



FEDERAL ELECTION COMMISSION

1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 1456

Date Filmed 12/23/83 Camera No. --- 3

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 30, 1983

Mr. Robert J. Mrazek
People for Mrazek
P.O. Box 303
Centerport, New York 11721

Re: MUR 1456

Dear Mr. Mrazek:

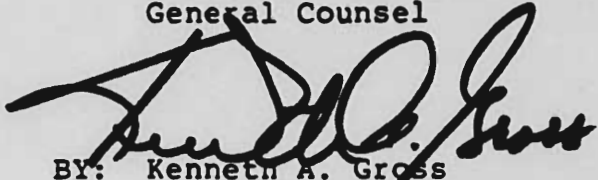
This is in reference to the complaint you filed with the Commission on July 23, 1983, concerning possible violations of the Federal Election Campaign Act of 1971, as amended, by Pamela LeBoutillier, John LeBoutillier and LeBoutillier for Congress Committee.

The Commission determined there was reason to believe that respondents violated 2 U.S.C. § 441a(a) and § 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended and conducted an investigation in this matter. On November 25, 1983, a conciliation agreement signed by counsel for the respondents was accepted by the Commission, thereby concluding the matter. A copy is enclosed for your information.

The file number in this matter is MUR 1456. If you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202)-523-4000.

Sincerely,

Charles N. Steele
General Counsel


BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

3304041932



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 30, 1983

Clifton Peter Rose
Williams & Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1456

Dear Mr. Rose:

On November 25, 1983, the Commission accepted the conciliation agreement signed by you on behalf of your clients Pamela LeBoutillier, John LeBoutillier and LeBoutillier for Congress Committee and a civil penalty in settlement of a violation of 2 U.S.C. § 441a(a) and § 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steel
General Counsel

Kenneth A. Gross
By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

8304041933



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Clifton Peter Rose
Williams & Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1456

Dear Mr. Rose:

On November , 1983, the Commission accepted the conciliation agreement signed by you on behalf of your clients Pamela LeBoutillier, John LeBoutillier and LeBoutillier for Congress Committee and a civil penalty in settlement of a violation of 2 U.S.C. § 441a(a) and § 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

8304041934



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Mr. Robert J. Mrazek
People for Mrazek
P.O. Box 303
Centerport, New York 11721

Re: MUR 1456

Dear Mr. Mrazek:

This is in reference to the complaint you filed with the Commission on July 23, 1983, concerning possible violations of the Federal Election Campaign Act of 1971, as amended, by Pamela LeBoutillier, John LeBoutillier and LeBoutillier for Congress Committee.

The Commission determined there was reason to believe that respondents violated 2 U.S.C. § 441a(a) and § 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended and conducted an investigation in this matter. On November , 1983, a conciliation agreement signed by counsel for the respondents was accepted by the Commission, thereby concluding the matter. A copy is enclosed for your information.

The file number in this matter is MUR 1456. If you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202)-523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

830404193

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MUR 1456

Respondents

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III. Respondents enter voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

(1) Pamela LeBoutillier is the sixty-three year old mother of John LeBoutillier, a former Congressman from Long Island, New York.

(2) The LeBoutillier for Congress Committee was Congressman LeBoutillier's principal campaign committee. The Committee is registered with the Federal Election Commission.

(3) Congressman LeBoutillier is the elder child from the second marriage of both his mother and his late father, Thomas LeBoutillier. Thomas LeBoutillier has two other children from his first marriage.

(4) On November 28, 1979, Thomas LeBoutillier died. Under his will, his entire estate was left to his wife in two trusts with a combined value of nearly \$800,000. Congressman LeBoutillier, his sister and his two half-brothers, each had a remainder interest in the two trusts.

(5) According to his affidavit, Congressman LeBoutillier states that it was his clear understanding when his father was alive that he could have had a one-quarter share of his father's estate at any time. He states that his father paid for his tuition and living expenses while Congressman LeBoutillier was at Harvard College and Harvard Business School. Congressman LeBoutillier graduated only a

83040441937

few months before his father's death and thus did not otherwise avail himself of his father's offer.

(6) According to her affidavit, Pamela LeBoutillier states that it was her intention that her late husband's entire estate pass directly through to her children. She states that she made a standing offer to Congressman LeBoutillier that he could claim his share, which she fixed at \$200,000 at any time.

(7) According to his affidavit, Congressman LeBoutillier states that he and group of investors attempted to purchase a share in the New York Mets, a baseball team, in January, 1980. This attempted purchase was unsuccessful. However, Congressman LeBoutillier contends that he would have used his father's money for his investment had the attempt succeeded.

(8) Congressman LeBoutillier announced for the Republican nomination for the Sixth Congressional District of New York in April, 1980. However, as a matter of law, he became a candidate for Congress in October 1979, when he filed his Statement of Organization with the Commission.

(9) In September 1980, Congressman LeBoutillier decided that his campaign needed more money. He asked his mother for this money. Congressman LeBoutillier states in his affidavit that he considered this money to be his share of his father's estate.

8304041938

(10) Pamela LeBoutillier states in her affidavit that she was opposed to Congressman LeBoutillier spending the money on his election efforts, but felt that, because the money had been promised to him, she was obliged to give it to him.

(11) On September 11, 1980, Pamela LeBoutillier drew \$200,000 from her account in the form of a cashier's check and endorsed it over to Congressman LeBoutillier. The Congressman then placed it in a thirty-day certificate of deposit in his name and lent the money to his campaign in the amounts listed and on the dates declared in his FEC reports.

(12) On October 10, 1980, Pamela LeBoutillier made a \$500 contribution to the LeBoutillier for Congress Committee.

WHEREFORE,

V. 11 C.F.R. § 110.10 permits a candidate to make unlimited expenditures and contributions from his personal funds. This regulation defines those, in pertinent part, as:

[a]ny assets to which at the time he or she became a candidate the candidate had legal and rightful title, or with respect to which the candidate had the right of beneficial enjoyment, under applicable State law, and which the candidate had legal right of access to or control over, including funds from immediate family members.

VI. Respondents contend that they did not knowingly or willfully violate the Act. During the investigation of this matter it was their contention that Congressman LeBoutillier had

the requisite access to, and control over, the \$200,000 received from Pamela LeBoutillier. Respondents enter into this agreement in order to resolve this matter without formal litigation.

VII. A gift of money constitutes a contribution under the Act, 2 U.S.C. § 431(8)(A)(i). Pamela LeBoutillier's gift of \$200,000, together with the contribution of \$500 to Congressman John LeBoutillier and the LeBoutillier for Congress Committee was in excess of the \$1,000 individual contribution limit of the Act, 2 U.S.C. § 441a(1)(A).

VIII. A contribution in excess of \$1,000 is in violation of 2 U.S.C. § 441a(a)(1)(A) and receipt of such contribution by a candidate or political committee is in violation of 2 U.S.C. § 441a(f).

IX. Respondents shall pay a civil penalty to the Treasurer of the United States in the amount of seven thousand dollars (\$7,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

X. Respondents agree that they will not undertake any activity in the future which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

GENERAL CONDITIONS

XI. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any

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requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

XII. This agreement shall become effective as of the date that all parties hereto have executed the same and the Commission has approved the entire agreement.

XIII. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

FEDERAL ELECTION COMMISSION
Charles N. Steele
General Counsel

November 29, 1983
Date

BY:

Kenneth A. Gross
Associate General Counsel

RESPONDENTS
Pamela LeBoutillier
John LeBoutillier and
LeBoutillier for Congress Committee

16/11/83
Date

BY:

Clifton Peter Rose
Attorney for Pamela LeBoutillier,
John LeBoutillier and the
LeBoutillier for Congress
Committee

WILLIAM & JENSEN, P.C.
1101 Connecticut Avenue, N.W.
Suite 500
Washington, D.C. 20036
(202) 659-8201

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1456
Pamela LeBoutillier)
John LeBoutillier)
LeBoutillier for Congress)
Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 25, 1983, the Commission decided by a vote of 5-0 to take the following actions in MUR 1456:

1. Accept the signed conciliation agreement as attached to the General Counsel's November 22, 1983 Memorandum to the Commission.
2. Close the file.

Commissioners Aikens, Elliott, Harris, McDonald and Reiche voted affirmatively in this matter; Commissioner McGarry did not cast a vote.

Attest:

Nov. 25, 1983

Date

Jody C. Ransom
for Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

11-22-83, 1:11
11-22-83, 4:00

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SENSITIVE

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

83 NOV 22 P 1: 11

November 22, 1983

MEMORANDUM TO: The Commission

FROM: Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel *KAG*

SUBJECT: MUR 1456 Conciliation Agreement
(Pamela LeBoutillier, John LeBoutillier and
LeBoutillier for Congress Committee)

Attached is a conciliation agreement which has been signed by Clifton Peter Rose on behalf of his clients Pamela LeBoutillier, John LeBoutillier and LeBoutillier for Congress Committee.

A check in the amount of \$7,000 for the civil penalty has also been received.

The Office of General Counsel recommends the acceptance of this agreement and the closing of the file.

Attachments

Letter from Respondents (page 1)
Conciliation Agreement (pages 2-7)
Photocopy of Civil Penalty (page 8)
Letter to Respondent (page 9)
Letter to Complainant (page 10)

8304041913

Attachment 1

①

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
JUNE E. EDMONDSON
JOHN P. FORD
ROBERT E. GLENNON
J. STEVEN HART
ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

November 16, 1983

NOV 16 2:39

TELEPHONE
(202) 659-8201

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Debbie:

As we discussed yesterday, I enclose a signed conciliation agreement, together with a check for \$7,000. Please let me know when Ken Gross signs it, so I can let my client know.

Sincerely,

Clifton Peter Rose

Clifton Peter Rose

/cds
Enclosure

9304044191

Attachment 2
(2)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Pamela LeBoutillier)
John LeBoutillier and) MUR 1456
LeBoutillier for Congress)
Committee,)
)
Respondents)

CONCILIATION AGREEMENT

23040441915

This matter was initiated by a signed, sworn, and notarized complaint by Robert J. Mrazek and People for Mrazek. An investigation was conducted and reason to believe was found that Pamela LeBoutillier violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution of \$199,500, and that John LeBoutillier and the LeBoutillier for Congress Committee ("Committee") violated 2 U.S.C. § 441a(f) by accepting a contribution in the same amount from Pamela LeBoutillier.

NOW THEREFORE, the Commission and Pamela LeBoutillier, John LeBoutillier and the LeBoutillier for Congress Committee (Respondents), having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

I. The Commission has jurisdiction over Respondents, and the subject matter of this proceeding, and this agreement has the effect of an agreement entered into pursuant to 2 U.S.C. § 437g(a)(4)(A)(i).

II. Respondents have had a reasonable opportunity to demonstrate to the Commission that no action should be taken in this matter.

III. Respondents enter voluntarily into this Agreement with the Commission.

IV. The pertinent facts in this matter are as follows:

(1) Pamela LeBoutillier is the sixty-three year old mother of John LeBoutillier, a former Congressman from Long Island, New York.

(2) The LeBoutillier for Congress Committee was Congressman LeBoutillier's principal campaign committee. The Committee is registered with the Federal Election Commission.

(3) Congressman LeBoutillier is the elder child from the second marriage of both his mother and his late father, Thomas LeBoutillier. Thomas LeBoutillier has two other children from his first marriage.

(4) On November 28, 1979, Thomas LeBoutillier died. Under his will, his entire estate was left to his wife in two trusts with a combined value of nearly \$800,000. Congressman LeBoutillier, his sister and his two half-brothers, each had a remainder interest in the two trusts.

(5) According to his affidavit, Congressman LeBoutillier states that it was his clear understanding when his father was alive that he could have had a one-quarter share of his father's estate at any time. He states that his father paid for his tuition and living expenses while Congressman LeBoutillier was at Harvard College and Harvard Business School. Congressman LeBoutillier graduated only a

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few months before his father's death and thus did not otherwise avail himself of his father's offer.

(6) According to her affidavit, Pamela LeBoutillier states that it was her intention that her late husband's entire estate pass directly through to her children. She states that she made a standing offer to Congressman LeBoutillier that he could claim his share, which she fixed at \$200,000 at any time.

(7) According to his affidavit, Congressman LeBoutillier states that he and group of investors attempted to purchase a share in the New York Mets, a baseball team, in January, 1980. This attempted purchase was unsuccessful. However, Congressman LeBoutillier contends that he would have used his father's money for his investment had the attempt succeeded.

(8) Congressman LeBoutillier announced for the Republican nomination for the Sixth Congressional District of New York in April, 1980. However, as a matter of law, he became a candidate for Congress in October 1979, when he filed his Statement of Organization with the Commission.

(9) In September 1980, Congressman LeBoutillier decided that his campaign needed more money. He asked his mother for this money. Congressman LeBoutillier states in his affidavit that he considered this money to be his share of his father's estate.

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(10) Pamela LeBoutillier states in her affidavit that she was opposed to Congressman LeBoutillier spending the money on his election efforts, but felt that, because the money had been promised to him, she was obliged to give it to him.

(11) On September 11, 1980, Pamela LeBoutillier drew \$200,000 from her account in the form of a cashier's check and endorsed it over to Congressman LeBoutillier. The Congressman then placed it in a thirty-day certificate of deposit in his name and lent the money to his campaign in the amounts listed and on the dates declared in his FEC reports.

(12) On October 10, 1980, Pamela LeBoutillier made a \$500 contribution to the LeBoutillier for Congress Committee.

WHEREFORE,

V. 11 C.F.R. § 110.10 permits a candidate to make unlimited expenditures and contributions from his personal funds. This regulation defines those, in pertinent part, as:

[a]ny assets to which at the time he or she became a candidate the candidate had legal and rightful title, or with respect to which the candidate had the right of beneficial enjoyment, under applicable State law, and which the candidate had legal right of access to or control over, including funds from immediate family members.

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the requisite access to, and control over, the \$200,000 received from Pamela LeBoutillier. Respondents enter into this agreement in order to resolve this matter without formal litigation.

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VIII. A contribution in excess of \$1,000 is in violation of 2 U.S.C. § 441a(a)(1)(A) and receipt of such contribution by a candidate or political committee is in violation of 2 U.S.C. § 441a(f).

IX. Respondents shall pay a civil penalty to the Treasurer of the United States in the amount of seven thousand dollars (\$7,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

X. Respondents agree that they will not undertake any activity in the future which is in violation of the Federal Election Campaign Act of 1971, as amended, 2 U.S.C. § 431, et seq.

GENERAL CONDITIONS

XI. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any

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requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

XII. This agreement shall become effective as of the date that all parties hereto have executed the same and the Commission has approved the entire agreement.

