

8 A Mountain Woodlands Road, Thornton, New Hampshire.

9 Q And where do you vote?

10 A I do not vote.

11 Q Are you registered?

12 A No, sir.

13 Q Where are you living now, this minute?

14 A Right this minute I am living in Rhode Island at  
15 Benedict Road.

16 Q Now, do you have any recollection of the impact  
17 which took place during this accident?

18 A No, I do not.

19 Q Do you have any recollection of seeing the  
20 vehicle that you came in contact with having its  
21 rear flashers on?

22 A No, I do not.

23 Q Do you have any recollection of driving your  
24 vehicle from the place of the meeting up to the

BRENDA ALOISIO SCHARVER

2 8 0 4 3 8 5 3 7 5 4  
FORM CSR LASER REPORTERS PAPER & MFG CO. 800-626-6313

1 point of impact?

2 A No, I don't.

3 Q Do you have any recollection of getting into your  
4 car at the place of the meeting after the meeting  
5 was over?

6 A Yes, I remember that.

7 Q Is there anything that you can remember after  
8 that and before the impact?

9 A The last thing I remember was unlocking my car  
10 door, getting in, and leaving the parking lot.  
11 And I don't remember anything after that.

12 Q And you've learned since that you took Route 95  
13 from Warwick to Providence?

14 A Um-hum.

15 Q And does the parking lot, it doesn't front on 95,  
16 does it?

17 A No, it fronts on Post Road.

18 Q Do you recall being on Post Road and driving to  
19 Route 95?

20 A No, I do not.

21 Q After this accident happened you made a phone  
22 call to Thomas Post to ask him to recall the  
23 incidents that happened that night?

24 A I don't remember doing that, no. I called my

BRENDA ALOISIO SCHARVER

2 8 0 4 3 8 5 3 7 5 5  
FORM 65B LASER REPORTERS PAPER & MFG CO. 800-626-6313

1 husband.

2 Q But your husband wasn't there, was he?

3 A Yes, he was at home. He was watching the  
4 children.

5 Q But shortly after the accident did you call up  
6 Thomas Post and ask him to recite the incidents  
7 that happened the night of the accident?

8 A Not that I recall, no.

9 Q Did you call anybody?

10 A No, not that I recall.

11 Q And after the accident what's the first  
12 recollection that you have?

13 A Well, I remember being in the back of the police  
14 car and talking with the two policemen, and I  
15 remember being in a room in a police station.

16 Q When you say you remember being in the police  
17 vehicle, was that at the scene or were you in  
18 motion?

19 A I think we were in motion.

20 Q Do you have any recollection of getting out of  
21 your car after the accident?

22 A No, I do not.

23 Q Do you recall any fire taking place in your car?

24 A No.

BRENDA ALOISIO SCHARVER

9 8 0 4 3 8 5 3 7 5 6  
FORM CSR LASER REPORTERS PAPER & MFG. CO. 800-676-6313

1 Q Your car was burned after the impact?

2 A Yes.

3 Q Do you have any recollection of any conversation  
4 with a witness or people in the other vehicle?

5 A No.

6 Q At the scene?

7 A No, I do not.

8 Q Now, was your office on Charles Street used as a  
9 headquarters for Buchanan?

10 A Oh, no.

11 Q Where was the headquarters if you know?

12 A I have no idea.

13 Q Had you ever been to the main headquarters in  
14 Vienna, Virginia?

15 A No.

16 Q Had you ever met the candidate Patrick Buchanan  
17 before this night?

18 A No.

19 Q What contact had you had prior to this night with  
20 the Buchanan for President organization?

21 A I think I got something in the mail saying that,  
22 you know, Mr. Buchanan was running for president  
23 and would I make a contribution to his campaign  
24 and I believe I made a contribution.

BRENDA ALOISIO SCHARVER

1 Q Do you know how you happened to receive that  
2 mailing?

3 A I'm on every mailing list in the universe. My  
4 poor mailman gets about 15 magazines and God  
5 knows how much junk mail every day. I don't know  
6 how I get on these mailing lists.

7 Q This was the election of '92 I take it?

8 A Right.

9 Q 1992?

10 A Right.

11 Q Had you distributed any leaflets or paraphernalia  
12 in his behalf before this day?

13 A I believe I did. The morning of the accident I  
14 think I went up and down my street and put some  
15 flyers in mail boxes and also I had distributed  
16 some flyers for another candidate named Bogue  
17 Wrights.

18 Q Who is that?

19 A He's a former Green Beretes Marine.

20 Q Running for what office?

21 A President.

22 Q At the same time?

23 A Um-hum.

24 Q But you weren't registered?

BRENDA ALOISIO SCHARVER

1 A No. I just think they're two men that have  
2 interesting things to say.

3 Q Had you met Thomas Post before the day of the  
4 accident?

5 A No, I don't believe I had. He might of come to  
6 my office once. He might of come to my office  
7 once, but that would have been the only time I  
8 met him face to face.

9 Q What was his purpose in coming to your office?

10 A I think it was to pick up the check that I had  
11 agreed to contribute to the campaign. I believe  
12 that's what it was.

13 Q How much did you contribute?

14 A I believe it was \$500.

15 Q And did you contribute to the other candidate?

16 A Yes.

17 Q Did you receive an invitation to attend this  
18 meeting or how did you happen to go there?

19 A I believe it was a public announcement in the  
20 newspaper that there was going to be a press  
21 conference held at the Sheraton Tara and  
22 Mr. Buchanan was going to be fielding questions  
23 from the press.

24 Q Do you know Mary Johnson or did you know her

BRENDA ALOISIO SCHARVER

1 before this date?

2 A No.

3 Q The co-chairwoman?

4 A No.

5 Q Or her sister?

6 A No, I didn't know she had a sister.

7 Q But did you meet the sister that night?

8 A Not that I recall.

9 Q You testified at a prior deposition that you  
10 arrived at the meeting place at 5 o'clock?

11 A Um-hum.

12 Q And that the meeting was scheduled for 6:30?

13 A It may be. I don't know. It was so long ago I  
14 don't remember exactly.

15 Q And that when you arrived you were told by  
16 Ms. Johnson that the candidate was going to be  
17 delayed because of a transportation problem?

18 A Right.

19 Q And that he did arrive about 30 minutes after the  
20 scheduled time?

21 A I don't recall now. It was a bit of a wait.

22 Q Let me ask you, what time do you think he  
23 arrived?

24 A Well, I remember, I vaguely remember somebody

BRENDA ALOISIO SCHARVER

1 telling me that he had not even left whatever  
2 airport he was in and that he wouldn't be here  
3 for at least an hour and the plane couldn't take  
4 off because of inclement weather. So I think it  
5 was a lot longer than 30 minutes.

6 Q What time do you think he arrived, your best  
7 estimate?

8 A I don't think he arrived probably till 7. I  
9 think it was a long wait.

10 Q Well, it was scheduled for 6:30 so he was a half  
11 hour late?

12 A Yeah.

13 Q What did you do during that 2 hour period from 5  
14 to 7?

15 A I went to the lobby and bought a newspaper and  
16 went to the lounge and read the paper and had I  
17 believe two glasses of wine.

