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February 7, 1995

MEMORANDUM

SUBMITTED LATE

AGENDA ITEM

For Meeting of: FEB 9 1995

TO: The Commission

THROUGH: John C. Surina
Staff Director

FROM: Lawrence M. Noble
General Counsel

N. Bradley Litchfield
Associate General Counsel

Michael E. Marinelli
Staff Attorney

SUBJECT: OGC Amendments Draft AO 1995-1

The Office of General Counsel proposes three amendments to Agenda Document #95-15, Draft AO 1995-1, which is on the agenda for February 9, 1995. These are technical and perfecting amendments that do not modify the draft's conclusions or legal analysis.

- 1) Page 2, sentence beginning on line 3; revise to read as follows:

You note that the Commission has made a decision "to hold MUR 3938 'in abeyance' for an unspecified time."

- 2) Page 2, footnote 2; revise citation to include U.S. Supreme Court's recent denial of cert petition in Lind case. Lind v. Grimmer, 30 F.3d 1115 (9th Cir. 1994), cert. denied, sub nom. Wang v. Lind, No. 94-897 (U.S. Jan. 17, 1995).

- 3) Page 3, lines 13--15; revise to read as follows:

The Commission notes that it has not made any findings of "reason to believe" or "probable cause to believe" that violations of the Act may have been committed in MUR 3938. 2 U.S.C. §437g(a)(2) and (a)(4). Therefore, a Commission . . .

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