XIII. Respondents shall have no more than thirty (30) days from the date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

FEDERAL ELECTION COMMISSION
Charles N. Steele
General Counsel

83040441930

Date

BY:

Kenneth A. Gross
Associate General Counsel

RESPONDENTS

Pamela LeBoutillier
John LeBoutillier and
LeBoutillier for Congress Committee

16/11/83

Date

BY:

Clifton Peter Rose

Clifton Peter Rose
Attorney for Pamela LeBoutillier,
John LeBoutillier and the
LeBoutillier for Congress
Committee

WILLIAM & JENSEN, P.C.
1101 Connecticut Avenue, N.W.
Suite 500
Washington, D.C. 20036
(202) 659-8201

Attachment 3

8

JOHN LEBOUTILLIER
280 WHEATLEY ROAD
P.O. BOX 230
OLD WESTBURY, N.Y. 11568

PAY TO THE
ORDER OF

Federal Elections Comm.

\$ 7,000.00

----- Seven thousand and -----

00 DOLLARS

**HEMPSTEAD
BANK**
Member FDIC
Westbury, New York 11590

MEMO

John Leboutillier

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Nov. 14 19 83
60-4469
214

Attachment 4 (9)



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Clifton Peter Rose
Williams & Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1456

Dear Mr. Rose:

On November , 1983, the Commission accepted the conciliation agreement signed by you on behalf of your clients Pamela LeBoutillier, John LeBoutillier and LeBoutillier for Congress Committee and a civil penalty in settlement of a violation of 2 U.S.C. § 441a(a) and § 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter, and it will become a part of the public record within thirty days. However, 2 U.S.C. § 437g(a)(4)(B) prohibits any information derived in connection with any conciliation attempt from becoming public without the written consent of the respondent and the Commission. Should you wish any such information to become part of the public record, please advise us in writing.

Enclosed you will find a fully executed copy of the final conciliation agreement for your files.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

83040411932



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Attachment 5 (10)

Mr. Robert J. Mrazek
People for Mrazek
P.O. Box 303
Centerport, New York 11721

Re: MUR 1456

Dear Mr. Mrazek:

This is in reference to the complaint you filed with the Commission on July 23, 1983, concerning possible violations of the Federal Election Campaign Act of 1971, as amended, by Pamela LeBoutillier, John LeBoutillier and LeBoutillier for Congress Committee.

The Commission determined there was reason to believe that respondents violated 2 U.S.C. § 441a(a) and § 441a(f), provisions of the Federal Election Campaign Act of 1971, as amended and conducted an investigation in this matter. On November , 1983, a conciliation agreement signed by counsel for the respondents was accepted by the Commission, thereby concluding the matter. A copy is enclosed for your information.

The file number in this matter is MUR 1456. If you have any questions, please contact Deborah Curry, the attorney assigned to this matter, at (202)-523-4000.

Sincerely,

Charles N. Steele
General Counsel

BY: Kenneth A. Gross
Associate General Counsel

Enclosure
Conciliation Agreement

3304044195



FEDERAL ELECTION COMMISSION

WASHINGTON D.C. 20463

SENSITIVE

Date & Time Transmitted: THURSDAY, 10-20-83, 11:00

COMMISSIONER: McGARRY, AIKENS, McDONALD, ELLIOTT, REICHE, HARRIS

RETURN TO COMMISSION SECRETARY BY WEDNESDAY, OCTOBER 26, 1983, 4:00

SUBJECT: MUR 1456 Memorandum to the Commission dated October 19, 1983

☒ I approve the recommendation in the attached report.

☐ I object to the recommendation.

COMMENTS

Date: 10/20/83

Signature: Frank P. Reiche

ALL BALLOTS MUST BE SIGNED AND DATED. PLEASE RETURN ONLY THE BALLOT TO THE

COMMISSION SECRETARY. PLEASE RETURN THE BALLOT NO LATER THAN THE DATE AND

TIME SHOWN ABOVE.

From the Office of the Commission Secretary

RECEIPT
FEDERAL ELECTION COMMISSION

1025 K Street, N.W.
Washington, D.C. 20463

Man 1456

18 Nov 1983
Date

The Federal Election Commission has received \$ *7,000.00* in cash/check for the purchase of copies of documents on file at the Federal Election Commission, or for other materials made available by the Commission.

Mary Anne Shaffer
Federal Election Commission

Purchaser understands any information copied from reports and statements shall not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. 2 U.S.C. Section 438

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1456
Pamela LeBoutillier)
John LeBoutillier)
LeBoutillier for Congress)
Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 26, 1983, the Commission decided by a vote of 6-0 to take the following actions in MUR 1456:

1. Accept the conciliation agreement as attached to the General Counsel's October 19, 1983 Memorandum to the Commission.
2. Approve and send the letter to the respondents as submitted with the October 19, 1983 Memorandum.

Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche voted affirmatively in this matter.

Attest:

10-27-83

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary:

10-19-83, 3:57

Circulated on 48 hour tally basis:

10-20-83, 11:00

8304041956

GCC #1106

WILLIAMS & JENSEN

A PROFESSIONAL CORPORATION

LAWYERS

1101 CONNECTICUT AVENUE, N.W.

WASHINGTON, D.C. 20036

November 16, 1983

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
JUNE E. EDMONDSON
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ROBERT E. GLENNON
J. STEVEN HART
ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

TELEPHONE
(202) 659-8201

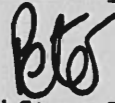
NOV 16 P 3: 39

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, NW
Washington, DC 20463

Dear Debbie:

As we discussed yesterday, I enclose a signed conciliation agreement, together with a check for \$7,000. Please let me know when Ken Gross signs it, so I can let my client know.

Sincerely,



Clifton Peter Rose

/cds
Enclosure

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JOHN LEBOUTILLIER

584

Nov. 14 1983

80-448
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PAY TO THE
ORDER OF

Federal Elections Comm.

\$ 7,000.00

---- Seven thousand and ----- 00 DOLLARS

MEMO

John LeBoutillier

830404419336

6cc# 113

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N. W.
WASHINGTON, D. C. 20036

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
JUNE E. EDMONDSON
DONALD C. EVANS, JR.
JOHN P. FORD
ROBERT E. GLENNON
J. STEVEN HART
ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

May 20, 1983

33 MAY 20 1983
TELEPHONE
(202) 689-8201
A10: 31

Deborah Currie, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, NW
Washington, D.C.

Dear Debbie:

Enclosed are the two original affidavits I promised you
from John & Pamela LeBoutillier.

If you have any questions, please do not hesitate to call.

Sincerely,

Peter

C. Peter Rose

vv

Enclosures

630404019559

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of:

PAMELA LEBOUTILLIER and
LEBOUTILLIER FOR CONGRESS COMMITTEE)

MUR 1456

AFFIDAVIT OF PAMELA LEBOUTILLIER

(1) My name is Pamela LeBoutillier of Long Island, New York. I am the mother of John LeBoutillier, the former Congressman from the Sixth Congressional District of New York. I am making this affidavit to explain the circumstances under which I transferred \$200,000 to my son during his 1980 campaign for the United States House of Representatives.

(2) John is the elder child of myself and my late husband, Thomas LeBoutillier. Thomas LeBoutillier died in November 1979, leaving me his entire estate in the form of two trusts. Our two children, and his two children from a previous marriage each have a remainder interest in the two trusts.

(3) It was my understanding that my husband, while he was alive, would have made available a one quarter share of his estate to his son, John LeBoutillier, for whatever venture he chose to put it into.

(4) Similarly, I intended that a one quarter share of his father's estate pass directly on to John and that he could avail himself of the money whenever he chose to do so.

(5) In January 1980, John, together with a group of investors, attempted to purchase a share of the New York Mets. Had the attempt

830404196

been successful, John could have drawn on a one quarter share of his father's estate to finance his share of the investment.

(6) I was opposed to John's spending his share of his father's estate on his campaign. But because both his father and I had promised him the money, I felt I had no choice but to give it to him.

(7) The money John LeBoutillier used in his campaign was his to spend as he chose. He had long been promised it from a time well before he became a candidate for Congress. As a practical matter, I regarded it as his money.

Pamela T. LeBoutillier
Pamela LeBoutillier

Subscribed and sworn before me this 18th day of May, 1983.

Rosemarie Buscarello
Notary Public

My Commission Expires March 30, 1984.

ROSEMARIE BUSCARELLO
Notary Public, State of New York
No. 30-458862
Qualified in Nassau County
Commission Expires March 30, 1984

83040441951

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of:

PAMELA LEBOUTILLIER and
LEBOUTILLIER FOR CONGRESS COMMITTEE)

MUR 1456

AFFIDAVIT OF JOHN LEBOUTILLIER

(1) My name is John LeBoutillier. I am the former Congressman from the Sixth Congressional District of New York. I am making this affidavit to explain the circumstances under which I lent my campaign \$200,000 in October 1979.

(2) I am the elder child of the second marriage of both my mother, Pamela LeBoutillier and my late father, Thomas LeBoutillier. My father had two children from a previous marriage. He died in November 1979 leaving an estate valued at approximately \$800,000.

(3) From 1973 until 1977, I was a student at Harvard College. From 1977 until 1979, I attended Harvard Business School, graduating in June 1979.

(4) It was my clear understanding with my father that I could have had a one quarter share of his estate for whatever venture I chose to put it into. He paid for my tuition and all living expenses while I was at Harvard College and Harvard Business School. Because he died a few months after I graduated, I did not otherwise avail myself of his offer.

(5) Under his will, my father left his entire estate in the form of two trusts to my mother, with myself, my sister, and his two children from a previous marriage each having a remainder interest in the trusts.

(6) It was similarly my clear understanding that my mother intended to pass my share of my father's estate (which she valued at \$200,000) directly through to me and I could have it at any time for whatever venture I chose.

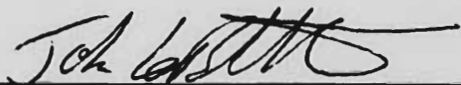
(7) In January 1980, a group of investors and myself attempted to purchase a share of the New York Mets. Although our bid was ultimately unsuccessful, had it succeeded I would have paid my share of the expenses out of the money promised me from my father's estate.

(8) In April 1980, I announced for the Republican nomination for the Sixth Congressional District in Long Island, New York, after the collapse of my efforts to purchase the Mets.

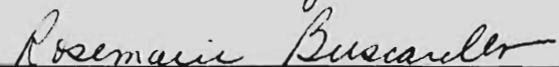
(9) In September 1980, I decided my campaign needed more money and I decided to ask my mother again for my share of my father's estate.

(10) My mother was adamantly opposed to my spending the money on my campaign but felt that, because I had been promised the money, she was obliged to give it to me.

(11) I regarded the \$200,000 I received from my mother as my own money. It had been promised to me by both parents, I could have had it whenever I wanted both before and after I became a candidate.


John LeBoutillier

Subscribed and sworn before me this 18th day of May, 1983.


Notary Public

My Commission Expires March 30, 1984.

ROSEMARIE BUSCARELLO
Notary Public, State of New York
No. 30-4638362
Qualified in Nassau County
Commission Expires March 30, 1984

93040441932

8304044193

...ation of this check does not con-
... acceptance by the Federal Elec-
... Commission of the proposed pen-
... The proceeds of this check have
... placed in a suspense account pend-
... Commission consideration of the

95-S-0001

Pay to the order of any Federal Reserve Bank or
Branch or General Depository for credit to the
United States Treasury. This check is in payment
of an obligation to the United States and must be

... N.P. Do not wire non-payment.

11-18-63
LARRY D. [illegible]
dir

... Election Commission

... Street, N.W.

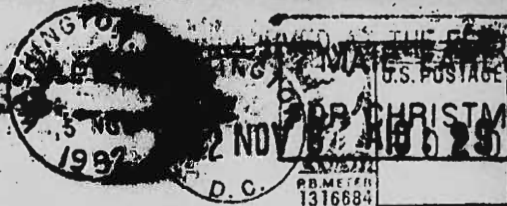
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WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION

LAWYERS

1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463



GCC# 9084

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

TELEPHONE
(202) 659-8201

December 10, 1982

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
DONALD C. EVANS, JR.
JOHN P. FORD
ROBERT E. GLENNON
J. STEVEN HART
ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

DEC 10 P 3:33

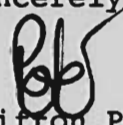
Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1456

Dear Debbie:

This letter is to request the initiation of pre-probable
cause conciliation on behalf of the respondents in the above
MUR.

Sincerely,



Clifton Peter Rose

CPR:jgf

83040411956

By Hand

WILLIAMS & JENSEN

A PROFESSIONAL CORPORATION

LAWYERS

1101 CONNECTICUT AVENUE, N.W.

WASHINGTON, D.C. 20036

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

20374

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Cact 8881
82 NOV 8 AIO: 29

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D. C. 20036

November 5, 1982

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
DONALD C. EVANS, JR.
JOHN P. FORD
ROBERT E. GLENNON
J. STEVEN HART
ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

72 NOV 8
TELEPHONE
(202) 659-8201
P 1:42

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1456

Dear Deborah:

I have received your letter of November 1, 1982 concerning a finding that there was reason to believe that Pamela LeBoutillier violated 2 U.S.C. § 441a(a).

I would suggest that we meet to discuss the possibility of settling this matter on behalf of both respondents through informal conciliation. Please call me at your convenience to set up a mutually convenient time and date.

Sincerely,



Clifton Peter Rose

CPR:jgf

8304041938



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 1, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clifton Peter Rose
Williams and Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1456

Dear Mr. Rose:

The Federal Election Commission notified you on September 13, 1982, of a complaint which alleges that your client Pamela LeBoutillier violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on October 29, 1982, determined that there is reason to believe that your client has violated 2 U.S.C. § 441a(a). Specifically, it appears that your client made a prohibited excessive contribution to John LeBoutillier and LeBoutillier for Congress Committee. You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter, if you so desire, within fifteen days. If you do not wish to submit any additional information, please advise this Office in writing. You are encouraged to respond to this notification promptly. In order to facilitate your expeditious response to this notification, we have enclosed a pre-paid, special delivery envelope.

In the absence of information which demonstrates that no further action should be taken against your client, the Commission may find probable cause to believe that a violation has occurred, and proceed with conciliation. Of course, this does not preclude the settlement of this matter through informal conciliation prior to a finding of probable cause to believe if you so desire.

8304041959

Clifton Peter Rose
Page Two

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 have any question, please contact Deborah Curry, the attorney assigned to this matter, at (202)523-4000.

Sincerely,

Frank P. Reiche

Frank P. Reiche
Chairman for the
Federal Election Commission

Enclosure
Envelope

83040441970



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clifton Peter Rose
Williams and Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1456

Dear Mr. Rose:

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Clifton Peter Rose
Page Two

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 have any question, please contact Deborah Curry, the attorney assigned to this matter, at (202)523-4000.

Sincerely,

Enclosure
Envelope

83040441972

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS
101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

82 SEP 16 A 9:24

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

82 OCT 28 P 3: 49

In the Matter of

John LeBoutillier and
LeBoutillier for Congress
Committee

MUR 1456

GENERAL COUNSEL'S REPORT

I. BACKGROUND/PREVIOUS COMMISSION ACTION

This matter arises out of a complaint filed by Robert J. Mrazek and People for Mrazek against John LeBoutillier and the LeBoutillier for Congress Committee. The crux of the complaint was that John LeBoutillier loaned funds to his campaign committee, which were used in his 1980 campaign for the U.S. House of Representatives, which were not in fact his personal funds. Complainants alleged that a \$228,000 loan from John LeBoutillier to the LeBoutillier for Congress Committee was made at a time when LeBoutillier listed substantially less in personal assets on his personal financial disclosure statement filed with the Clerk of the House of Representatives.