18 Q And is your favorite Chardonnay?

19 A Yes.

20 Q What would be the size of the glasses, do you  
21 remember?

22 A I don't -- I think they were either six or eight  
23 ounces. I don't know what standard is.

24 Q And was anyone in your presence during that two

BRENDA ALOISIO SCHARVER

1           our period or were you alone?

2           A     I was alone.

3           Q     And were there any other members of the committee  
4           in the lounge where you were during that two hour  
5           period if you know?

6           A     I didn't know any other members of the committee  
7           so.

8           Q     These are all strange faces to you?

9           A     Oh, yeah, I didn't know anybody.

10          Q     So the candidate arrives around 7 o'clock. And  
11          did he give a speech?

12          A     He spoke, yes.

13          Q     And were you present during the entire speech?

14          A     Yes.

15          Q     Do you remember the room that the speech took  
16          place in? Was there a designation to it, A, B,  
17          C?

18          A     I don't remember what the name of the room was.  
19          If you enter the Sheraton from the rear, it's a  
20          room on the far right on the end of the building,  
21          but I don't know what you call it. I'd never  
22          been to the Sheraton before either for that  
23          matter.

24          Q     Can you give me an estimate or ball park figure

BRENDA ALOISIO SCHARVER

1 of how many attended that meeting?

2 A I'd say maybe 25 or 30 people about.

3 Q And were there rows in front of the speaker?

4 A I'm sorry?

5 Q Rows of chairs, how were they arranged?

6 A Oh, I see what you mean. I thought you were  
7 talking about rows of persons. There were rows,  
8 yes, straight rows of chairs, and there were some  
9 people standing in the back from the press with  
10 their video cameras on their shoulders.

11 Q The press was there I take it?

12 A It was a press conference, that was the purpose  
13 of it.

14 Q There was a disruption I take it also?

15 A Yes, some of the press members became very  
16 obstreperous.

17 Q Some of the members of the press?

18 A Yes, sir.

19 Q In what way?

20 A They began asking questions in a way designed to  
21 try to provoke anger, designed to try to provoke  
22 confrontation.

23 Q Do you know which members they were or what they  
24 represented?

BRENDA ALOISIO SCHARVER

- 1 A I have no idea.
- 2 Q Was it more than one?
- 3 A I don't remember. I just remember that one or  
4 two people asked questions and they were very  
5 belligerent.
- 6 Q You're certain they were members of the press?
- 7 A I'm quite certain.
- 8 Q Television or?
- 9 A Well, nobody else was allowed to ask questions.  
10 The rest of us were there as the audience to see  
11 what would go on. So the press were the only  
12 people that were raising their hands and asking  
13 questions.
- 14 Q But wasn't this an anti-semitic demonstration?
- 15 A No, absolutely not.
- 16 Q The people who caused the disruption, you're sure  
17 they were members of the press?
- 18 A Yes.
- 19 Q And they didn't represent or oppose the Jewish  
20 people?
- 21 A Well, I don't know what their motivations are. I  
22 know that Mr. Buchanan doesn't have anything  
23 against anyone.
- 24 Q I see.

BRENDA ALOISIO SCHARVER

1 A I can't -- I don't know what somebody else's  
2 motivation might be for asking belligerent  
3 questions.

4 Q How did the candidate react to this  
5 demonstration?

6 A Well, he started to try to answer things and then  
7 as I recall he was -- Every time he tried to  
8 answer he was interrupted. And it was evident  
9 that tempers were beginning to flare. And so I  
10 guess the people that were traveling with him or  
11 his advisors or whatever said let's just close  
12 the meeting.

13 Q He cut it short?

14 A I think he ended it because he didn't want to get  
15 into a big brouhaha.

16 Q Did you feel at any time that he was in physical  
17 harm?

18 A No, I don't think so.

19 Q Physical danger?

20 A No. It was just unpleasant and unnecessary given  
21 the circumstances. It was a press conference.  
22 It was suppose to be questions and answers, not  
23 fighting.

24 Q So how long did the speech take?

BRENDA ALOISIO SCHARVER

1 A I think probably half an hour, 45 minutes.

2 Q So that brings it up to about 7:30?

3 A Um-hum.

4 Q The accident according to the police report was  
5 9:55?

6 A Right.

7 Q So that's about 2 hours and 25 minutes that you  
8 were still at the hotel?

9 A Right.

10 Q And what did you do immediately after the speech?

11 A Well, after Mr. Buchanan left I would say the  
12 majority of the people went up to the lounge to  
13 talk about Mr. Buchanan's speech and what had  
14 happened and things like that. So I went up with  
15 the rest of the people.

16 Q And did you see Mr. Buchanan at any time after  
17 that?

18 A I don't recall seeing him, but I was told much  
19 later that he had come into the lounge to shake  
20 hands with people and that I had seen him at that  
21 time.

22 Q Did you kiss him?

23 A I am told that I gave him a kiss, yes. I don't  
24 remember that.

BRENDA ALOISIO SCHARVER

1 Q You don't remember that?

2 A No. It was totally out of character for me.

3 Q Who told you that you gave him a kiss?

4 A I believe Tom Post did.

5 Q He saw it happen I take it?

6 A I think so.

7 Q Is that what he told you?

8 A Yes.

9 Q When did he tell you that?

10 THE WITNESS: When?

11 MR. MCBURNEY: Yes.

12 A Gosh, I don't know. I don't remember.

13 Q Was it in person or?

14 A No, over the phone.

15 Q Over the phone. Did he tell you anything else  
16 that you had done besides that?

17 A The only other thing he mentioned was that he had  
18 offered to call a cab for me and I had refused.

19 Q Do you remember that?

20 A I don't remember that.

21 Q Did he tell you what time of the evening or at  
22 what point he offered to call a cab?

23 A No, he didn't tell me. But putting two and two  
24 together I assume it was when I stood up around

BRENDA ALOISIO SCHARVER

1 7:30, which is for me very late in the evening,  
2 and said I've got to get home. I think it was  
3 probably at that point he said well let me call  
4 you a cab.

5 Q This was the table in the lounge?

6 A Um-hum.

7 Q Now, he said that there was six people at that  
8 table?

9 A And he was not one of them that I recall. He was  
10 at another table and I didn't know any of the  
11 people at the table I was sitting at. They were  
12 from all over New England.

13 Q You don't know any of the others at the table?

14 A No.

15 Q But you think he was not at that table?

16 A No, I don't think he was sitting with us.

17 Q Was Mary Johnson at the table?

18 A I don't believe so, no.

19 Q Did you get to know her during the course of the  
20 evening?

21 A No, I did not.

22 Q To this day you don't know who she is?

23 A No. If I saw her on the street, I wouldn't  
24 recognize her.

BRENDA ALOISIO SCHARVER

- 1 Q of the five people at the table besides yourself  
2 can you tell me if there were any other women?
- 3 A I don't remember. There might have been one, but  
4 you know at a press conference that's one of  
5 those things that's mostly men to begin with.
- 6 Q In those roughly two hours, 7:30 to 9:30, did you  
7 have anything to drink?
- 8 A I had one glass of wine and then I had ordered  
9 another and then I realized how late it was and I  
10 didn't finish that one. I drank maybe a third of  
11 it and left the rest on the table.
- 12 Q That would give you a total of about three and a  
13 third. Were the glasses at the table roughly the  
14 same size as the ones where you were sitting  
15 alone?
- 16 A Yes.
- 17 Q Was it also Chardonnay?
- 18 A Yes.
- 19 Q Now, who paid for the round that you drank, the  
20 first round?
- 21 A I did.
- 22 Q So the six of you people paid individually?
- 23 A Yes.
- 24 Q Nobody at the table offered to buy a round?