A detailed factual and legal analysis of this matter was presented in the First General Counsel's Report dated September 3, 1982. On September 9, 1982 the Commission found reason to believe that John LeBoutillier and LeBoutillier for Congress Committee violated 2 U.S.C. § 441a(f) of the Federal Election Campaign Act of 1971, as amended, (hereinafter the

3304044197

"Act") by the accepting of a prohibited excessive contribution of approximately \$200,000. */

Since it was not learned until the response by John LeBoutillier, of Pamela LeBoutillier's (the mother) involvement, she had not had an opportunity to respond to the complaint. A notification of complaint was sent to her and we received a response on her behalf on October 7, 1982. Her response presents no new facts not known at the time of the First General Counsel's Report. (See Attachment 1, page 1 of attachments).

Any contribution that exceeds the \$1,000 contribution limit by an individual is a violation of the Act. Here, Pamela LeBoutillier though strongly opposed to the use of the \$200,000 for LeBoutillier's election effort, nevertheless knew that the money would be used to influence a federal election. (See Attachment 1 page 1 of attachments and First General Counsel Report of September 3, 1982.) Therefore, it is apparent that a violation of the Act has occurred since the \$200,000 given by Pamel LeBoutillier to her son exceeded the \$1,000 contribution limit under the Act.

*/ LeBoutillier acquired \$27,000 of the \$227,800 loan from selling stock that was owned in his own name.

33040441973

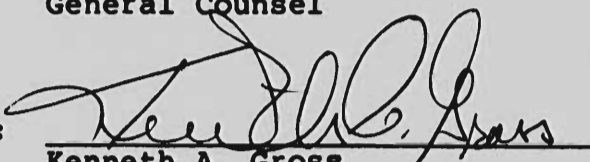
II. RECOMMENDATIONS

1. Find reason to believe that Pamela LeBoutillier violated 2 U.S.C. § 441a(a) of the Federal Election Campaign Act of 1971, as amended.

2. Approve the attached letter.

Oct. 28, 1982
Date

Charles N. Steele
General Counsel

BY: 
Kenneth A. Gross
Associate General Counsel

Attachments

1. Response of Pamela LeBoutillier (page 1)
2. Letter to Pamela LeBoutillier (pages 2 and 3)

CERTIFICATION

I, Marjorie W. Emmons, Secretary to the Federal Election Commission, hereby certify that the Commission, on October 29, 1982, by a vote of 6 to 0, adopted the above recommendation of the General Counsel in MUR 1456.

VOTING FOR THE RECOMMENDATION: Commissioners Aikens, Elliott, Harris, McDonald, McGarry and Reiche

VOTING AGAINST THE RECOMMENDATION: None

ABSENCES OR ABSTENTIONS (Indicate): None

10-29-82
Date


Secretary of the Commission

83040441976



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 28, 1982

MEMORANDUM TO: Marjorie W. Emmons

FROM: George Demougeot 

SUBJECT: MUR 1456 - Expedited

Please have the attached General Counsel's Report distributed to the Commission on pink paper per expedited procedures. Thank you.

Attachment

8304041977

RECEIVED BY THE FEC
Oct # 8613
82 OCT 7 P2:37 (1)

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D. C. 20036

TELEPHONE
(202) 659-8201

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
DONALD C. EVANS, JR.
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ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

October 5, 1982

Attachment 1

12 OCT 7 P3:07

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1456

Dear Deborah:

This letter constitutes a response from Mrs. Pamela LeBoutillier to the charges filed by Robert J. Mrazek against her son, Congressman John LeBoutillier. Mrs. LeBoutillier adopts and incorporates the response filed by Congressman LeBoutillier on August 16, 1982 as her own. In particular, she wishes to emphasize:

- (1) It was always her intention that her late husband's estate pass directly through to her children.
- (2) She promised Congressman LeBoutillier that he could have his share of his father's estate at any time. This is why the Congressman was able to attempt to buy a share of the New York Mets.
- (3) Mrs. LeBoutillier was adamantly opposed to the Congressman's spending his share of his father's estate in his 1980 campaign. Because, however, she had promised him the money, she felt she had no choice but to give it to him.

If you have any further questions, please do not hesitate to call.

Sincerely,

Peter

Clifton Peter Rose

8304041978



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Attachment 2

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Clifton Peter Rose
Williams and Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1456

Dear Mr. Rose:

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Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on October , 1982, determined that there is reason to believe that your client has violated 2 U.S.C. § 441a(a). Specifically, it appears that your client made a prohibited excessive contribution to John LeBoutillier and LeBoutillier for Congress Committee. You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter, if you so desire, within fifteen days. If you do not wish to submit any additional information, please advise this Office in writing. You are encouraged to respond to this notification promptly. In order to facilitate your expeditious response to this notification, we have enclosed a pre-paid, special delivery envelope.

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8304041979

Clifton Peter Rose
Page Two

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 have any question, please contact Deborah Curry, the attorney assigned to this matter, at (202)523-4000.

Sincerely,

Enclosure
Envelope

33040441930

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Cec # 8613

82 OCT 7 P2:37

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

TELEPHONE
(202) 659-8201

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
DONALD C. EVANS, JR.
JOHN P. FORD
ROBERT E. GLENNON
J. STEVEN HART
ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

October 5, 1982

12 OCT 7 P3:07

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1456

Dear Deborah:

This letter constitutes a response from Mrs. Pamela LeBoutillier to the charges filed by Robert J. Mrazek against her son, Congressman John LeBoutillier. Mrs. LeBoutillier adopts and incorporates the response filed by Congressman LeBoutillier on August 16, 1982 as her own. In particular, she wishes to emphasize:

- (1) It was always her intention that her late husband's estate pass directly through to her children.
- (2) She promised Congressman LeBoutillier that he could have his share of his father's estate at any time. This is why the Congressman was able to attempt to buy a share of the New York Mets.
- (3) Mrs. LeBoutillier was adamantly opposed to the Congressman's spending his share of his father's estate in his 1980 campaign. Because, however, she had promised him the money, she felt she had no choice but to give it to him.

If you have any further questions, please do not hesitate to call.

Sincerely,

Peter

Clifton Peter Rose

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WILLIAMS & JENSEN
PROFESSIONAL CORPORATION
LAWYERS
1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

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82 OCT 7 P 2: 37

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

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Case # 8553

82 SEP 29 12: 00

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

September 28, 1982

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
DONALD C. EVANS, JR.
JOHN P. FORD
ROBERT E. GLENNON
J. STEVEN HART
ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

TELEPHONE
(202) 650-8201

12 SEP 29 13: 20

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1456

Dear Deborah:

Enclosed is the original of the Statement of Designation of Counsel on behalf of Pamela LeBoutillier. Please call me at your convenience to discuss this matter.

Thank you for your time and trouble.

Sincerely,

Peter

Clifton Peter Rose

Enclosure

CPR:jgf

83040411933

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: Clifton Peter Rose
Williams & Jensen, P.C.
ADDRESS: 1101 Connecticut Avenue, N.W., Suite 500
Washington, D.C. 20036
TELEPHONE: (202) 659-8201

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.

Sept. 26, 1982
Date

Pamela T. LeBoutillier
Signature

NAME: Mrs. Pamela T. LeBoutillier
Box 230
ADDRESS: Old Westbury, NY 11568
HOME PHONE:
BUSINESS PHONE:

83040411934

8 3 0 4 0 4 1 1 8
WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS
1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036



Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

82 SEP 29 PM 12: 39

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Box # 8480

82 SEP 16 AM: 24

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N. W.
WASHINGTON, D. C. 20036

September 15, 1982

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
DONALD C. EVANS, JR.
JOHN P. FORD
ROBERT E. GLENNON
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ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

TELEPHONE
(202) 658-8201

12 SEP 16 P 3: 44

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1456

Dear Deborah:

We have received your letter concerning a finding of a reason to believe in the above MUR. I also received the original of your letter to Mrs. LeBoutillier and a blank designation of counsel form. We will be representing Mrs. LeBoutillier in this matter. As soon as she has signed the designation of counsel form, I will be in touch with you on how best to proceed.

Sincerely,

Clifton Peter Rose

Clifton Peter Rose

CPR:jgf

6304041936



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 13, 1982

Clifton Peter Rose
Williams & Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1456

Dear Mr. Rose:

The Federal Election Commission notified your client on July 28, 1982, of a complaint which alleges that your client John LeBoutillier had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on September 9, 1982, determined that there is reason to believe that your client has violated 2 U.S.C. §441a(f), a provision of the Act. Specifically, it appears that your client accepted a prohibited contribution. You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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.

8304041937

Clifton Peter Rose
Page Two

If you have any question, please contact Deborah Curry, the attorney, assigned to this matter at (202)523-4000.

Sincerely,

Frank P. Reiche

Frank P. Reiche
Chairman for the
Federal Election Commission

Enclosures
Procedures

83040441938



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 13, 1982

Clifton Peter Rose
Williams & Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1456

Dear Mr. Rose:

The Federal Election Commission notified your client on July 28, 1982, of a complaint which alleges that your client John LeBoutillier for Congress Committee had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on September 9, 1982, determined that there is reason to believe that your client has violated 2 U.S.C. §441a(f), a provision of the Act. Specifically, it appears that your client accepted a prohibited contribution. You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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.

Clifton Peter Rose
Page Two

If you have any question, please contact Deborah Curry, the attorney, assigned to this matter at (202)523-4000.

Sincerely,

Frank P. Reiche

Frank P. Reiche
Chairman for the
Federal Election Commission

Enclosures
Procedures

83040441990



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Clifton Peter Rose
Williams & Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

YLG
9-9-82

Re: MUR 1456

Dear Mr. Rose:

The Federal Election Commission notified your client on July 28, 1982, of a complaint which alleges that your client John LeBoutillier had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on September , 1982, determined that there is reason to believe that your client has violated 2 U.S.C. §441a(f), a provision of the Act. Specifically, it appears that your client accepted a prohibited contribution. You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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.

3304041901

Clifton Peter Rose
Page Two

If you have any question, please contact Deborah Curry, the attorney, assigned to this matter at (202)523-4000.

Sincerely,

Enclosures
Procedures

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Clifton Peter Rose
Williams & Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Y89.
99-82

Re: MUR 1456

Dear Mr. Rose:

The Federal Election Commission notified your client on July 28, 1982, of a complaint which alleges that your client John LeBoutillier for Congress Committee had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on September , 1982, determined that there is reason to believe that your client has violated 2 U.S.C. §441a(f), a provision of the Act. Specifically, it appears that your client accepted a prohibited contribution. You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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.

Clifton Peter Rose
Page Two

' If you have any question, please contact Deborah Curry, the attorney, assigned to this matter at (202)523-4000.

Sincerely,

Enclosures
Procedures

83040441904

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1456
John LeBoutillier and)
LeBoutillier for)
Congress Committee)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 9, 1982, the Commission decided by a vote of 5-0 to take the following actions in MUR 1456:

1. Find reason to believe that John LeBoutillier and the LeBoutillier for Congress Committee violated 2 U.S.C. § 441a(f) of the Federal Election Campaign Act of 1971, as amended.
2. Approve the letters as attached to the First General Counsel's Report.

Commissioners Aikens, Elliott, Harris, McDonald and McGarry voted affirmatively in this matter; Commissioner Reiche did not cast a vote.

Attest:

9-9-82
Date

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

Received in Office of Commission Secretary:
Circulated on 48 hour tally basis:

9-3-82, 4:45
9-7-82, 11:00

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SENSITIVE

RECEIVED
OFFICE OF THE
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
1325 K Street, N.W.
Washington, D.C. 20463

82 SEP 3 P 4: 45

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL
BY OGC TO THE COMMISSION 9-3-82

MUR 1456
DATE COMPLAINT RECEIVED
BY OGC: 07/23/82
DATE OF NOTIFICATION TO
RESPONDENT: 07/27/82
STAFF MEMBER: Deborah Curry

COMPLAINANTS' NAME: Robert J. Mrazek
People for Mrazek

RESPONDENTS' NAME: John LeBoutillier and LeBoutillier for
Congress Committee

RELEVANT STATUTE: 2 U.S.C. § 441a(a) and (f) 11 C.F.R. § 110.10

INTERNAL REPORTS CHECKED: MUR 1443

FEDERAL AGENCIES CHECKED: None

SUMMARY OF ALLEGATIONS

In a letter dated July 6, 1982, Robert J. Mrazek and People for Mrazek (complainants) attempted to file a complaint against John LeBoutillier and the LeBoutillier for Congress Committee (respondents). The Office of General Counsel determined that this letter did not comply with the Federal Election Campaign Act of 1971, as amended (hereinafter the "Act") and Commission regulations with regard to the filing of a proper complaint. (See 2 U.S.C. § 437g(a)(1), 11 C.F.R. § 114.4).

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The Office of General Counsel notified complainants that the complaint was improper on July 13, 1982. Thereafter, in a letter, received by the Office of General Counsel on July 23, 1982, complainants filed the present complaint which complies with the Act and Commission regulations. (See Attachment I).

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The crux of the complaint is that John LeBoutillier loaned funds to his campaign committee which were used in his campaign for the U.S. House of Representatives which were not in fact his personal funds. Complainants state that in "the last quarter of the 1980 election cycle John LeBoutillier reported personally loaning to the LeBoutillier for Congress Committee hereinafter (the "Committee") more than \$228,000. This loan was listed as an obligation owed by the Committee to Mr. LeBoutillier." (See Attachment 1 page 4 of attachments). Complainants allege that this \$228,000 personal loan, made to the LeBoutillier for Congress Committee, was made while at the same time "LeBoutillier listed substantially less in personal assets in his personal financial disclosure statement filed with the Clerk of the House of Representatives." (See Attachment 1 pages 4 - 6 of attachments).

Complainants state that after the 1980 election, LeBoutillier "claimed to have received this money from a trust arrangement bequeath to him by his father." (See Attachment 1 page 4 of attachments). Complainants state that no such trust exists and that LeBoutillier failed to list such a trust on his personal financial disclosure statement. (See Attachment 1 page

4 of attachments). To support this allegation complainants submit the will of Thomas LeBoutillier father of John LeBoutillier. (See Attachment 1 pages 7 - 19 of attachments).

Therefore, complainants conclude that respondents have violated "the Federal Election Campaign Act, which requires the truthful reporting of all contributions, or violated the Ethics in Government Act, which requires the reporting of all assets." (See Attachment 1 page 4 of attachments).

FACTUAL ANALYSIS

John LeBoutillier was a candidate and winner of the New York sixth district congressional seat in 1980. 1/ Mr. LeBoutillier filed his statement of candidacy with the Commission on October 1, 1979. According to Reports on file at the Commission, LeBoutillier is listed as having made a \$227,800 personal loan to the LeBoutillier Committee in October 1980. As noted by complainants, LeBoutillier's personal financial disclosure statement lists substantially less than \$227,800 in assets.

On August 16, 1982 the Office of General Counsel received from respondents their answer to the Commission's notification of a complaint. Counsel for respondents states that on November 28, 1979, Thomas LeBoutillier (the father) died leaving

1/ John LeBoutillier is the incumbent congressional candidate in the 1982 election.

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his entire estate to his wife, Pamela Tower LeBoutillier, in two trusts with a combined value of \$800,000. (Attachment 1 page 20 of attachments). As noted by counsel for respondents, LeBoutillier had a remainder interest, to be shared with three other siblings, in these two trusts (See Attachment 1 page 20 of attachments).

The response states that "Pamela LeBoutillier is independently wealthy and it was her intention that her late husband's entire estate pass directly through to their children. To this end, she made an open offer that Congressman LeBoutillier could claim his share, which she fixed at \$200,000, at any time and that it was his to use at his request." (emphasis added). (See Attachment 1 page 21 of attachments).

According to the response, LeBoutillier, together with a group of investors, tried to purchase the New York Mets. The response states that LeBoutillier originally attempted to use the money for this purpose. The response cites to an article in the New York Times. (See Attachment 3 page 23 of attachments). However, the cited article does not explicitly state the amount nor source of the monies that would be used by LeBoutillier and his group in their plan to purchase the Mets.

According to the response, near the end of LeBoutillier's campaign he needed more money. So he asked his mother again for his share of his father's estate. The response states that the mother was strongly opposed to the use of the money on an

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election effort, but that she felt obliged to give it to him since she had already promised to give him his share of the estate. (See Attachment 2 page 21 of attachments).

Counsel for respondents states that on September 11, 1980, the mother withdrew \$200,000 from her account in the form of a check endorsed to LeBoutillier. LeBoutillier placed the check in a 30 day certificate of deposit in his name. Thereafter he lent the money to his campaign. Additionally it is stated that LeBoutillier acquired \$27,000 from selling stock that was owned in his own name. (See Attachment 2 page 22 of attachments).

LEGAL ANALYSIS

The Federal Election Commission's jurisdiction is limited to violations of the Federal Election Campaign Act of 1971, as amended. Therefore, examination here encompasses the Act and its provisions and does not extend to the examination of the Ethics in Government Act. Therefore, the personal financial disclosure statement has probative value only insofar as it relates to revealing violations of FECA.

The issue here is whether the personal loan of \$200,000 by LeBoutillier to his committee constitutes personal funds of the candidate or whether they are a contribution to his campaign committee by his mother Pamela LeBoutillier.

Counsel for respondent contends that the transaction in question "was legal under applicable law and regulations"

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(See Attachment 2 page 20 of attachments). Counsel for respondents directs our attention to 11 C.F.R. § 110.10(a) which states that "... candidates for Federal office may make unlimited expenditures from personal funds." Counsel asserts that personal funds are those to which a candidate has "access to or control over, including funds from immediate family members." (See Attachment 2 page 21 of attachments). Counsel reasons, therefore, that the money constituted personal funds of LeBoutillier since he could do what he wanted with it when he pleased. (See Attachment 2 page 21 of attachments).

Counsel's reliance on 11 C.F.R. § 110.10 is misplaced. To the contrary, the transaction in question does not fall within the preview of 11 C.F.R. § 110.10. Indeed, 11 C.F.R. § 110.10(a) permits a candidate to make unlimited expenditures of his personal funds. However, 11 C.F.R. § 110.10(b)(1) defines personal funds as:

[any] assets to which at the time he or she became a candidate the candidate had legal and rightful title, or with respect to which the candidate had the right of beneficial enjoyment, under applicable State law, and which the candidate had legal right of access to or control over, including funds from immediate family members; and ...

LeBoutillier filed a Statement of Candidacy with the Commission on October 1, 1979. On November 28, 1979 his father died. The entire estate passed to the mother with a remainder interest to be shared equally between the children. Thereafter, respondent states that the mother made an "open offer" to

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LeBoutillier to claim his share. Both the "open offer" and the receipt of the money by LeBoutillier occurred after the October 1, 1979 date of LeBoutillier's candidacy.

Since the estate passed solely to LeBoutillier's mother, LeBoutillier did not have legal and rightful title nor did he have beneficial enjoyment of this money prior to becoming a candidate.

Finally, contrary to counsel's assertion, LeBoutillier did not have legal access or control over these funds. On September 11, 1980, the mother withdrew \$200,000 from her account in a check and endorsed it over to LeBoutillier. Therefore, LeBoutillier had no legal access or control over the money.

Consequently, the money in question (\$200,000) does not meet the requirements of 11 C.F.R. § 110.10(b)(1) and it is not personal funds of the candidate. 2/

2 U.S.C. § 441a(a) defines the limitations on contributions and expenditures. 2 U.S.C. § 441a(a)(1)(A) prescribes a \$1,000 contribution limit per election for individual contributors.

2 U.S.C. § 431(8)(A)(i) states that the term "contribution" includes "any gift, subscription, loan, advance, or deposit of money or anything of value made by any person for the purpose of influencing any election for Federal office."

Any contribution that exceeds the \$1,000 contribution limit by an individual is a violation of the Act. Here it appears

2/ Additionally, the money in question does not constitute personal funds under the definition of such at 11 C.F.R. § 110.10(b)(2).

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that Pamela LeBoutillier, though strongly opposed to the use of the \$200,000 for LeBoutillier's election effort, nevertheless knew that the money would be used to influence a federal election. Therefore, it appears that a violation of the Act has occurred since the \$200,000 given to her son LeBoutillier exceeded the \$1,000 contribution limit under the Act.

Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that John LeBoutillier and the LeBoutillier for Congress Committee violated 2 U.S.C. § 441a(f). However, the Office of General Counsel makes no recommendation as to any possible violation by the mother, Pamela LeBoutillier at this time. Since it was not learned until the response by John LeBoutillier, of Pamela LeBoutillier's involvement, she has not had an opportunity to respond to the complaint. A notification of complaint has now been sent to her and once she responds or the time for her response has passed we will present a further report to the Commission.

23040412003

RECOMMENDATIONS

1. Find reason to believe that John LeBoutillier and the LeBoutillier for Congress Committee violated 2 U.S.C. § 441a(f) of the Federal Election Campaign Act of 1971, as amended.
2. Approve attached letters.

Date

September 3, 1982

Charles N. Steele
General Counsel

BY:

[Signature]
Kenneth A. Gross
Associate General Counsel

Attachments

1. Complaint (pages 1 - 9)
2. Response from respondents (pages 20 - 22)
3. New York Times Article (page 23)
4. Letters to respondents (pages 24 - 27)

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Mrazek in

82

U.S. Congress

Attachment 1

July 16, 1982

TO: Phyllis Kayson

FROM: Robert J. Mrazek

SUBJECT: Attached correspondence

As per your request in the attached correspondence from the Federal Elections Commission I have attached a new complaint. The FEC letter had indicated that our original complaint was deficient because it was not properly notarized. I therefore submit a new copy of my complaint with the relevant documentation that has been appropriately notarized.

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OFFICE OF THE CLERK U.S. HOUSE OF REPRESENTATIVES



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

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July 13, 1982

Mr. Robert J. Mrazek
People for Mrazek
P.O. Box 303
Centerport, NY 11721

Dear Mr. Mrazek:

We have received your letter of July 6, 1982 regarding the possibility of a violation of the Federal Election Campaign Act of 1971, as amended (the "Act").

The 1976 amendments to the Act and Commission regulations require that a complaint meet certain specified requirements. Since your letter does not meet these requirements, the Commission can take no action at this time to investigate this matter.

However, if you desire the Commission to look into the matter discussed in your letter of July 6, 1982 to determine if the FECA has been violated, a formal complaint as described in 2 U.S.C. § 437g(a)(1) must be filed. Requirements of this section of the law and Commission regulations at 11 C.F.R. § 111.4 which are a prerequisite to Commission action are detailed below:

(1) A complaint must be in writing. (2 U.S.C. § 437g(a)(1)).

* (2) Its contents must be sworn to and signed in the presence of a notary public and shall be notarized. (2 U.S.C. § 437g(a)(1)).

(3) A formal complaint must contain the full name and address of the person making the complaint. (11 C.F.R. § 111.4).

(4) A formal complaint should clearly identify as a respondent each person or entity who is alleged to have committed a violation. (11 C.F.R. § 111.4).

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- (5) A formal complaint should identify the source of information upon which the complaint is based. (11 C.F.R. § 111.4).
- (6) A formal complaint should contain a clear and concise recitation of the facts describing the violation of a statute or law over which the Commission has jurisdiction. (11 C.F.R. § 111.4).
- (7) A formal complaint should be accompanied by supporting documentation if known and available to the person making the complaint. (11 C.F.R. § 111.4).

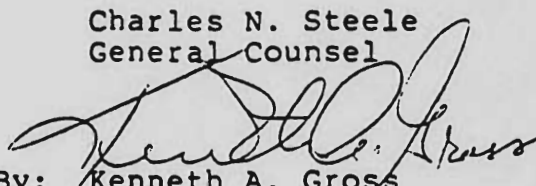
Finally, please include your telephone number, as well as the full names and addresses of all respondents.

Enclosed please find a copy of §§ 111.4 - 111.10 of Commission regulations which deal with preliminary enforcement procedures. Also, enclosed is a description of our procedures for processing complaints filed with the Commission. I trust these materials will be helpful to you should you wish to file a legally sufficient complaint. The file regarding this correspondence will remain confidential for a fifteen day time period during which you may file an amended complaint as specified above.

If we can be of any further service, please do not hesitate to call Phyllis Kayson at (202) 523-4073.

Sincerely,

Charles N. Steele
General Counsel


By: Kenneth A. Gross
Associate General Counsel

Enclosures
Excerpts
Procedures

cc: Honorable John LeBoutillier

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Mr. Mrazek in '82

U.S. Congress

July 16, 1982

Hon. Frank Reiche, Chairman
Federal Elections Commission
1325 K Street
Washington, DC 20463

Dear Chairman Reiche:

I hereby formally request an investigation into probable improprieties by the John LeBoutillier for Congress Committee and John LeBoutillier, personally.

Within the last quarter of the 1980 election cycle, John LeBoutillier reported personally loaning to the LeBoutillier for Congress Committee more than \$228,000. This loan was listed as an obligation owed by the Committee to Mr. LeBoutillier.

At the same time that these loans were claimed, Mr. LeBoutillier listed substantially less in personal assets in his personal financial disclosure statement filed with the Clerk of the House of Representatives (see attachment).

After the 1980 election concluded, Mr. LeBoutillier claimed to have received this money through a trust arrangement bequeathed to him by his father. The Will of Thomas LeBoutillier (see attachment), on record with the Nassau County, New York Surrogate's Office indicates that no such trust exists. Further, Mr. LeBoutillier did not list such a trust on his personal financial disclosure statement.

It is clear that either Mr. LeBoutillier violated the Federal Elections Campaign Act, which requires the truthful reporting of all contributions, or he violated the Ethics in Government Act, which requires the reporting of all assets.

I believe that a full and complete investigation should be undertaken by the Commission into these questions. The voters in his Congressional District have a right to know the true source of his campaign contributions before he again stands for office.

I would appreciate your prompt attention to these matters.

Sincerely yours,

Bob Mrazek

Robert J. Mrazek

RJM:mek
Encs.

Sworn to before me this
20th day of July, 1982.

Beatrice B. Huntington

BEATRICE B. HUNTINGTON

NOTARY PUBLIC, State of New York

No. 52-4673755, Suffolk County

Term Expires March 30, 1984

People for Mrazek, P.O. Box 303, Centerport, N.Y. 11721

POSTMARK ILLEGIBLE

3 1 0 0 0 6 1 2 1 UNITED STATES HOUSE OF REPRESENTATIVES

Committee on Standards of Official Conduct

ETHICS IN GOVERNMENT ACT—FINANCIAL DISCLOSURE STATEMENTS FOR 1986

FORM A—For use by Members, officers, and employees

John LeBoutillier

(Full Name)

202 Winthrop Avenue

(Mailing Address)

Westbury, New York 11590

5
MAY 13 AM 8 48
U.S. HOUSE OF REPRESENTATIVES

(Office Use Only)

Check the appropriate box and fill in the blanks.

☒ Member of the U.S. House of Representatives—District 6 State New York

☐ Check if amended Statement

☐ Officer or Employee—Employing Office _____

Note: Please read instructions carefully. Sign this form on the reverse side. Attach additional sheets if needed; identify each sheet by showing your name and the section being continued. Complete all parts. (If None, so indicate.) Please type or print clearly.

I. INCOME

A. The source, type, and amount of income (including honoraria and date received) aggregating \$100 or more in value received from any source during the preceding calendar year. Exclude income from current U.S. Government employment. Do not include here income reported in part I-B below.

SOURCE	TYPE	AMOUNT
Lordly & Dame, Inc.	Lecturer	7,790

B. The source, type, and category of value of income from dividends, interest, rent, and capital gains received from any source during the preceding calendar year which exceeds \$100 in value. Note: For this part only, indicate Category of Value, as follows: Category A—not more than \$1,000; B—\$1,001–\$2,500; C—\$2,501–\$5,000; D—\$5,001–\$15,000; E—\$15,001–\$50,000; F—\$50,001–\$100,000; G—over \$100,000.

SOURCE	TYPE	CATEGORY
Affiliated Publications Inc.	Dividends	A
Webster Cash Reserve Fund	Dividends	A
Bell Industries	Interest	A
Hempstead Bank	Interest	B
Affiliated Publications Inc.	Capital gains	E

II. GIFTS AND REIMBURSEMENTS

A. The source and a brief description of gifts of transportation, lodging, food, or entertainment aggregating \$250 or more in value received from any source during the preceding calendar year.

SOURCE	BRIEF DESCRIPTION
None	

B. The source, a brief description, and value of all other gifts aggregating \$100 or more in value received from any source during the preceding calendar year.

SOURCE	BRIEF DESCRIPTION	VALUE
None		

C. The source and a brief description of reimbursements aggregating \$250 or more in value received from any source during the preceding calendar year.

SOURCE	BRIEF DESCRIPTION
None	

(OVER)

of America, residing at Old Westbury in the County of Nassau,
State of New York, make this my last will and testament, hereby
revoking all wills and codicils heretofore made by me. (7)

FIRST: I direct payment of my just debts, funeral expenses and expenses of administration, and I further direct that all estate, inheritance and succession taxes in respect of my estate, whether the property taxed passes under this my will or otherwise, shall be paid out of my residuary estate without apportionment.

SECOND: I give, devise and bequeath to my wife, PAMELA TOWER LeBOUTILLIER, if she survives me, the following property, namely:

(a) All furniture, household effects, linens, utensils, supplies, books, radios, china, glassware, silverware, plate and plated ware, household furnishings, pictures, watches, jewelry, clothing, guns, fishing tackle and all works of art or ornament, collections, boats, automobiles, garage equipment and supplies and all similar property of whatsoever kind and nature and wheresoever situated; and

(b) All right, title and interest that I may have in any real property at the time of my death.