BRENDA ALOISIO SCHARVER

- 1 A It that I remember, no. We didn't know each  
2 other. I mean that's -- you don't -- strangers  
3 don't buy each other drinks.
- 4 Q You were supporting the same candidate I take it?
- 5 A Some of them were. Some of them weren't. That's  
6 what made the discussion so interesting. A lot  
7 of people disagreed with some aspects of  
8 Buchanan's positions.
- 9 Q I am talking about the round table?
- 10 A Yup.
- 11 Q So not all six of you were supporting Buchanan at  
12 the time?
- 13 A I don't know whether they were with the campaign  
14 or whether they were with the press or they were  
15 curious the way I was. I don't know who they  
16 were. I don't know whether they were active  
17 supporters of Buchanan or they had turned out  
18 because they were just interested that Pat  
19 Buchanan was coming to Rhode Island. I have no  
20 idea.
- 21 Q Those six including yourself came from the room  
22 that listened to the speech?
- 23 A Yes.
- 24 Q And you didn't know -- You say you had met Thomas

BRENDA ALOISIO SCHARVER

1 Post before this evening?

2 A Yes, there was one time when he had come to the  
3 office to pick up my contribution because he  
4 happened to be in the area.

5 Q Was he the only individual that you knew who  
6 attended that meeting?

7 A Well, I knew of Mary Johnson but I had never met  
8 her.

9 Q How did you know of her?

10 A I think that when I -- At one point I called to  
11 find out where to send my check or something, and  
12 she was the one who was answering the phones at  
13 the time.

14 Q I see. And you can recall specifically that you  
15 only drank one third of that second round at the  
16 table?

17 A Yeah, that's what I recall.

18 Q No doubt in your mind that you did not consume  
19 that second drink?

20 A I don't think I did. I remember leaving a drink  
21 partially finished on the table.

22 Q This would be a circular table?

23 A I don't remember. I think it was a rectangle.

24 Q And where was it in relation to where you were

BRENDA ALOISIO SCHARVER

1 seated alone reading the paper?

2 A When I?

3 Q Was it the same room?

4 A It was the same room, yes. When I was reading  
5 the paper I was over in another area where the  
6 lights were brighter so I could see.

7 Q And can you recall any conversation between you  
8 and the other members sitting at the table?

9 MR. GRIFFIN: Objection. I don't believe  
10 she testified there were members at the table.

11 Q Other people at the table?

12 A I don't remember specifically. We were talking  
13 about the different candidates and the different  
14 issues that were important in the election, just  
15 general political chatter.

16 Q Did some at the table disagree with, I take it  
17 you were fronting for Patrick Buchanan?

18 A No, I wasn't fronting for him, no.

19 MR. GRIFFIN: Objection. I'm sorry, before  
20 you answer objection to the form. You may answer  
21 the question if you understand it.

22 MR. MCBURNEY: In order to save time I give  
23 you a blanket objection to everything. Is that  
24 okay?

BRENDA ALOISIO SCHARVER

1 MR. GRIFFIN: I am going to just put my  
2 objections to the form of your questions if  
3 they're required.

4 MR. MCBURNEY: But you may answer it. Do  
5 you recall it?

6 A Like everybody else there are some aspects of  
7 every candidates position that I agree with and  
8 others that I disagree with and that's what we  
9 were talking about at the table.

10 Q What did you disagree with on Buchanan's  
11 positions?

12 A Oh, Lord, I don't remember now. I don't  
13 remember.

14 Q Well, this is a person that you had contributed  
15 \$500 to?

16 A Um-hum.

17 Q You had leafleted for him?

18 A Yes. And I contribute to Hillsdale College and I  
19 contribute to Ludwig von Mises Institute. I  
20 contribute to lots of different things that have  
21 some ideas or most ideas that I agree with, but  
22 that doesn't mean that I am a cult follower with  
23 no questions or reservations about what they  
24 propose.

BRENDA ALOISIO SCHARVER

1 Q Have you ever voted in your life?

2 A I use to vote before I decided that there is no  
3 real difference between the democrats and the  
4 republicans.

5 Q When did you first register to vote?

6 A I think when I was probably 18.

7 Q In what city or town or state?

8 A Taunton, Massachusetts probably.

9 Q Where?

10 A Taunton, Massachusetts. I think that's where my  
11 family was living at the time.

12 Q And when did you stop voting?

13 A Oh, boy.

14 Q Put it this way, how long did you vote? How many  
15 elections did you vote?

16 A I'd have to have a calculator to figure that out.  
17 I think I probably stopped voting 15 years ago.

18 Q That's because you became disillusioned?

19 A Yes. I don't think it makes really any  
20 difference. That's one of the reasons that I  
21 often will contribute to independent candidates,  
22 because I don't think there is a difference  
23 between republicans and democrats any more and I  
24 want to give the guys that are not affiliated

BRENDA ALOISIO SCHARVER

1 with any party a chance.

2 Q But why wouldn't you register and vote for that  
3 person?

4 A Because I don't think yet that it makes a  
5 difference. Most of the money that I contribute  
6 to different organizations is largely for  
7 educational purposes. It's to promote ideas.

8 Q Can you tell me what your height and weight was  
9 on the night of the accident?

10 A I was five foot two and I believe I weighed about  
11 a hundred pounds.

12 Q Roughly the same today?

13 A I've put on a little weight. I'm up to about  
14 105.

15 Q Have you ever been arrested for anything before  
16 this?

17 A Never.

18 Q Have you ever been stopped for suspicion of  
19 drinking?

20 A No.

21 Q Do you drink hard liquor?

22 A No.

23 Q Did you ever?

24 A Probably in college. I don't know, is Sangria

BRENDA ALOISIO SCHARVER

1 hard liquor?

2 Q Whiskey?

3 A Oh, God, no, I can't stomach it.

4 Q Is Chardonnay wine your only drink?

5 A Yes.

6 Q And for how long has that been your only drink?

7 How many years?

8 A Oh, I don't know, 25 years.

9 Q And I guess if Mr. Post said he offered to get  
10 you a cab you don't recall that?

11 A No, I don't recall it.

12 Q But I guess if you had taken his advice Zabigniew  
13 would not be an amputee today?

14 A That's right.

15 MR. GRIFFIN: Objection.

16 MR. MCBURNEY: That's all the questions I  
17 have.

18 CROSS EXAMINATION BY MR. JAMES:

19 Q I'm just going to follow up on a couple of things  
20 here. The day of the accident you stated that  
21 you were earlier that day passing out literature  
22 for two candidates and one of them was Patrick  
23 Buchanan. Where did you get the literature you  
24 were passing out that day?

BRENDA ALOISIO SCHARVER

1 A I think I had gotten it from that Vienna  
2 headquarters that you mentioned.

3 Q They mailed it to you?

4 A I believe so, yes.

5 Q How did they set that up? Did they just mail  
6 that to you based on the address that was on the  
7 check that you contributed?