THIRD: If my said wife, PAMELA TOWER LeBOUTILLIER, shall survive me, I give and bequeath to my trustees, herein-after named, an amount equal to the maximum marital deduction allowable under the Internal Revenue Code of the United States of

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value of all other property, real and personal and wherever situated, qualifying for such marital deduction and passing to my said wife under other provisions of this my will or outside of this my will; provided that only property qualifying for such marital deduction shall be allocated to the bequest under this article of my will; and my trustees shall hold the property hereunder in trust, nevertheless, to manage, invest and reinvest the same and to dispose of the income and principal as follows:

(a) All of the net income of the trust shall be paid over to my said wife in quarter-annual installments, or more frequently as my trustees may determine;

(b) My trustees shall also pay over to my said wife so much or all of the principal of the trust as she may at any time or from time to time request in writing, it being my intention that she shall have unlimited power to withdraw principal as she may wish, and as to any such withdrawals of principal the trust shall terminate and my trustees shall not be accountable to anyone;

(c) Upon the death of my said wife the trust shall terminate and the trust property, or so much thereof as then remains, shall be paid over to such person or persons or such corporation or other entity (including the estate of my said wife, her creditors and creditors of her estate) and in such proportions as my said wife may by specific reference thereto in her last will and testament designate and appoint, and this power of appointment shall be exercisable by my said wife alone and in all events and in default of appointment or if

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(9)

any appointment shall be ineffective in whole or in part, the property not effectively appointed shall be disposed of in accordance with the provisions of Article FOURTH, Paragraph (c), of this my will.

FOURTH: All the rest, residue and remainder of the property, both real and personal and wheresoever situated, of which I may die seized or possessed or to which I may be entitled at the time of my death or to which my estate may thereafter become entitled, I give, devise and bequeath to my trustees, in trust, nevertheless, to manage, invest and reinvest the same and to dispose of the income and principal as follows:

(a) All of the net income of the trust shall be paid over to my said wife in quarter-annual installments or more frequently as my trustees may determine;

(b) My trustees may at any time and from time to time pay to or apply to the use of my said wife, such sum or sums out of the principal of the trust as they may deem appropriate for her maintenance, support and welfare or to meet any emergency, and the judgment of my trustees as to the necessity and amounts of such distributions shall be final and conclusive upon all persons interested in my estate;

Rev.
(c) Upon the death of my said wife, or upon my death if she does not survive me, the trust property then remaining, or all of my residuary estate, as the case may be, shall be distributed in equal shares to and among my children, DAVID LeBOUTILLIER, THOMAS LeBOUTILLIER, JR., JOHN LeBOUTILLIER and PAMELA

83040442013

LeBOUTILLIER, who survive me, the issue of any who has 10
died leaving issue then surviving to take, per stirpes,
the share such child would have taken if living.

83040442014
FIFTH: In the event that any part of the principal of
my estate shall be distributable at any time to a person under
the age of twenty-one, the share of any such minor shall im-
mediately vest in him or her, but my executors or trustees may
continue to hold such share under a power during minority to
manage property vested in an infant with all of the rights and
powers herein provided, and in their sole discretion apply so
much of the principal and income of such share to the main-
tenance, education and support of such minor as they may deem
proper, and they may accumulate any income not required for such
maintenance, education and support and invest such income, and in
respect of any such share and the income thereof my executors or
trustees shall be entitled to receive the compensation provided
by law for testamentary trustees; and the share of such minor,
together with any accumulations thereon, shall be paid over to
him or her upon attaining the age of twenty-one years or to his
or her estate if the minor should die before attaining twenty-one
years of age.

1213
SIXTH: If my said wife, Pamela Tower LeBoutillier, and
I shall die as a result of a common accident or under such
circumstances that there is insufficient evidence to determine
the order of our deaths, I direct that this my will shall be
applied and my estate shall be distributed as if my said wife had
survived me. Where any disposition of property is made under
this my will to or for the benefit of any person, other than my
said wife, upon the contingency that such person survives me or

common accident or under such circumstances that there is insufficient evidence to determine whether the person to or for whose benefit any such disposition is made survived me or survived such other person, I direct that this my will shall be applied and my estate shall be distributed as though the person to or for whose benefit any such disposition is made had predeceased me or had predeceased such other person, as the case may be. (11)

SEVENTH: If my said wife shall not survive me, I appoint her son, TIMOTHY JAY SECOR, as guardian of the person, and MORGAN GUARANTY TRUST COMPANY OF NEW YORK, a corporation organized under the Banking Law of the State of New York, as guardian of the property of any of my children who may be minors at my death. I direct that no bond or other security be required of either guardian named herein in any jurisdiction for any cause whatsoever.

33040412015
EIGHTH: I appoint my said wife, PAMELA TOWER LeBOUTILLIER, to be the executrix of this my will. In the event that my said wife should predecease me or fail to qualify or, having qualified, should for any reason cease to act, I appoint my friend, HENRY S. REEDER, and said MORGAN GUARANTY TRUST COMPANY OF NEW YORK as executors in her place and stead. I appoint said HENRY S. REEDER and said MORGAN GUARANTY TRUST COMPANY OF NEW YORK, to be co-trustees of the trusts hereunder, and if said HENRY S. REEDER should predecease me or fail to qualify or, having qualified, should for any reason cease to act before my estate and the trusts hereunder are fully administered, it is my wish that such vacancy not be filled but that said MORGAN GUARANTY TRUST COMPANY OF NEW YORK shall have full power as

executor and trustee under this my will. I direct that no bond or security shall be required of any of my said executors or trustees in either capacity in any jurisdiction whatsoever. (12)

NINTH: I hereby grant to my executrix or executors and to my trustees, and the survivor of them, with respect to any property, whether real or personal, which shall at any time constitute part of my estate or the trusts established hereunder or which may be held under a power to manage property vested in an infant as herein provided, full power and authority in their discretion to do all such acts, take all such proceedings and exercise all such rights and privileges as if the absolute owners thereof, including, but not by way of limitation, the power:

(a) To retain any such property for such period of time as may seem advisable and to hold the same for the trusts established hereunder even though the property so retained shall not be of the character prescribed by law for the investments of trustees;

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-4:3
---(b)---To invest and reinvest funds of my estate and the trusts hereunder in such property, including common and preferred stocks and securities and participation in any common trust fund administered by Morgan Guaranty Trust Company of New York, as they shall select, without the legal restrictions otherwise applicable to trustees or fiduciaries, and without incurring any greater liability than in the purchase of property in which trustees or fiduciaries are by law authorized to invest;

(c) To sell and transfer at public or private

sale and upon such terms as may seem fit any property of my estate or the trusts hereunder;

13

(d) To borrow money to provide funds for any purpose without resorting to the sale of any assets; and for the purpose of securing the payment thereof, to pledge, mortgage or otherwise encumber any and all such property upon such terms, covenants and conditions as they may deem proper; and also to extend the time of payment of any loans or encumbrances which at any time may be encumbrances on any such property on such terms, covenants and conditions as they may deem proper;

(e) To appoint agents and experts to act in their behalf and to delegate to such agents discretionary powers, and to retain attorneys, accountants and others and to rely upon information or advice furnished by the same, and to pay for the same and any disbursements incidental thereto and to charge the same to principal or income as they may determine in their discretion;

(f) To deposit any such property with any protective or reorganization committee, to delegate to such committee discretionary power and to pay such part of the expenses and compensation of such committee out of income or principal as they shall deem proper in their discretion; and to accept and retain new securities in exchange for those deposited and to enter into any covenants and agreements in connection with such reorganization and any plan in connection therewith;

(g) To vote upon any proposition or election at any meeting of stock or security holders and to grant

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2.3

proxies discretionary or otherwise, to vote at any such meeting, and to exercise any or all options, privileges or rights, whether to vote, assent, subscribe, convert or of any other nature, or to sell any subscription or other rights, or to become a party to or deposit securities under or accept securities issued under any voting trust agreement; 14

(h) To extend the time of payment of and to modify, as to rate of interest or otherwise, any obligation held by them, and to compromise, settle or submit to arbitration upon such terms as to them may seem advisable all claims in favor of or against my estate or the trusts created hereunder; and to institute, prosecute and defend any and all legal proceedings so far as they may deem advisable;

(i) To make payment, division or distribution of property in kind or in cash, or partly in kind and partly in cash, among the persons entitled to share hereunder, and to allot any property, including an undivided interest therein, to any share, whether or not the same or a different kind of property is allotted to other shares;

76:3
(j) To make payment of any income or principal applicable to the use of a minor by paying the same to the parent, guardian or other person having the care or control of such minor without obligation to look to the proper application thereof by the person receiving it, or by expending it in such other manner

as my ex~~ec~~utors or trustees in their discretion believe
will benefit such minor, and they may also pay to the
minor directly such sums as they approve as an allowance.

15

- IN WITNESS WHEREOF, I have hereunto set my hand and
seal this. 7th day of January, in the year One Thousand
Nine Hundred and Sixty-eight.

me
12.3

Thomas Le Boutillier



The foregoing instrument was signed, sealed, pub-
lished and declared by THOMAS LeBOUTILLIER, the testa-
tor above named; as and for his last will and testament
in our presence and in the presence of each of us and
we at his request and in his presence and in the pre-
sence of each other have hereunto subscribed our names
as witnesses and our respective places of residence the
day and year above written.

Reuben M. Engle residing at 765 Valley Street

Orange, New Jersey

William D. Hart residing at 714 Kinross Place

New Canaan, Conn.

William H. Ashen residing at 14 Hillside Avenue

Madison, New Jersey

83040412019

(16)

I, THOMAS LeBOUTILLIER, of Old Westbury, Nassau County, New York, do make, publish and declare this first codicil to my last will and testament dated the 7th day of January, 1969. _____

ARTICLE ONE: I revoke Article SEVENTH of my said will.

ARTICLE TWO: I revoke Article EIGHTH of my said will and substitute in lieu thereof the following: _____

"EIGHTH: I appoint my wife Pamela Tower LeBoutillier to be the executor of this will. If my said wife shall fail to qualify or cease to act, I appoint my son John LeBoutillier and Morgan Guaranty Trust Company of New York as executors of this will. _____

I appoint my wife Pamela Tower LeBoutillier and Morgan Guaranty Trust Company of New York to be the trustees of any trust created by this will. _____

Each executor and trustee shall be exempt from giving any bond or other security in any jurisdiction. No executor or trustee shall be liable for the acts or defaults of a co-executor or co-trustee. Each executor and trustee shall be deemed to have acted within the scope of her, his or its authority, to have exercised reasonable care, diligence and prudence, and to have acted impartially as to all persons interested unless the contrary be proved by affirmative evidence, and in the absence of such proof shall not be liable for loss arising from depreciation or shrinkage in value of any property herein authorized to be held or

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acquired. The provisions of this paragraph shall apply to any person acting hereunder as donee of a power during minority."

ARTICLE THREE: I revoke subdivision (b) of Article FOURTH of my said will and substitute in lieu thereof the following:

"(b) My trustees may at any time or from time to time pay to my said wife so much of the principal, whether the whole or a lesser amount, as my trustees (other than my said wife) may in their sole discretion determine; provided that no such payment of principal shall be made so long as my said wife is capable of acting and any property is held by my trustees as principal of the trust created by Article THIRD hereof. In exercising this discretionary power, my trustees (other than my said wife) may, but need not, consider any other resources of my said wife."

ARTICLE FOUR: I declare that I do not intend by my said will to exercise any power of appointment that I may have..

ARTICLE FIVE: The term "this will", whenever used in my said will, shall mean said will and any and all codicils thereto.

ARTICLE SIX: In all other respects I ratify, confirm and republish my said will.

IN WITNESS WHEREOF I have hereunto set my hand and

83040442021

18

seal this 2nd day of Jan., in the year one
thousand nine hundred and seventy-seven.

Thomas LeBoutillier

SIGNED, SEALED, PUBLISHED and DECLARED
by THOMAS LeBOUTILLIER, the testator
above named, as and for his first
codicil to his last will and testament,
in our presence, and we at his request,
in his presence, and in the presence of
each other, have hereunto subscribed
our names as witnesses on the day and
year last above written.



Elizabeth C Milburn residing at 69 Hitchcock Lane
Old Westbury, N.Y. 11568

Lane Milburn residing at 69 Hitchcock Lane
Old Westbury, N.Y. 11568

_____ residing at _____

8304041202

Estate of Thomas LeBoutillier

6(a)	Name and Address	Relationship	Description of Legacy, Devise or Other Interest or Nature of Fiduciary Status
1	Pamela Tower LeBoutillier Box 230 27 Powell's Lane Old Westbury, New York	Wife	Distributee; legacy and devise of all tangible personal property and real property under Article SECOND of the will; beneficial interests in trusts created under Articles THIRD and FOURTH of the will; designated as executor and trustee under Article EIGHTH of the will.
2	David LeBoutillier Drawer L Remsenburg, New York 11960	Son	Distributee; contingent remainder interest in trust created under Article THIRD of the will; remainder interest in trust created under Article FOURTH of the will.
3	Thomas LeBoutillier, Jr. 1548 South Gessner Street Houston, Texas 77063	Son	
4	Pamela LeBoutillier Box 230 27 Powell's Lane Old Westbury, New York	Daughter	
5	John LeBoutillier Box 230 27 Powell's Lane Old Westbury, New York	Son	Distributee; contingent remainder interest in trust created under Article THIRD of the will; remainder interest in trust created under Article FOURTH of the will; designated as successor trustee under Article EIGHTH.
6	Morgan Guaranty Trust Company of New York 9 West 57th Street New York, New York	None	Designated as trustee and successor executor under Article EIGHTH of the will.

Henry S. Reeder died on April 16, 1973.

(20)

WILLIAMS & JENSEN.
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D. C. 20036

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(202) 659-8201

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WINFIELD P. CRIGLER
DONALD C. EVANS, JR.
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JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

August 16, 1982

Attachment 2

2 AUG 17 AIO: 08

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20436

Re: MUR 1456: In the Matter of Congressman
John LeBoutillier

Dear Deborah:

This letter responds to the complaint against Congressman John LeBoutillier filed by his opponent, Robert J. Mrazek, a candidate for Congressman LeBoutillier's seat in the 1982 Congressional election in the Sixth Congressional District of New York. We have attempted to investigate as thoroughly as possible the facts. Because of the short time between receiving the complaint and the time by which we have to serve a response, our investigation is not yet complete as to some details. However, we are able to set forth the following facts which constitute the essential components of the questioned transaction. Based on these facts, we contend the transaction was legal under the applicable law and regulations and the FEC should, therefore, dismiss the complaint.

Congressman LeBoutillier is the elder child from the second marriage of both his mother and his late father. (There are two other children from his father's first marriage.) On November 28, 1979, Thomas LeBoutillier, the Congressman's father died. Under his will, his entire estate was left to his wife, Pamela LeBoutillier, in two trusts with a combined value of nearly \$800,000. The Congressman, as the will clearly showed had a remainder interest, together with his sister and his two half-brothers, in the two trusts.

930404120

Deborah Curry, Esq.
August 13, 1982
Page Two

Pamela LeBoutillier is independently wealthy and it was her intention that her late husband's entire estate pass directly through to their children. To this end, she made an open offer that Congressman LeBoutillier could claim his share, which she fixed at \$200,000, at any time and that it was his to use at his request. The Congressman, together with a group of investors, had initially attempted to use the money to purchase the New York Mets, a baseball team. This is a matter of public record. See, the New York Times for January 23, 1980 at page A19 for an account of the Congressman's (ultimately unsuccessful) attempt to purchase the Mets.

Although the Congressman had filed a Statement of Candidacy for the Sixth Congressional District in October, 1979, he did not announce for the Republican nomination until April, 1980, after the collapse of his efforts to buy the Mets. Towards the end of the campaign, he realized that his campaign needed more money. He again asked his mother for his share of his father's estate. She was opposed adamantly to his spending it on his election efforts, but felt that, since he had been promised the money, she was obliged to give it to him. On September 11, 1980, she drew \$200,000 from her account in the form of a check and endorsed it over to Congressman LeBoutillier. The Congressman placed it in a thirty-day certificate of deposit in his name. He then lent the money to his campaign in the amounts listed and on the dates declared in his FEC reports. (He also acquired \$27,000 at the same time from selling stock and also put it into his campaign. The Congressman had clear title to the stock and owned it in his own name.)

11 CFR § 110.10 permits a candidate to make unlimited expenditures of his own funds. These it defines, in pertinent part, as those to which he has "access to or control over, including funds from immediate family members." The above facts clearly establish the requisite access to, and control over, the money in question. It was the Congressman's to do with it what he wanted and when he pleased and, therefore, constituted his personal funds under the applicable law and regulations. Because he was, therefore, entitled to use the money in his campaign, we respectfully request that the complaint in this MUR be dismissed.

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Deborah Curry, Esq.
August 13, 1982
Page Three

If I can provide any other information, please do not
hesitate to call.

Sincerely,

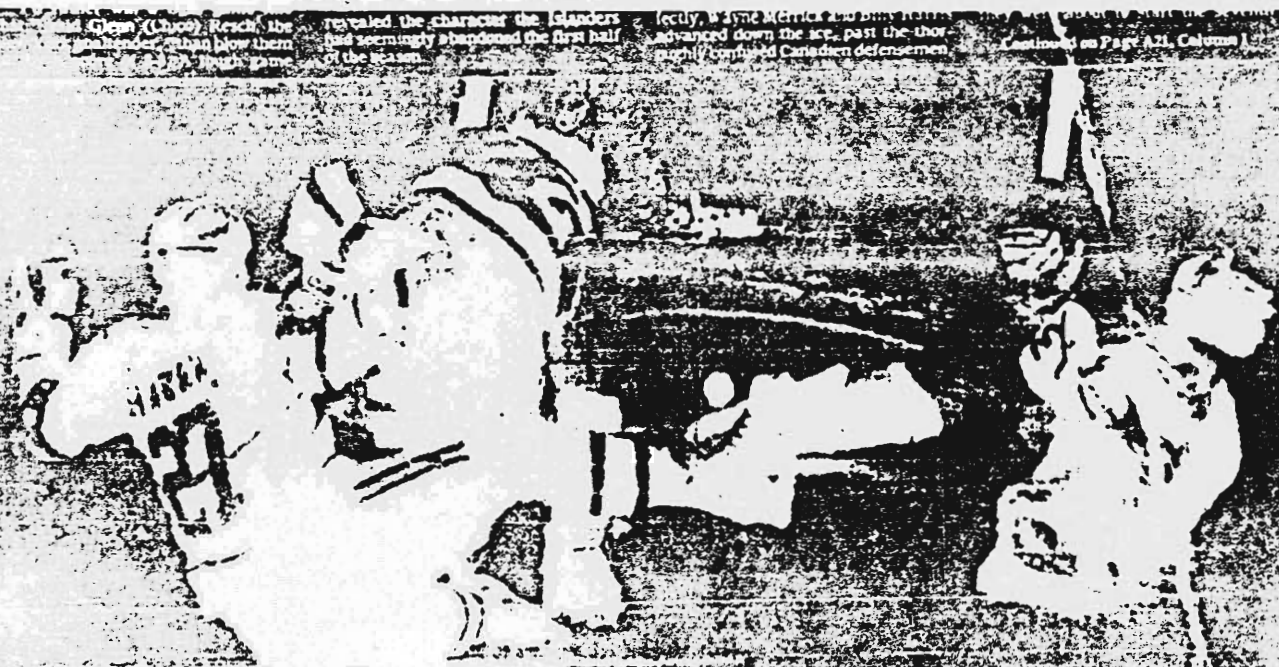
Peter

Clifton Peter Rose

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CPR:jgf

Attachment 3



Chirraw of the Canadians falling to the ice as his shot flew past Islanders' Mike Bossy (22) and over glove of the goalie, Glenn Resch.

Payson Cousin Is Making Late Bid for Mets

...a 25-year-old trustee of ... appeared to his relatives in court to explain his ...

[illegible]

"I don't think the Mets should be sold at a fire sale, so to speak," Mr. LeBouef said. "I don't think they should be auctioned off in a strictly financial way. One of the qualities they should have examined in depth is how to give New York's fans the kind of team that Tommie Payson wanted. You cannot measure that ability just by looking at the combined net worth of the prospective owner."

However, time was growing short for last-minute maneuvering. The club's directors will meet today and receive the recommendations of the three-man

Payson's family will meet tomorrow to consult by telephone with her husband, Charles Shipman Payson, now the majority owner, who is in Hoboken, N. J.

Either way, the fate of the team was expected to be sealed during the next 48 hours. And it was generally believed that the survivors of the two-month drifting process were led by Earl E. Smith, the former Ambassador to Cuba, a longtime neighbor of Mr. Payson in Florida and financial ally of Charles and Herbert Allen, Wall Street investment brokers. Also in the narrowing field were former Mayor John V. Lindsay, as spokesman for a group that included the Twentieth Century-Fox Film Corporation, and Robert H. Abplanalp, the aerosol-valve millionaire and friend of former President Richard M. Nixon.

As the watching hour neared, the bidders stayed close to their telephones for the news that might propel them into National League baseball. Mr. Abplanalp was on one of the islands he owns in the Bahamas. He again denied through a spokesman that he had dropped out of the bidding.

"We have not dropped out of the

"We denied these rumors before, and are denying them again."

André LeBourdillies then added family drama to the situation because his grandmother was a sister of Mrs. Payson's and he is a cousin of Etorge de Roulet, board chairman of the Mels. He said that the screening committee of two lawyers and one accountant had started professionally, but that he felt disappointed that they didn't call his in-

"Now I don't want to deal with the staff," he said. "Now I want to see the owners. Our offer is very high, and it provides either a complete buyout or several structures of involvement for the family, if they choose to stay in."

"I don't think a new owner should spend all his resources to buy the team

It will take \$4 million to buy the site. I have a specific plan. I would like to see if you're interested in buying it.

Mr. Payson's granddaughter and spokesman for the team, said that the family would have no comment on the

The LeBoutillier group includes an prominent baseball man, John Levitt, the former vice president of the Boston Red Sox and longtime general manager of the Atlanta Braves. His chief investors were said to be Alex Spanos, a construction executive from Stockton, Calif.; Jerry Reinsdorf, a real estate investment man from Chicago; and Ronald Rosenfeld, an investment banker from Pittsburgh and part owner of the Cleveland Indians.

Maravich Signs Pact To Play With Celtics

BOSTON, Jan. 22 (UPI) — Pete Maravich, the former National Basketball Association scoring leader who became a free agent yesterday, signed with the Boston Celtics tonight for the

[illegible]

PALL MALL LIGHT 100's

Longer, yet lighter

Full Flavor Light 100s	12 mg. tar 1.0 mg. nicotine
Winston 85	20 mg. tar 1.3 mg. nicotine
Lowest Brand	0.5 mg. tar 0.05 mg. nicotine

**A third
less tax
than the**





FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Attachment 4

Clifton Peter Rose
Williams & Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1456

Dear Mr. Rose:

The Federal Election Commission notified your client on July 28, 1982, of a complaint which alleges that your client John LeBoutillier had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission, on September , 1982, determined that there is reason to believe that your client has violated 2 U.S.C. §441a(f), a provision of the Act. Specifically, it appears that your client accepted a prohibited contribution. You may submit any additional factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Please file any such response within ten days of your receipt of this notification.

The Office of General Counsel would like to settle this matter through conciliation prior to a finding of probable cause. However in the absence of any information which demonstrates that no further action should be taken against your client, the Office of General Counsel must proceed to the next compliance stage as noted on page 2, paragraph 2 of the enclosed procedures.

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.

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Clifton Peter Rose
Page Two

If you have any question, please contact Deborah Curry, the attorney, assigned to this matter at (202)523-4000.

Sincerely,

Enclosures
Procedures

83040442029



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

Clifton Peter Rose
Williams & Jensen
1101 Connecticut Avenue, N.W.
Washington, D.C. 20036

Re: MUR 1456

Dear Mr. Rose:

The Federal Election Commission notified your client on July 28, 1982, of a complaint which alleges that your client John LeBoutillier for Congress Committee had violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was forwarded to you at that time.

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Clifton Peter Rose
Page Two

If you have any question, please contact Deborah Curry, the attorney, assigned to this matter at (202)523-4000.

Sincerely,

Enclosures
Procedures

33040442031



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 13, 1982

CERTIFIED MAIL

RETURN RECEIPT REQUESTED

Mrs. Thomas LeBoutillier

Box 230

Old Westbury, NY 11568

Re: MUR 1456

Dear Mrs. LeBoutillier:

This letter is to notify you that on July 23, 1982, the Federal Election Commission received a complaint which alleged that you have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 1456. 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 connection with this matter. Your response 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.

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.

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.

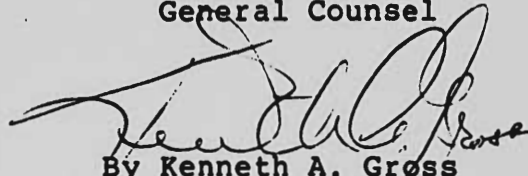
If you intend to be represented by counsel in this matter please advise the Commission by completing the enclosed form stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

33040442032

If you have any questions, please contact Deborah Curry the staff member assigned to this matter at (202) 523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel



By Kenneth A. Gross
Associate General Counsel

83040442033

Enclosures

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

WILLIAMS & JENSEN
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1101 CONNECTICUT AVENUE, N.W.
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 JOHN J. McMACKIN, JR.
 GEORGE G. OLSEN
 CLIFTON PETER ROSE
 MARY LYNNE WHALEN
 J. D. WILLIAMS

TELEPHONE
 (202) 659-8201

August 16, 1982

2 AUG 17 AIO: 08

Deborah Curry, Esq.
 Office of the General Counsel
 Federal Election Commission
 1325 K Street, N.W.
 Washington, D.C. 20436

Re: MUR 1456: In the Matter of Congressman
 John LeBoutillier

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0304044203

Deborah Curry, Esq.
August 13, 1982
Page Two

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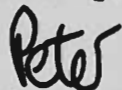
Although the Congressman had filed a Statement of Candidacy for the Sixth Congressional District in October, 1979, he did not announce for the Republican nomination until April, 1980, after the collapse of his efforts to buy the Mets. Towards the end of the campaign, he realized that his campaign needed more money. He again asked his mother for his share of his father's estate. She was opposed adamantly to his spending it on his election efforts, but felt that, since he had been promised the money, she was obliged to give it to him. On September 11, 1980, she drew \$200,000 from her account in the form of a check and endorsed it over to Congressman LeBoutillier. The Congressman placed it in a thirty-day certificate of deposit in his name. He then lent the money to his campaign in the amounts listed and on the dates declared in his FEC reports. (He also acquired \$27,000 at the same time from selling stock and also put it into his campaign. The Congressman had clear title to the stock and owned it in his own name.)

11 CFR § 110.10 permits a candidate to make unlimited expenditures of his own funds. These it defines, in pertinent part, as those to which he has "access to or control over, including funds from immediate family members." The above facts clearly establish the requisite access to, and control over, the money in question. It was the Congressman's to do with it what he wanted and when he pleased and, therefore, constituted his personal funds under the applicable law and regulations. Because he was, therefore, entitled to use the money in his campaign, we respectfully request that the complaint in this MUR be dismissed.

Deborah Curry, Esq.
August 13, 1982
Page Three

If I can provide any other information, please do not
hesitate to call.

Sincerely,



Clifton Peter Rose

8304044206

CPR:jgf

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WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS
1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20436

6 CC #8259

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

TELEPHONE
(202) 659-8201

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
DONALD C. EVANS, JR.
JOHN P. FORD
ROBERT E. GLENNON
J. STEVEN HART
ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

August 16, 1982

2 AUG 16 P 3:39

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20436

Re: MUR 1456: In the Matter of Congressman
John LeBoutillier

Dear Deborah:

This letter responds to the complaint against Congressman John LeBoutillier filed by his opponent, Robert J. Mrazek, a candidate for Congressman LeBoutillier's seat in the 1982 Congressional election in the Sixth Congressional District of New York. We have attempted to investigate as thoroughly as possible the facts. Because of the short time between receiving the complaint and the time by which we have to serve a response, our investigation is not yet complete as to some details. However, we are able to set forth the following facts which constitute the essential components of the questioned transaction. Based on these facts, we contend the transaction was legal under the applicable law and regulations and the FEC should, therefore, dismiss the complaint.

Congressman LeBoutillier is the elder child from the second marriage of both his mother and his late father. (There are two other children from his father's first marriage.) On November 28, 1979, Thomas LeBoutillier, the Congressman's father, died. Under his will, his entire estate was left to his wife, Pamela LeBoutillier, in two trusts with a combined value of nearly \$800,000. The Congressman, as the will clearly showed, had a remainder interest, together with his sister and his two half-brothers, in the two trusts.

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Deborah Curry, Esq.
August 13, 1982
Page Two

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Deborah Curry, Esq.
August 13, 1982
Page Three

If I can provide any other information, please do not
hesitate to call.

Sincerely,

Peter

Clifton Peter Rose

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CPR:jgf

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By Hand

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600#8534

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P 1:31

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS

1101 CONNECTICUT AVENUE, N. W.
WASHINGTON, D. C. 20036

TELEPHONE
(202) 659-8201

PAUL ARNESON
GEORGE D. BAKER
WILLIAM T. BRACK
WILLIAM H. CABLE
PAUL T. CLARK
ANN S. COSTELLO
WINFIELD P. CRIGLER
DONALD C. EVANS, JR.
JOHN P. FORD
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J. STEVEN HART
ROBERT E. JENSEN
JOHN J. McMACKIN, JR.
GEORGE G. OLSEN
CLIFTON PETER ROSE
MARY LYNNE WHALEN
J. D. WILLIAMS

August 4, 1982

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

Re: MUR 1456

Dear Deborah:

I enclose an original of the Statement of Designation of Counsel signed by Congressman John LeBoutillier in the above MUR.