8 A No. I think I called them and said, you know, if  
9 you want to send me some flyers I would put them  
10 in mailing boxes on my street. So they sent me a  
11 box with some flyers.

12 Q That was done through Virginia as opposed through  
13 any Rhode Island contact?

14 A Yes, as I recall, that's true.

15 Q As to that evening, you said that it was some  
16 public announcement that you noticed. Was that  
17 in a newspaper or?

18 A I'm sure it was in the Providence Journal.

19 Q That's what I was going to ask. You stated that  
20 you arrived at the place that the meeting was to  
21 be held at approximately 5 o'clock that  
22 afternoon?

23 A Yes.

24 Q And that the meeting didn't start until 7

BRENDA ALOISIO SCHARVER

1                   'clock?

2           A        Yes.

3           Q        At 7 o'clock did the press conference begin right  
4                   away?

5           A        As soon as Mr. Buchanan arrived and walked in the  
6                   door they called everybody in. They said he's  
7                   here, and if you want to listen to what he has to  
8                   say, come on into the room.

9           Q        They came and notified you, where did they notify  
10                   you?

11          A        I think by that time I was back down milling  
12                   around in the hallway there outside the room with  
13                   some other people.

14          Q        That press conference, to the best of your  
15                   recollection how long did that last before the  
16                   disturbance?

17          A        I think it was about a half hour to forty-five  
18                   minutes.

19          Q        At that time they let it be known to everybody it  
20                   was over?

21          A        Mr. Buchanan left so there wasn't any point in  
22                   staying.

23          Q        That would be approximately 7:45. At that time  
24                   did anybody suggest that you retire to another

BRENDA ALOISIO SCHARVER

1 place in the hotel?

2 A No.

3 Q How did it come that everybody then went to the  
4 lounge?

5 A I don't know, it was just I guess a lot of us  
6 enjoy discussions of a political nature and  
7 people started leaving and some people started  
8 going up to the lounge. Very few number of  
9 people left to go directly to the parking lot. I  
10 went up, followed the other people to the lounge  
11 to see what was going to happen next.

12 Q Approximately 7:45 you returned to the lounge?

13 A Yes.

14 Q Approximately what time did Mr. Buchanan come  
15 back into the lounge to shake hands?

16 A That I don't remember because I don't remember  
17 seeing him.

18 Q That's fine. I just want to stress that whatever  
19 you can remember is all we can ask for, that's  
20 for certain. Do you remember whether it was a  
21 waiter or a waitress that had brought you your  
22 wines prior to the press conference, male or a  
23 female I suppose is the proper term these days?

24 A Oh, boy, I was reading the paper. I didn't even

BRENDA ALOISIO SCHARVER

- 1           ook up. I don't know.
- 2           Q     Do you remember if you paid for each one
- 3                   independently or did you--
- 4           A     Yes, I did.
- 5           Q     Or as the term is used run a tab?
- 6           A     No, I paid for each one independently.
- 7           Q     So you would of had to have some interface with
- 8                   that person each time they delivered a drink?
- 9           A     Yes. I don't remember.
- 10          Q     How about after the press conference, were you at
- 11                   that time always sitting with at least some other
- 12                   people?
- 13          A     Yes.
- 14          Q     And at that time you've stated that you paid for
- 15                   your drinks separately?
- 16          A     Yes.
- 17          Q     Do you remember if it was a male or a female?
- 18          A     I believe it was a male.
- 19          Q     You remember at that time after the press
- 20                   conference ordering one and finishing it?
- 21          A     Yes.
- 22          Q     And then ordering another one and not finishing
- 23                   it?
- 24          A     Right, that's what I recall.

BRENDA ALOISIO SCHARVER

1 Q Do you remember if it was the same wait person,  
2 maybe that's the politically correct term, was it  
3 the same wait person that delivered both of those  
4 to you?

5 A I assume so. I don't know how shifts with  
6 bartenders work.

7 Q If you don't remember, that's fine. You're sure  
8 that somebody delivered the drink to you as  
9 opposed to you going to the bar?

10 A Yes.

11 Q You're sure that you ordered your own as opposed  
12 to anybody ordering for you?

13 A Yes, I'm quite sure. I don't let people buy me  
14 drinks that I don't know.

15 Q To this day has anybody from the Buchanan for  
16 President or the Tara Hotel or the Flatley  
17 Companies ever called you regarding the case?

18 A No.

19 Q Did you ever do any other work other than passing  
20 out the literature for the Buchanan for President  
21 Committee?

22 A No.

23 Q Before or after the date of the accident?

24 A No. After the accident I wasn't in any shape to

BRENDA ALOISIO SCHARVER

1           to anything.

2           MR. JAMES: That's all the questions I have,  
3 Mrs. Kent.

4           REDIRECT EXAMINATION BY MR. MCBURNEY:

5           Q     I have one more. Is it Mrs. Kent or Mrs. Berge  
6 Kent?

7           A     Berge is my maiden name. For professional  
8 reasons when I got married I decided to keep  
9 Berge as my middle name because I had been known  
10 as Berge for 15 years.

11          Q     So you're Mrs. Kent?

12          A     Mrs. Kent. Berge is my maiden name.

13          Q     Mrs. Kent, in the deposition of Mr. Post, Page  
14 15, Line 15, I asked the question and who  
15 conducted the demonstration, meaning the  
16 demonstration at the speech. And his answer was,  
17 I'm not sure what their names were or what their  
18 affiliation is. They were, appeared to be  
19 orthodox Jews. Do you disagree with that?

20          A     Well, even he says he's not sure. I can't  
21 disagree or agree. I really don't recall. I  
22 thought it was members of the press. I was in  
23 the front row. I didn't see who was in the back  
24 of the room asking the questions.

BRENDA ALOISIO SCHARVER

1 Q You don't really know?

2 A No, I don't know for sure.

3 Q What do you base your answer that it was the  
4 press on?

5 A I assumed that it was people from the press who  
6 were asking the questions.

7 Q The press wasn't favorable you mean?

8 A The press usually is not favorable with  
9 independent political candidates.

10 Q Just with candidates from the major parties?

11 A For the most part, yes.

12 MR. MCBURNEY: That's all.

13 CROSS EXAMINATION BY MR. GRIFFIN:

14 Q Mrs. Kent, I am going to ask you a couple of  
15 questions. We met outside. My name is Stephen  
16 Griffin. I represent the Buchanan for President  
17 Committee. I am not sure how much you know about  
18 this lawsuit that's going on. I know there were  
19 several other lawsuits that arose out of the  
20 accident you had in 1992. Are you aware that in  
21 this lawsuit the plaintiff is claiming that the  
22 Buchanan for President Committee negligently  
23 served alcohol to you on the evening in question?

24 MR. JAMES: I am going to object to that

BRENDA ALOISIO SCHARVER

FORM CSR LASER REPORTERS PAPER & MFG. CO. 438.53783 800-626-6313

1 both in form and substance since the Complaint  
2 has been amended to alleviate that from it so.

3 MR. GRIFFIN: You may answer the question.

4 MR. JAMES: You can always answer. We do  
5 that objecting just so it's preserved in the  
6 record.

7 MR. MCBURNEY: You don't have to answer it.  
8 There is no way he can make you answer it.

9 A I am not aware of that aspect of it.

10 Q In the Plaintiff's Amended Complaint which  
11 actually isn't effective yet but will be shortly,  
12 they claim that the collision was proximately  
13 caused by the negligence of the defendant  
14 committee in providing alcoholic beverages to  
15 you. Did the committee ever serve you any  
16 alcoholic drinks on that evening?

17 A No, they didn't even have coffee.

18 Q When you distributed leaflets on that day as you  
19 testified, did the Buchanan for President  
20 Committee pay you?

21 A No.

22 Q Have you ever been under the employment of the  
23 Buchanan for President Committee?

24 A No.

BRENDA ALOISIO SCHARVER

1 Q Have you ever been a member of the Buchanan for  
2 President Committee?

3 A No.

4 Q Have you ever been a worker for the Buchanan for  
5 President Committee?

6 A No.

7 MR. GRIFFIN: If you'll be patient with me,  
8 I just want to look through some documents. I'd  
9 like to have this marked as Defendant's 1.

10 (Whereupon, Page of deposition marked Defendant's  
11 Exhibit 1 for Identification)

12 Q Now Mrs. Kent, on June 2, 1992, I believe you  
13 were deposed by an Attorney Aram Schefrin in the  
14 case of Maciszewski versus you as the defendant.  
15 Do you recall that deposition?

16 A Yes.

17 Q I am showing you a portion of that deposition  
18 testimony which I have highlighted. It's been  
19 marked as Defendant's Exhibit 1. And what I'd  
20 like to go through, I'd like to ask you to read  
21 lines 8 through 23 which are highlighted.

22 A Question: Now, as of this point when you went to  
23 the conference room, was any food served?

24 Answer: No.

BRENDA ALOISIO SCHARVER

1 Question: Was any food served at all  
2 that night in the conference room?

3 Answer: No.

4 Question: Or outside it?

5 Answer: No.

6 Question: Was there anything alcoholic  
7 served in connection with that function?

8 Answer: No.

9 Question: How about in the other room where  
10 there was literature, any food served there?

11 Answer: No.

12 Question: Or alcoholic beverages?

13 Answer: No.

14 Q Mrs. Kent, does that still remain your testimony  
15 through today if I was to ask you each of those  
16 questions?

17 A Nothing would change. It was a press conference.  
18 It wasn't a social function.

19 Q We may have gone over this before but my question  
20 is did anyone from the Buchanan for President  
21 Committee invite you to the lounge for drinks?

22 A No, not personally.

23 Q Did you receive an invitation to attend the press  
24 conference and speech that evening or did you

BRENDA ALOISIO SCHARVER

1 hear about it through the newspaper, through the  
2 advertisement you referred to in the Providence  
3 Journal?

4 A I don't recall receiving an invitation. If I  
5 did, it was one of those things where, you know,  
6 you get a mailing and it says current resident  
7 and address. I wasn't invited personally for any  
8 reason. And I may have heard about it on the  
9 radio too. I think there were some announcements  
10 on the radio about it.

11 Q Did Tom Post ever buy you or serve you any drinks  
12 that evening?

13 A No.

14 Q Did he give you his glass of whatever he was  
15 drinking and have you drink from it?

16 A No.

17 Q Did Mary Johnson give you anything to drink that  
18 evening?

19 A No.

20 Q Buy you any drinks that evening?

21 A No.

22 MR. GRIFFIN: No more questions.

23 REDIRECT EXAMINATION BY MR. MCBURNEY (CONTINUED):

24 Q Mrs. Kent, there is no question that Thomas Post

BRENDA ALOISIO SCHARVER

1 The co-chairman told you some time subsequent to  
2 the incident that you were too drunk to drive?

3 MR. GRIFFIN: Objection. I don't believe  
4 that's her testimony.

5 MR. MCBURNEY: You can still answer it.

6 A He didn't use those words. He said he was  
7 concerned and that he suggested that I take a cab  
8 home.

9 Q Did he use the word inebriated?

10 A Not that I recall, but see this is an incident  
11 that he told me about later that I don't  
12 remember.

13 Q I understand that. And he told you that you  
14 should get a cab rather than drive home?

15 A Again, the way he related it to me was he said,  
16 "I suggested that you take a cab, I offered to  
17 call you a cab and you said you didn't think it  
18 was necessary."

19 Q But he never called the cab, did he?

20 A No, because I left before he could of had a  
21 chance to.

22 Q How do you know that?

23 A Because I, right after that I left, because I  
24 mean.

BRENDA ALOISIO SCHARVER

FORM 53H LASER REPORTERS PAPER & MFG. CO. 800-626-6333 98043853758

1 Q You said you didn't recall that?

2 A I stood up. I remember looking at my watch and  
3 seeing it was about 9:30. And the accident  
4 occurred at 9:55. So it must have been at that  
5 point around 9:30, 25 of 10 when I realized it  
6 was getting late and it was time for me to go  
7 home. I would assume that's the point where Tom  
8 Post said do you want me to call you a cab and I  
9 said no and I left.

10 Q Now, as you sit there do you recall him saying  
11 that to you at the hotel or is this something  
12 that he related to you later on when you asked  
13 him what happened?

14 A He related it to me later on. The only thing I  
15 remember at the hotel is standing up and saying  
16 it's late, I've got to get home, and I left.

17 Q So that your answer is that you left before he  
18 could get a cab? That's not true, is it, that's  
19 not what happened?

20 A All I remember is that I stood up around 9:30, 25  
21 of 10 and said I have to get home, it's late.

22 Q Your testimony just a few minutes ago, we can  
23 check the record if you want, that the reason the  
24 cab wasn't there is because you left before he

BRENDA ALOISIO SCHARVER

1 got a chance to call.

2 A I rejected his offer. I said I don't think it's  
3 necessary.

4 Q Oh, you remember saying that?

5 A I did -- That's what he told me that I said, I  
6 don't think it's necessary, I'll be fine.

7 Q I am not asking you what he told you happened.  
8 I'm asking you what you remember happening?

9 THE WITNESS: What I remember happening?

10 MR. MCBURNEY: You personally, yes.

11 A Standing up and saying I have to go now, it's  
12 getting late. And then I picked up my coat and  
13 my bag, I went to the ladies room, and then I  
14 left.

15 Q So you don't remember him saying to you anything  
16 about getting a cab?

17 A No, I don't recall that.

18 Q So that your answer that you left before a cab  
19 arrived, that's your assumption, but you don't  
20 know that, do you?

21 A No, I didn't say that I left before a cab  
22 arrived. I said that apparently from what he  
23 told me later I told him that it was not  
24 necessary, that I thought I was all right, and

BRENDA ALOISIO SCHARVER

1           When I left.

2           Q     Do you still feel that a cab wasn't necessary?

3           A     Obviously not. I was wrong.

4           Q     Did you ever see a cab in the area at about the  
5           time you were leaving?

6           A     No, but a cab could of pulled up in front of the  
7           hotel without my noticing because I was parked in  
8           the back.