The Congressman received his copy of the complaint from the Federal Election Commission on July 29, 1982. We will, therefore, be serving our response on August 13, 1982.

If you have any questions, please do not hesitate to call.

Sincerely,

Peter

Clifton Peter Rose

CPR:jgf

204041201

1 AUG 5 P 1:53

STATEMENT OF DESIGNATION OF COUNSEL

NAME OF COUNSEL: CLIFTON PETER ROSE
Williams & Jensen, P.C.
ADDRESS: 1101 Connecticut Avenue, N.W., Suite 500
Washington, D.C. 20036
TELEPHONE: (202) 659-8201

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.

Aug 3, 1982
Date

John LeBoutillier
Signature

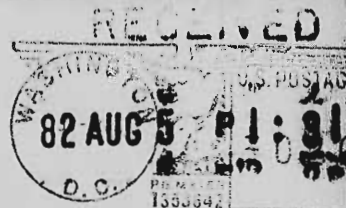
NAME: Congressman John LeBoutillier
417 Cannon House Office Building
ADDRESS: Washington, D.C. 20515
HOME PHONE:
BUSINESS PHONE: (202) 225-5956

83040442013

8304042944

WILLIAMS & JENSEN
A PROFESSIONAL CORPORATION
LAWYERS
1101 CONNECTICUT AVENUE, N.W.
WASHINGTON, D.C. 20036

Deborah Curry, Esq.
Office of the General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 27, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Mr. Robert J. Mrazek
People for Mrazek
P. O. Box 303
Centerport, N.Y. 11721

Dear Mr. Mrazek:

This letter is to acknowledge receipt of your complaint of July 16, 1982, against Congressman John LeBoutillier and the John LeBoutillier for Congress Committee which alleges violations of the Federal Election Campaign laws. A staff member has been assigned to analyze your allegations. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Commission takes final action on your complaint. Should you have or receive any additional information in this matter, please forward it to this office. We suggest that this information be sworn to in the same manner as your original complaint. For your information, we have attached a brief description of the Commission's procedure for handling complaints. If you have any questions, please contact Steven Barndollar at (202)-523-4073.

Sincerely,

Kenneth A. Gross
Associate General Counsel

Enclosure

83040442012

83040442016

1456 7/27

PS Form 3811, Oct. 1980

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space
on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☐ Show to whom and date delivered ☒

☐ Show to whom, date, and address of delivery.. ☒

2. ☐ **RESTRICTED DELIVERY** ☒
(The restricted delivery fee is charged in addition to
the return receipt fee.)

TOTAL \$ _____

3. **ARTICLE ADDRESSED TO:**
Robert Mrazek
Centersport, N.Y.

4. **TYPE OF SERVICE:** **ARTICLE NUMBER**

☐ REGISTERED ☐ INSURED ☒ 00185h
☒ CERTIFIED ☐ COD
☐ EXPRESS MAIL

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☒ Addressee ☐ Authorized agent
Robert Mrazek

5. **DATE OF DELIVERY**

6. **ADDRESSEE'S ADDRESS (Only if requested)**

7. **UNABLE TO DELIVER BECAUSE:** 7a. **EMPLOYEE'S INITIALS**

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

POSTMARK
JUL 27 1983
CENTERSPORT, NY



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 28, 1982

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

LeBoutillier for Congress Committee
P.O. Box 373
Manhasset, New York 11030

Re: MUR 1456

Dear Sir or Madam:

This letter is to notify you that on July 23, 1982 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1456. 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 connection with this matter. Your response 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.

Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statement should be submitted under oath.

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.

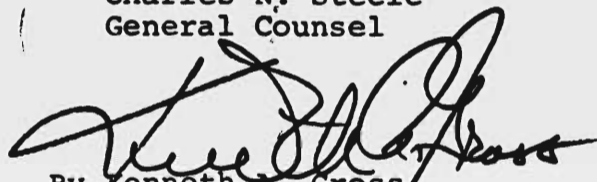
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

83040442017

If you have any questions, please contact Deborah Curry, the attorney assigned to this matter at (202)-523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

83040442018

Enclosures

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

1456 7/10

SENDER: Complete Items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one):

☐ Show to whom and date delivered _____

☐ Show to whom, date, and address of delivery _____

2. ☐ RESTRICTED DELIVERY
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$ _____

3. ARTICLE ADDRESSED TO:
Le Bonketter for Congress Center.
Manhattan, N.Y.

4. TYPE OF SERVICE:

☐ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
ET182H

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☒ Authorized agent
J. Janet F. P. [Signature]

5. DATE OF DELIVERY

6. ADDRESSEE'S ADDRESS (Only if required)

7. UNABLE TO DELIVER BECAUSE:

RETURN RECEIPT: REGISTERED, INSURED AND CERTIFIED MAIL

ESSEX, N.Y. JUL 30 1982 USPS



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

July 28, 1982

REGISTERED MAIL
RETURN RECEIPT REQUESTED

Honorable John LeBoutillier
417 Cannon House Office Building
Washington, D.C. 20515

Re: MUR 1456

Dear Congressman LeBoutillier:

This letter is to notify you that on July 23, 1982 the Federal Election Commission received a complaint which alleges that you may have violated certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act") or Chapters 95 and 96 of Title 26, U.S. Code. A copy of this complaint is enclosed. We have numbered this matter MUR 1456. Please refer to this number in all future correspondence.

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Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statement should be submitted under oath.

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.

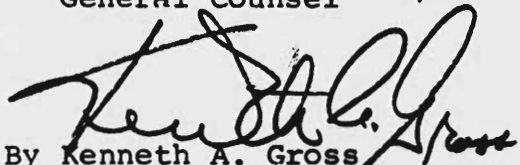
If you intend to be represented by counsel in this matter, please advise the Commission by sending a letter of representation stating the name, address and telephone number of such counsel, and a statement authorizing such counsel to receive any notifications and other communications from the Commission.

83040442019

If you have any questions, please contact Deborah Curry, the attorney assigned to this matter at (202)-523-4000. For your information, we have attached a brief description of the Commission's procedure for handling complaints.

Sincerely,

Charles N. Steele
General Counsel


By Kenneth A. Gross
Associate General Counsel

83040442030

Enclosures

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

1456 790

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one):

- ☐ Show to whom and date delivered
- ☐ Show to whom, date, and address of delivery
- ☒ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

2. **ARTICLE ADDRESSED TO:**
Hon John LeBoutillier
4406
Washington, D.C. 20515

3. **TYPE OF SERVICE:**

☐ REGISTERED	☐ INSURED
☒ CERTIFIED	☐ COD
☐ REGISTERED MAIL	

4. **ARTICLE NUMBER:**
KCI85H

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE:  ☐ Addressee ☐ Authorized agent

5. **DATE OF DELIVERY:**

6. **ADDRESSEE'S ADDRESS (Only if requested):**

7. **UNABLE TO DELIVER BECAUSE:**

U.S. MAIL
JUL 29 1982
FBI

202158

RECEIVED
600# 8154
82 JUL 23 12:50

Mr. Mrazek in '82

U.S. Congress

July 16, 1982

TO: Phyllis Kayson
FROM: Robert J. Mrazek
SUBJECT: Attached correspondence

As per your request in the attached correspondence from the Federal Elections Commission I have attached a new complaint. The FEC letter had indicated that our original complaint was deficient because it was not properly notarized. I therefore submit a new copy of my complaint with the relevant documentation that has been appropriately notarized.

1103404038

82 JUL 23 13:42



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RECEIVED

82 JUL 23 12:50

July 13, 1982

Mr. Robert J. Mrazek
People for Mrazek
P.O. Box 303
Centerport, NY 11721

Dear Mr. Mrazek:

We have received your letter of July 6, 1982 regarding the possibility of a violation of the Federal Election Campaign Act of 1971, as amended (the "Act").

The 1976 amendments to the Act and Commission regulations require that a complaint meet certain specified requirements. Since your letter does not meet these requirements, the Commission can take no action at this time to investigate this matter.

However, if you desire the Commission to look into the matter discussed in your letter of July 6, 1982 to determine if the FECA has been violated, a formal complaint as described in 2 U.S.C. § 437g(a)(1) must be filed. Requirements of this section of the law and Commission regulations at 11 C.F.R. § 111.4 which are a prerequisite to Commission action are detailed below:

- (1) A complaint must be in writing. (2 U.S.C. § 437g(a)(1)).
- * (2) Its contents must be sworn to and signed in the presence of a notary public and shall be notarized. (2 U.S.C. § 437g(a)(1)).
- (3) A formal complaint must contain the full name and address of the person making the complaint. (11 C.F.R. § 111.4).
- (4) A formal complaint should clearly identify as a respondent each person or entity who is alleged to have committed a violation. (11 C.F.R. § 111.4).

33040442052

- (5) A formal complaint should identify the source of information upon which the complaint is based. (11 C.F.R. § 111.4).
- (6) A formal complaint should contain a clear and concise recitation of the facts describing the violation of a statute or law over which the Commission has jurisdiction. (11 C.F.R. § 111.4).
- (7) A formal complaint should be accompanied by supporting documentation if known and available to the person making the complaint. (11 C.F.R. § 111.4).

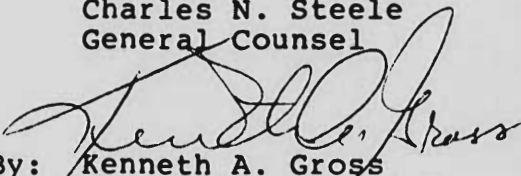
Finally, please include your telephone number, as well as the full names and addresses of all respondents.

Enclosed please find a copy of §§ 111.4 - 111.10 of Commission regulations which deal with preliminary enforcement procedures. Also, enclosed is a description of our procedures for processing complaints filed with the Commission. I trust these materials will be helpful to you should you wish to file a legally sufficient complaint. The file regarding this correspondence will remain confidential for a fifteen day time period during which you may file an amended complaint as specified above.

If we can be of any further service, please do not hesitate to call Phyllis Kayson at (202) 523-4073.

Sincerely,

Charles N. Steele
General Counsel

By: 
Kenneth A. Gross
Associate General Counsel

Enclosures
Excerpts
Procedures

cc: Honorable John LeBoutillier

33040442053

RECEIVED

82 JUL 23 PM 12:50

Mr. Mrazek in '82
U.S. Congress

July 16, 1982

Hon. Frank Reiche, Chairman
Federal Elections Commission
1325 K Street
Washington, DC 20463

Dear Chairman Reiche:

I hereby formally request an investigation into probable improprieties by the John LeBoutillier for Congress Committee and John LeBoutillier, personally.

Within the last quarter of the 1980 election cycle, John LeBoutillier reported personally loaning to the LeBoutillier for Congress Committee more than \$228,000. This loan was listed as an obligation owed by the Committee to Mr. LeBoutillier.

At the same time that these loans were claimed, Mr. LeBoutillier listed substantially less in personal assets in his personal financial disclosure statement filed with the Clerk of the House of Representatives (see attachment).

After the 1980 election concluded, Mr. LeBoutillier claimed to have received this money through a trust arrangement bequeathed to him by his father. The Will of Thomas LeBoutillier (see attachment), on record with the Nassau County, New York Surrogate's Office indicates that no such trust exists. Further, Mr. LeBoutillier did not list such a trust on his personal financial disclosure statement.

It is clear that either Mr. LeBoutillier violated the Federal Elections Campaign Act, which requires the truthful reporting of all contributions, or he violated the Ethics in Government Act, which requires the reporting of all assets.

I believe that a full and complete investigation should be undertaken by the Commission into these questions. The voters in his Congressional District have a right to know the true source of his campaign contributions before he again stands for office.

I would appreciate your prompt attention to these matters.

Sincerely yours,

Bob Mrazek

Robert J. Mrazek

RJM:mek
Encs.

Sworn to before me this
20th day of July, 1982.

Beatrice B. Huntington
BEATRICE B. HUNTINGTON

NOTARY PUBLIC, State of New York

No. 52-4673765, Suffolk County

Term Expires March 30, 1984

People for Mrazek, P.O. Box 303, Centerport, N.Y. 11721

POSTMARK ILLEGIBLE

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UNITED STATES HOUSE OF REPRESENTATIVES

Committee on Standards of Official Conduct

ETHICS IN GOVERNMENT ACT—FINANCIAL DISCLOSURE STATEMENT

FORM A—For use by Members, officers, and employees

John LeBoutillier

(Full Name)

202 Winthrop Avenue

(Mailing Address)

Westbury, New York 11590

ICE ON RE...
FOR 1966
MAY 13 AM 8 48
U.S. HOUSE OF REPRESENTATIVES

(Office Use Only)

Check the appropriate box and fill in the blanks.

☒ Member of the U.S. House of Representatives—District 6 State New York

☐ Check if amended Statement

☐ Officer or Employee—Employing Office _____

Notes: Please read instructions carefully. Sign this form on the reverse side. Attach additional sheets if needed; identify each sheet by showing your name and the section being continued. Complete all parts. (If None, so indicate.) Please type or print clearly.

I. INCOME

- A. The source, type, and amount of income (including honoraria and date received) aggregating \$100 or more in value received from any source during the preceding calendar year. Exclude income from current U.S. Government employment. Do not include here income reported in part I-B below.

SOURCE	TYPE	AMOUNT
Lordly & Dame, Inc.	Lecturer	7,790

- B. The source, type, and category of value of income from dividends, interest, rent, and capital gains received from any source during the preceding calendar year which exceeds \$100 in value. Note: For this part only, indicate Category of Value, as follows: Category A—not more than \$1,000; B—\$1,001–\$2,500; C—\$2,501–\$5,000; D—\$5,001–\$15,000; E—\$15,001–\$50,000; F—\$50,001–\$100,000; G—over \$100,000.

SOURCE	TYPE	CATEGORY
Affiliated Publications Inc.	Dividends	A
Webster Cash Reserve Fund	Dividends	A
Bell Industries	Interest	A
Hempstead Bank	Interest	B
Affiliated Publications Inc.	Capital gains	E

II. GIFTS AND REIMBURSEMENTS

- A. The source and a brief description of gifts of transportation, lodging, food, or entertainment aggregating \$250 or more in value received from any source during the preceding calendar year.

SOURCE	BRIEF DESCRIPTION
None	

- B. The source, a brief description, and value of all other gifts aggregating \$100 or more in value received from any source during the preceding calendar year.

SOURCE	BRIEF DESCRIPTION	VALUE
None		

- C. The source and a brief description of reimbursements aggregating \$250 or more in value received from any source during the preceding calendar year.

SOURCE	BRIEF DESCRIPTION
None	

(OVER)

I, THOMAS LeBOUTILLIER, a citizen of the United States of America, residing at Old Westbury in the County of Nassau, State of New York, make this my last will and testament, hereby revoking all wills and codicils heretofore made by me.