9           Q     Did Thomas Post tell you that he did in fact call  
10          a cab but you had left?

11          A     No, he didn't tell me that.

12          Q     So that's just your assumption, you don't know  
13          that?

14          A     No, it's not my assumption. My assumption is  
15          that he made an offer which I rejected. My  
16          assumption is not that he actually called a cab.  
17          I don't know whether he did or not. All I know  
18          is from what he told me, he made the offer and I  
19          rejected it.

20          Q     That's not what you were able to understand at  
21          the time, that is because he told you  
22          subsequently that that's what happened?

23          A     Yes.

24          MR. MCBURNEY: That's all.

BRENDA ALOISIO SCHARVER

CROSS EXAMINATION BY MR. JAMES (CONTINUED:

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24

Q One last question. Is it fair to say that if it weren't for the ad in the paper or the ad potentially on the radio that you would not of attended the Tara Hotel function that evening?

A Probably not. But when somebody of the intellectual stature of Patrick Buchanan comes to little old Rhode Island, if I hear about it, I want to take the opportunity to see what the person has to say.

*see 46/4  
Patrick Buchanan*

Q Do you remember if in the ad or in the paper or on the radio if you recall who it said had paid for the ad?

A I don't recall that, no.

Q Those were ads on the radio and in the paper that you heard the same day as the event?

A Oh, no, I'm sure it was earlier than that.

Q Days preceding the event?

A Yeah. I would think so. I think my office manager mentioned something too. She doesn't have any children so she has more time to watch the news and she lets me know what's going on in the State of Rhode Island because otherwise I'm oblivious. And she was one of the people that

BRENDA ALOISIO SCHARVER

FORM CSR LASER REPORTERS PAPER & MFG. CO. 800 626 6313 0 8 0 4 3 8 5 3 7 2

1           aid did you hear that Patrick Buchanan is going  
2           to be coming to Rhode Island to have a press  
3           conference. I think I heard it from her too.

4           Q     Do you remember what those ads stated either on  
5           the radio or in the newspaper?

6           A     No.

7           Q     Time, date, place?

8           A     No, I don't recall.

9           Q     Come one, come all?

10          A     I don't remember.

11          MR. JAMES: That's it.

12          CROSS EXAMINATION BY MR. GRIFFIN (CONTINUED):

13          Q     Mrs. Kent, I'm sorry, being a lawyer I have a lot  
14          of questions. We all do. I'll try to just ask  
15          you a couple. The committee's function that  
16          evening STRIKE THAT.

17          Q     Did the committee have as part of its function  
18          any activities in the lounge of the Sheraton?

19          A     No.

20          Q     The committee's activities were isolated in the  
21          ballroom that you mentioned earlier?

22          A     Yes.

23          Q     Now Mr. Post has told you that he offered you a  
24          cab. You don't have any recollection of that,

BRENDA ALOISIO SCHARVER

1           Correct?

2           A     No, I don't.

3           Q     Just so I'm clear, when he offered you this cab  
4           as he says he did, that was at a time when you  
5           were in the lounge of the Sheraton?

6           A     Yes.

7           Q     Did the Buchanan for President Committee have  
8           anything to do with the Sheraton's lounge?

9           A     No.

10          Q     Any alcohol you received that night you purchased  
11          from the Sheraton's lounge, correct?

12          A     Yes, that's correct.

13          Q     You didn't purchase any alcohol from the  
14          committee?

15          A     No.

16          Q     You were not given any alcohol by the committee?

17          A     No.

18          MR. GRIFFIN: Thank you.

19          CROSS EXAMINATION BY MR. JAMES (CONTINUED):

20          Q     You've testified you were not part of the  
21          committee?

22          A     No.

23          Q     Neither the national nor the Rhode Island  
24          Committee?

BRENDA ALOISIO SCHARVER

1 A No.

2 Q Did you have any position in planning this  
3 activity?

4 A I think somebody from the Rhode Island Committee  
5 called and asked if I knew of any restaurants  
6 where Mr. Buchanan could, I don't know, whatever  
7 candidates do, go shakes hands with, you know,  
8 like working people. And I said the only -- I  
9 talked to my office manager about that because  
10 again she goes out a lot. I don't. And she  
11 said, well, why don't you try Richard's Pub I  
12 think it's called. It's down south from here  
13 somewhere. So I suggested that and then they  
14 chose the Sheraton. That didn't have anything to  
15 do with me.

16 Q When Mr. Post came to your office the one time,  
17 do you remember whether he did anything other  
18 than pick up the check?

19 A No.

20 Q Did he drop off any literature to be distributed  
21 by you?

22 A No.

23 Q Since you were not part of the campaign committee  
24 that planned this event, how do you know that the

BRENDA ALOISIO SCHARVER

1 committee didn't have any other activities other  
2 than the press conference?

3 A Well, not while I was there. I don't know what  
4 went on after I left.

5 Q But how about during the time that you were  
6 there, do you know if they had any other  
7 activities going on?

8 A I think they had an adjoining room or maybe it  
9 was the same room partitioned where they had a  
10 table with some literature. But other than that,  
11 I don't know of any activities that were planned  
12 by the committee. I think the main event was  
13 just the holding of the press conference.

14 Q Do you know for a fact that the committee didn't  
15 have an event scheduled in the lounge?

16 THE WITNESS: Do I know for a fact?

17 MR. GRIFFIN: Objection. You may answer if  
18 you know.

19 MR. MCBURNEY: You should enter an  
20 appearance for her.

21 MR. GRIFFIN: Adverse.

22 A I don't know for a fact whether they did or they  
23 didn't. All I know is a bunch of people that had  
24 been at the press conference went up to the

BRENDA ALOISIO SCHARVER

1 lounge afterwards.

2 Q But as far as the committee's activities, do you  
3 know whether they had a private meeting, some  
4 individuals had a private meeting with  
5 Mr. Buchanan immediately after the public press  
6 conference?

7 A If they did, it wasn't in the lounge. It was  
8 somewhere else.

9 Q Do you know that they had a private meeting after  
10 the public meeting?

11 A I don't know if they did or didn't.

12 Q Do you know if they had any meeting anywhere else  
13 in the hotel that evening?

14 A I have no idea.

15 Q Do you know if they had another room anywhere  
16 else in the hotel that served alcohol to anybody  
17 that evening?

18 A I have no idea.

19 Q Do you know whether or not the committee had an  
20 arrangement with the hotel to pay for liquor or  
21 not to pay for liquor?

22 A I don't know what arrangements the committee had  
23 with the hotel. I know what arrangements I had  
24 with the hotel.

BRENDA ALOISIO SCHARVER

1 Q Do you don't know. The question was just asked  
2 whether the committee actually had any event in  
3 the lounge, your answer is no, you don't know?

4 A This wasn't a planned event. It was just a bunch  
5 of people.

6 Q That's the event you were attending. Do you know  
7 whether the committee had any other arrangements  
8 going on?

9 A No, I have no idea.

10 Q Do you have personal knowledge of that?

11 A I have no idea.

12 MR. JAMES: That's all I have.

13 REDIRECT EXAMINATION BY MR. MCBURNEY (CONTINUED):

14 Q Have you met with Mr. Griffin regarding your  
15 testimony here today?

16 A No. The first time I met him was when he walked  
17 in the door upstairs.

18 Q Or anyone from the defendant, did any  
19 representative of the defendant go over your  
20 testimony?

21 A No.

22 MR. MCBURNEY: All right.

23 (deposition adjourned)

24

BRENDA ALOISIO SCHARVER

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

Q Buchanan literature?  
A Yes. And I found Mary Johnson there and I spoke with her briefly. And she told me that Mr. Buchanan's flight had been delayed by weather. And in fact they were not going to be starting at 6:00; they were going to be starting closer to 7:00 if he was able to get there.

Q Now, as of this point when you went to the conference room, was any food served?

A No.

Q Was any food served at all that night in that conference room --

A No.

Q -- or outside it?

A No.

Q Was there anything alcoholic served in connection with that function?

A No.

Q How about in the other room where there was literature, any food served there?

A No.

Q Or alcoholic beverages?

A No.

Q So you spoke to Mary Johnson; she said he's going to be late. About what time did you say that was?

**DEFENDANT'S EXHIBIT**

*1*

*Page six*

Susan Berge Kent 8/15/93

8/21 Mail from hgrs  
9/13 Flyers up and down street  
10/14 \$500.00  
17/7 2:25 at hotel after speech  
17/19 Told Buchanan in lounge shaking hands  
17/23 Don't remember kiss  
18/18 Post said "cab refused"  
19/7 Post and Johnson not at table of 6 - wrong (19/16) (19/18)  
23/12 Talking - differnt candidates, different issues important i  
the election - general political chatter  
24/9 Aspects of the condidates postions  
28/1 Literature from Viera Hgrs  
28/8 W called hgrs to volunteer help and they mailed a box  
30/6 Went to lounge - enjoy discussings of political nature  
36/6 never worked for BPC  
37/ No alcohol served  
38-4 No invatations bt 2/46/4 - see Richard's pub  
41/6 "I'll be fine"  
44/19 No activities in lounge  
46/4 Richard's Pub suggested

98043853800



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

July 14, 1997

John F. McBurney, Esq.  
100 Cottage Street  
Pawtucket, RI 02860

RE: MUR 4657

Dear Mr. McBurney:

This letter acknowledges receipt on July 7, 1997, of the complaint which your client, Zbigniew Maciszewski, filed alleging possible violations of the Federal Election Campaign Act of 1971, as amended. The respondent(s) will be notified of this complaint within five business 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 notarized and sworn to in the same manner as the original complaint. We have numbered this matter MUR 4657. 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 "F. Andrew Turley".

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Enclosure  
Procedures

9 8 0 4 3 8 5 3 8 0 1



FEDERAL ELECTION COMMISSION  
Washington, DC 20463

July 14, 1997

Angela M. "Bay" Buchanan, Treasurer  
Buchanan for President  
6862 Elm Street, Suite 210  
McLean, VA 22101

RE: MUR 4657

Dear Ms. Buchanan:

The Federal Election Commission received a complaint which indicates that Buchanan for President ("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 4657. 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.

9804383802

If you have any questions, please contact Jennifer Henry at (202) 219-3690. For your information, we have enclosed a brief description of the Commission's procedures for handling complaints.

Sincerely,



F. Andrew Tarley  
Supervisory Attorney  
Central Enforcement Docket

Enclosures

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

98043853803

# STEPTOE & JOHNSON LLP

ATTORNEYS AT LAW

1330 CONNECTICUT AVENUE, N.W.  
WASHINGTON, D.C. 20036-1795

PHOENIX, ARIZONA  
TWO RENAISSANCE SQUARE

TELEPHONE: (802) 257-5200  
FACSIMILE: (802) 257-5299

JOHN J. DUFFY  
(202) 429-8020

STEPTOE & JOHNSON INTERNATIONAL  
AFFILIATE IN MOSCOW, RUSSIA

TELEPHONE: (011-7-501) 256-5250  
FACSIMILE: (011-7-501) 256-5251

(202) 429-3000  
FACSIMILE: (202) 429-3902  
TELEX: 89-2503

July 30, 1997

JUL 31 9 53 AM '97  
FEDERAL ELECTION COMMISSION  
OFFICE OF THE CLERK

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket  
Federal Election Commission  
Washington, D.C. 20463

Attn: Ms. Jennifer Henry

Re: MUR 4657

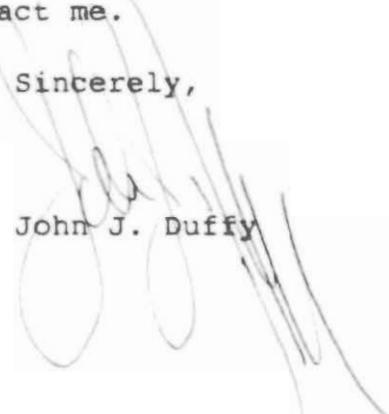
Dear Mr. Turley:

I have just been retained to represent the Buchanan for President '92 Committee in connection with MUR 4657. A Statement of Designation of Counsel is enclosed.

Your letter, dated July 14, 1997, directs the Committee to submit a response to the complaint of Mr. Zbigniew Maciszewski within 15 days of the date of that letter. On behalf of the Committee, I request an additional 15 days up to and including August 13, 1997 to submit a response.

If you have any questions concerning this matter, please don't hesitate to contact me.

Sincerely,

  
John J. Duffy

Enclosure

9304785384





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 1, 1997

John Duffy, Esq.  
Steptoe & Johnson  
1330 Connecticut Avenue, NW  
Suite 700  
Washington, DC 20036

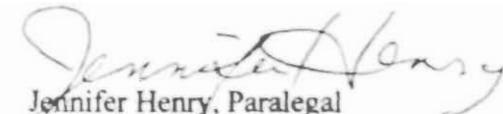
RE: MUR 4657  
Buchanan for President

Dear Mr. Duffy:

This is in response to your letter dated July 30, 1997, which we received on July 31, 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 August 13, 1997.

If you have any questions, please contact me on our toll-free telephone number, (800) 424-9530. Our local telephone number is (202) 219-3400.

Sincerely,

  
Jennifer Henry, Paralegal  
Central Enforcement Docket

98043853806

# STEPTOE & JOHNSON LLP

ATTORNEYS AT LAW

1330 CONNECTICUT AVENUE, N.W.  
WASHINGTON, D.C. 20036-1795

PHOENIX, ARIZONA  
TWO RENAISSANCE SQUARE

TELEPHONE: (602) 257-5200  
FACSIMILE: (602) 257-5299

JOHN J. DUFFY  
(202) 429-8020

(202) 429-3000  
FACSIMILE: (202) 429-3902  
TELEX: 89-2503

STEPTOE & JOHNSON INTERNATIONAL  
AFFILIATE IN MOSCOW, RUSSIA

TELEPHONE: (011-7-501) 256-5250  
FACSIMILE: (011-7-501) 256-5251

August 18, 1997

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket  
Federal Election Commission  
Washington, D.C. 20463

Attn: Ms. Jennifer Henry

Re: MUR 4657

Dear Mr. Turley:

On behalf of the Buchanan for President '92 Committee (the "Committee"), we submit this response to the complaint filed in MUR 4657.

The Committee has been subject to a full audit by the Commission's Audit Staff. During that audit, the Audit Staff compared the Committee's bank records to its Report of Receipts and Expenditures and did not find any evidence of an unreported contribution by Ms. Susan Berge Kent.