FIRST: I direct payment of my just debts, funeral expenses and expenses of administration, and I further direct that all estate, inheritance and succession taxes in respect of my estate, whether the property taxed passes under this my will or otherwise, shall be paid out of my residuary estate without apportionment.

SECOND: I give, devise and bequeath to my wife, PAMELA TOWER LeBOUTILLIER, if she survives me, the following property, namely:

(a) All furniture, household effects, linens, utensils, supplies, books, radios, china, glassware, silverware, plate and plated ware, household furnishings, pictures, watches, jewelry, clothing, guns, fishing tackle and all works of art or ornament, collections, boats, automobiles, garage equipment and supplies and all similar property of whatsoever kind and nature and wheresoever situated; and

(b) All right, title and interest that I may have in any real property at the time of my death.

THIRD: If my said wife, PAMELA TOWER LeBOUTILLIER, shall survive me, I give and bequeath to my trustees, hereinafter named, an amount equal to the maximum marital deduction allowable under the Internal Revenue Code of the United States of

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value of all other property, real and personal and wheresoever situated, qualifying for such marital deduction and passing to my said wife under other provisions of this my will or outside of this my will; provided that only property qualifying for such marital deduction shall be allocated to the bequest under this article of my will; and my trustees shall hold the property hereunder in trust, nevertheless, to manage, invest and reinvest the same and to dispose of the income and principal as follows:

(a) All of the net income of the trust shall be paid over to my said wife in quarter-annual installments, or more frequently as my trustees may determine;

(b) My trustees shall also pay over to my said wife so much or all of the principal of the trust as she may at any time or from time to time request in writing, it being my intention that she shall have unlimited power to withdraw principal as she may wish, and as to any such withdrawals of principal the trust shall terminate and my trustees shall not be accountable to anyone;

(c) Upon the death of my said wife the trust shall terminate and the trust property, or so much thereof as then remains, shall be paid over to such person or persons or such corporation or other entity (including the estate of my said wife, her creditors and creditors of her estate) and in such proportions as my said wife may by specific reference thereto in her last will and testament designate and appoint, and this power of appointment shall be exercisable by my said wife alone and in all events and in default of appointment or if

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any appointment shall be ineffective in whole or in part, the property not effectively appointed shall be disposed of in accordance with the provisions of Article FOURTH, Paragraph (c), of this my will.

FOURTH: All the rest, residue and remainder of the property, both real and personal and wheresoever situated, of which I may die seized or possessed or to which I may be entitled at the time of my death or to which my estate may thereafter become entitled, I give, devise and bequeath to my trustees, in trust, nevertheless, to manage, invest and reinvest the same and to dispose of the income and principal as follows:

(a) All of the net income of the trust shall be paid over to my said wife in quarter-annual installments or more frequently as my trustees may determine;

(b) My trustees may at any time and from time to time pay to or apply to the use of my said wife, such sum or sums out of the principal of the trust as they may deem appropriate for her maintenance, support and welfare or to meet any emergency, and the judgment of my trustees as to the necessity and amounts of such distributions shall be final and conclusive upon all persons interested in my estate;

(c) Upon the death of my said wife, or upon my death if she does not survive me, the trust property then remaining, or all of my residuary estate, as the case may be, shall be distributed in equal shares to and among my children, DAVID LeBOUTILLIER, THOMAS LeBOUTILLIER, JR., JOHN LeBOUTILLIER and PAMELA

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LeBOUTILLIER, who survive me, the issue of any who has died leaving issue then surviving to take, per stirpes, the share such child would have taken if living.

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FIFTH: In the event that any part of the principal of my estate shall be distributable at any time to a person under the age of twenty-one, the share of any such minor shall immediately vest in him or her, but my executors or trustees may continue to hold such share under a power during minority to manage property vested in an infant with all of the rights and powers herein provided, and in their sole discretion apply so much of the principal and income of such share to the maintenance, education and support of such minor as they may deem proper, and they may accumulate any income not required for such maintenance, education and support and invest such income, and in respect of any such share and the income thereof my executors or trustees shall be entitled to receive the compensation provided by law for testamentary trustees; and the share of such minor, together with any accumulations thereon, shall be paid over to him or her upon attaining the age of twenty-one years or to his or her estate if the minor should die before attaining twenty-one years of age.

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SIXTH: If my said wife, Pamela Tower LeBoutillier, and I shall die as a result of a common accident or under such circumstances that there is insufficient evidence to determine the order of our deaths, I direct that this my will shall be applied and my estate shall be distributed as if my said wife had survived me. Where any disposition of property is made under this my will to or for the benefit of any person, other than my said wife, upon the contingency that such person survives me or

survives some other person, and death occurs as the result of a common accident or under such circumstances that there is insufficient evidence to determine whether the person to or for whose benefit any such disposition is made survived me or survived such other person, I direct that this my will shall be applied and my estate shall be distributed as though the person to or for whose benefit any such disposition is made had predeceased me or had predeceased such other person, as the case may be.

SEVENTH: If my said wife shall not survive me, I appoint her son, TIMOTHY JAY SECOR, as guardian of the person, and MORGAN GUARANTY TRUST COMPANY OF NEW YORK, a corporation organized under the Banking Law of the State of New York, as guardian of the property of any of my children who may be minors at my death. I direct that no bond or other security be required of either guardian named herein in any jurisdiction for any cause whatsoever.

EIGHTH: I appoint my said wife, PAMELA TOWER LeBOUTILLIER, to be the executrix of this my will. In the event that my said wife should predecease me or fail to qualify or, having qualified, should for any reason cease to act, I appoint my friend, HENRY S. REEDER, and said MORGAN GUARANTY TRUST COMPANY OF NEW YORK as executors in her place and stead. I appoint said HENRY S. REEDER and said MORGAN GUARANTY TRUST COMPANY OF NEW YORK, to be co-trustees of the trusts hereunder, and if said HENRY S. REEDER should predecease me or fail to qualify or, having qualified, should for any reason cease to act before my estate and the trusts hereunder are fully administered, it is my wish that such vacancy not be filled but that said MORGAN GUARANTY TRUST COMPANY OF NEW YORK shall have full power as

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executor and trustee under this my will. I direct that no bond or security shall be required of any of my said executors or trustees in either capacity in any jurisdiction whatsoever.

NINTH: I hereby grant to my executrix or executors and to my trustees, and the survivor of them, with respect to any property, whether real or personal, which shall at any time constitute part of my estate or the trusts established hereunder or which may be held under a power to manage property vested in an infant as herein provided, full power and authority in their discretion to do all such acts, take all such proceedings and exercise all such rights and privileges as if the absolute owners thereof, including, but not by way of limitation, the power:

(a) To retain any such property for such period of time as may seem advisable and to hold the same for the trusts established hereunder even though the property so retained shall not be of the character prescribed by law for the investments of trustees;

(b) To invest and reinvest funds of my estate and the trusts hereunder in such property, including common and preferred stocks and securities and participation in any common trust fund administered by Morgan Guaranty Trust Company of New York, as they shall select, without the legal restrictions otherwise applicable to trustees or fiduciaries, and without incurring any greater liability than in the purchase of property in which trustees or fiduciaries are by law authorized to invest;

(c) To sell and transfer at public or private

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sale and upon such terms as may seem fit any property of my estate or the trusts hereunder;

(d) To borrow money to provide funds for any purpose without resorting to the sale of any assets; and for the purpose of securing the payment thereof, to pledge, mortgage or otherwise encumber any and all such property upon such terms, covenants and conditions as they may deem proper; and also to extend the time of payment of any loans or encumbrances which at any time may be encumbrances on any such property on such terms, covenants and conditions as they may deem proper;

(e) To appoint agents and experts to act in their behalf and to delegate to such agents discretionary powers, and to retain attorneys, accountants and others and to rely upon information or advice furnished by the same, and to pay for the same and any disbursements incidental thereto and to charge the same to principal or income as they may determine in their discretion;

(f) To deposit any such property with any protective or reorganization committee, to delegate to such committee discretionary power and to pay such part of the expenses and compensation of such committee out of income or principal as they shall deem proper in their discretion; and to accept and retain new securities in exchange for those deposited and to enter into any covenants and agreements in connection with such reorganization and any plan in connection therewith;

(g) To vote upon any proposition or election at

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proxies, discretionary or otherwise, to vote at any such meeting, and to exercise any or all options, privileges or rights, whether to vote, assent, subscribe, convert or of any other nature, or to sell any subscription or other rights, or to become a party to or deposit securities under or accept securities issued under any voting trust agreement;

(h) To extend the time of payment of and to modify, as to rate of interest or otherwise, any obligation held by them, and to compromise, settle or submit to arbitration upon such terms as to them may seem advisable all claims in favor of or against my estate or the trusts created hereunder; and to institute, prosecute and defend any and all legal proceedings so far as they may deem advisable;

(i) To make payment, division or distribution of property in kind or in cash, or partly in kind and partly in cash, among the persons entitled to share hereunder, and to allot any property, including an undivided interest therein, to any share, whether or not the same or a different kind of property is allotted to other shares;

(j) To make payment of any income or principal applicable to the use of a minor by paying the same to the parent, guardian or other person having the care or control of such minor without obligation to look to the proper application thereof by the person receiving it, or by expending it in such other manner

as my executors or trustees in their discretion believe will benefit such minor, and they may also pay to the minor directly such sums as they approve as an allowance.

IN WITNESS WHEREOF, I have hereunto set my hand and seal this 7th day of January, in the year One Thousand Nine Hundred and Sixty-eight.

me
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Thomas Le Boutillier

The foregoing instrument was signed, sealed, published and declared by THOMAS LeBOUTILLIER, the testator above named, as and for his last will and testament in our presence and in the presence of each of us and we at his request and in his presence and in the presence of each other have hereunto subscribed our names as witnesses and our respective places of residence the day and year above written.

Robert M. Doyle residing at 765 Valley Street

Orange, New Jersey

William D. Hart residing at 714 Kimberly Place

New Canaan, Conn.

William H. Ashman residing at 14 Hillside Avenue

Madison, New Jersey

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I, THOMAS LeBOUTILLIER, of Old Westbury, Nassau County, New York, do make, publish and declare this first codicil to my last will and testament dated the 7th day of January, 1969.

ARTICLE ONE: I revoke Article SEVENTH of my said will.

ARTICLE TWO: I revoke Article EIGHTH of my said will and substitute in lieu thereof the following:

"EIGHTH: I appoint my wife Pamela Tower LeBoutillier to be the executor of this will. If my said wife shall fail to qualify or cease to act, I appoint my son John LeBoutillier and Morgan Guaranty Trust Company of New York as executors of this will.

I appoint my wife Pamela Tower LeBoutillier and Morgan Guaranty Trust Company of New York to be the trustees of any trust created by this will.

Each executor and trustee shall be exempt from giving any bond or other security in any jurisdiction. No executor or trustee shall be liable for the acts or defaults of a co-executor or co-trustee. Each executor and trustee shall be deemed to have acted within the scope of her, his or its authority, to have exercised reasonable care, diligence and prudence, and to have acted impartially as to all persons interested unless the contrary be proved by affirmative evidence, and in the absence of such proof shall not be liable for loss arising from depreciation or shrinkage in value of any property herein authorized to be held or

acquired. The provisions of this paragraph shall apply to any person acting hereunder as donee of a power during minority."

ARTICLE THREE: I revoke subdivision (b) of Article FOURTH of my said will and substitute in lieu thereof the following:

"(b) My trustees may at any time or from time to time pay to my said wife so much of the principal, whether the whole or a lesser amount, as my trustees (other than my said wife) may in their sole discretion determine; provided that no such payment of principal shall be made so long as my said wife is capable of acting and any property is held by my trustees as principal of the trust created by Article THIRD hereof. In exercising this discretionary power, my trustees (other than my said wife) may, but need not, consider any other resources of my said wife."

ARTICLE FOUR: I declare that I do not intend by my said will to exercise any power of appointment that I may have..

ARTICLE FIVE: The term "this will", whenever used in my said will, shall mean said will and any and all codicils thereto.

ARTICLE SIX: In all other respects I ratify, confirm and republish my said will.

IN WITNESS WHEREOF I have hereunto set my hand and

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seal this 2th day of Jan. , in the year one
thousand nine hundred and seventy-seven.

Thomas LeBoutillier

SIGNED, SEALED, PUBLISHED and DECLARED
by THOMAS LeBOUTILLIER, the testator
above named, as and for his first
codicil to his last will and testament,
in our presence, and we at his request,
in his presence, and in the presence of
each other, have hereunto subscribed
our names as witnesses on the day and
year last above written.

Elizabeth C Millman residing at 69 Hetchcock Lane
Old Westbury, N.Y. 11568

Laura M. M. M. residing at 69 Hetchcock Lane
Old Westbury, N.Y. 11568

_____ residing at _____

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Estate of Thomas LeBoutillier

[illegible]

Henry S. Reeder died on April 16, 1973.

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PS Form 3811, Dec. 1980

● **SENDER:** Complete items 1, 2, 3, and 4.
Add your address in the "RETURN TO" space on reverse.

(CONSULT POSTMASTER FOR FEES)

1. The following service is requested (check one).

☐ Show to whom and date delivered

☐ Show to whom, date, and address of delivery..

2. ☐ **RESTRICTED DELIVERY**
(The restricted delivery fee is charged in addition to the return receipt fee.)

TOTAL \$

3. **ARTICLE ADDRESSED TO:**
Mrs. T. LeBoutillier
Box 230
Old Westbury, NY 11568

4. **TYPE OF SERVICE:**

☐ REGISTERED ☐ INSURED
☐ CERTIFIED ☐ COD
☐ EXPRESS MAIL

ARTICLE NUMBER
86182h

(Always obtain signature of addressee or agent)

I have received the article described above.

SIGNATURE ☐ Addressee ☐ Authorized agent
Paula T. LeBoutillier

5. **DATE OF DELIVERY**

6. **ADDRESSEE'S ADDRESS (Only if requested)**
1111 0113570

7. **UNABLE TO DELIVER BECAUSE:**

8. **EMPLOYER'S INITIALS**

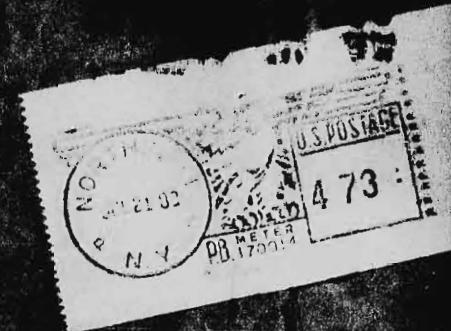
RECEIVED AT THE FCC
Curry

POSTMARK
SEP 21 1982

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

PEOPLE FOR BRAZEK
P.O. BOX 88
CENTERSVILLE, N.Y. 11721

FEDERAL ELECTION COMMISSION
Office of the General Counsel
Att.: Phyllis Kayson
1325 K Street, NW
Washington, DC 20463



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FEDERAL ELECTION COMMISSION

1125 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1456

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