As you may be aware, Mr. Zbigniew Maciszewski, the complainant, has sued the Committee for damages resulting from injuries received when he was struck by a motor vehicle operated by Ms. Kent. Summary judgment for the Committee was recently granted in this case.

The Committee's local attorney, Mr. Stephen Griffin, has contacted Ms. Kent to request a copy of a canceled check evidencing her contribution. According to Mr. Griffin, Ms. Kent has not retained any records from her account for that period,

Aug 18 12 29 PM '97

RECEIVED  
FEDERAL  
ELECTION  
COMMISSION

93043853807

F. Andrew Turley  
August 18, 1997  
Page 2

and, in any event, she is unable at this time to access any of her financial records because she is in a prison work-release program.

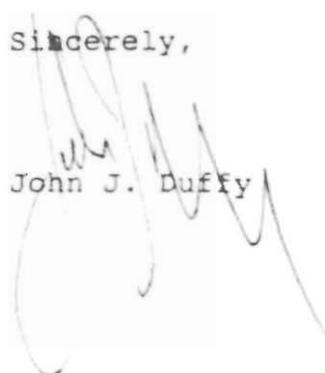
We have tried repeatedly, but have been unable, to contact Mr. Post, the Committee employee who Ms. Kent identified as the recipient of the check.

Mr. Maciszewski has provided no evidence that the Committee deposited a contribution check from Ms. Kent. Ms. Kent does not have any such evidence. And the Commission's audit of the Committee suggests that it did not. Therefore, the factual record does not reveal any basis for concluding that a reporting violation has occurred.

Moreover, in light of the minor nature of the alleged offense, as well as the fact that it pertains to the 1992 election cycle, and the apparent lack of any documentary evidence, it would appear that the expenditure of further effort on this matter would be a waste of the Commission's scarce investigative resources.

If you have any questions concerning this matter, please don't hesitate to contact me.

Sincerely,

  
John J. Duffy

8  
8  
5  
3  
8  
4  
1  
9  
8  
7  
4

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)  
)  
)  
)

ENFORCEMENT PRIORITY

REC-110  
MAY 10 3 38 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 \_\_\_\_\_ cases that are stale \_\_\_\_\_ 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.

98043853809

## 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.<sup>3</sup> 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

<sup>3</sup> 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.<sup>6</sup>

\* 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 (*LI/VV*); 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 (*WMAL 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 Oaker'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.

9 8 0 4 3 8 5 3 8 1 1

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 |
|            | Pre-MUR 343 | Pre-MUR 350 |
| RAD 97L-10 | Pre-MUR 347 | Pre-MUR 355 |
| RAD 97L-16 | Pre-MUR 348 |             |

9 8 0 4 3 8 5 3 8 1 2

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

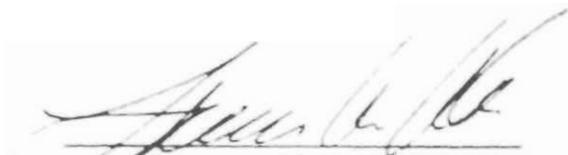
MUR 4283  
 MUR 4341  
 MUR 4402  
 MUR 4435  
 MUR 4439  
 MUR 4442  
 MUR 4444  
 MUR 4445  
 MUR 4446  
 MUR 4447  
 MUR 4449  
 MUR 4453  
 MUR 4454  
 MUR 4459  
 MUR 4474  
 MUR 4477  
 MUR 4481  
 MUR 4485  
 MUR 4486  
  
 MUR 4494

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 8 1 3

7/97  
 Date

  
 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)

98043853814

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

98043853815



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 15, 1997

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

John F. McBurney, Esq.  
100 Cottage Street  
Pawtucket, RI 02860

RE: MUR 4657  
Zbigniew Maciszewski

Dear Mr. McBurney:

On July 7, 1997, the Federal Election Commission received your client's 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 has determined to exercise its prosecutorial discretion and to take no action against the respondents. See attached narrative. Accordingly, the Commission closed 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. § 437g(a)(8).

Sincerely,

F. Andrew Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

9 8 0 4 3 8 5 3 8 1 6

**MUR 4657**

**BUCHANAN FOR PRESIDENT**

Zbigniew Maciszewski, through John F. McBurney, Esq., alleges that a \$500 contribution from Susan Berge Kent to Patrick Buchanan's 1992 Presidential campaign committee was not reported by the Committee.

Buchanan for President '92 Committee responds that no evidence of an unreported contribution by Ms. Kent was found when the Federal Election Commission audited the committee's bank records. In the event that there was an error, however, the Committee advised that it contacted Ms. Kent seeking a copy of her canceled check. She reportedly responded that she no longer had any records from her account for 1992.

This matter is less significant relative to other matters pending before the Commission.

9 8 0 4 3 8 5 3 8 1 7



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

December 15, 1997

John Duffy, Esq.  
Steptoe & Johnson  
1330 Connecticut Avenue, NW, Suite 700  
Washington, DC 20036

RE: MUR 4657  
Buchanan for President, and Angela M. "Bay" Buchanan,  
Treasurer

Dear Mr. Duffy:

On July 14, 1997, 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 has determined to exercise its prosecutorial discretion and to take no action against your client. See attached narrative. Accordingly, the Commission closed 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 Turley  
Supervisory Attorney  
Central Enforcement Docket

Attachment  
Narrative

98043853818

**MUR 4657**  
**BUCHANAN FOR PRESIDENT**

Zbigniew Maciszewski, through John F. McBurney, Esq., alleges that a \$500 contribution from Susan Berge Kent to Patrick Buchanan's 1992 Presidential campaign committee was not reported by the Committee.

Buchanan for President '92 Committee responds that no evidence of an unreported contribution by Ms. Kent was found when the Federal Election Commission audited the committee's bank records. In the event that there was an error, however, the Committee advised that it contacted Ms. Kent seeking a copy of her canceled check. She reportedly responded that she no longer had any records from her account for 1992.

This matter is less significant relative to other matters pending before the Commission.

9 8 0 4 3 8 5 3 8 1 9

*John F. McBurney*

*Boya*

Attorney  
15 Arlington Street  
Pawtucket, Rhode Island 02860  
(401) 725-4730 • (401) 722-5190

DEC 31 12 49 PM '97

December 27, 1997

Federal Election Commission  
Washington, D.C. 20463

Attn: F. Andrew Turley  
Re: Zbigniew Maciszewski  
MVR 4657

Dear Mr. Turley,

The complainant, a 30 year old Polish immigrant, is disappointed by the decision of the Commission, to dismiss the above matter.

He could not have expected any cooperation from the largest Rhode Island contributor to Candidate Buchanan, but sworn testimony by Mrs. Kent was introduced to establish a violation.

The principal rather than the amount should be controlling.

In any event, thank you for your assistance.

Sincerely,

*John F. McBurney*  
John F. McBurney  
Attorney for  
Zbigniew Maciszewski

JFM/mlh

98043853820



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 4657

DATE FILMED 1-12-98 CAMERA NO. 2

CAMERAMAN E.S.

9  
8  
0  
4  
3  
8  
5  
3  
8  
2  
1