FEDERAL ELECTION COMMISSION

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

THIS IS THE END OF MUR # 1251

Date Filed 10/27/86 Camera No. --- 2

Cameraman AS

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FEDERAL ELECTION COMMISSION

(1) Routing slips

(2) 12 Day reports & Comment sheets

(3) Internal memoranda

(4) Information regarding conciliation

The above-described material was removed from this file pursuant to the following exemption provided in the Freedom of Information Act, 5 U.S.C. Section 552(b):

___	(1) Classified Information	___	(6) Personal privacy
✓	(2) Internal rules and practices	___	(7) Investigatory files
___	(3) Exempted by other statute	___	(8) Banking Information
___	(4) Trade secrets and commercial or financial information	___	(9) Well Information (geographic or geophysical)
✓	(5) Internal Documents		

Signed Eric Glenfield

date 10/9/86

FEC 9-21-77

8604061449

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 25, 1986

Alan Phelps, Treasurer
P.O. Box 17786
The Woodlands, TX 77387

RE: MUR 1954
Max Hoyt Congressional
Committee and Alan
Phelps, treasurer

Dear Mr. Phelps:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

Lawrence M. Noble (EK)

BY: Lawrence M. Noble
Deputy General Counsel

8604061450

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

September 25, 1986

Don Redd, Esquire
76 South Wavy Oaks
The Woodlands, TX 77380

RE: MUR 1954
Joseph Turner

Dear Mr. Redd:

On September 23 , 1986, the Commission accepted the conciliation agreement signed by your client, in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), a provision 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

Lawrence M Noble (AM)

By: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

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06 SEP 12 P 1:23

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1954
Joseph Turner)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found probable cause to believe that Joseph Turner ("Respondent") violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions of $49,500 to the Max Hoyt Congressional Committee.

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
SEP 12 P 3:

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents and the subject matter of this proceeding.

II. Respondent has had a reasonable opportunity to demonstrate that no action should be taken in this matter.

III. Respondent enters voluntarily into this agreement with the Commission.

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

1. Respondent is a person pursuant to 2 U.S.C. § 431(11).

2. The Max Hoyt Congressional Committee is the principal campaign committee for candidate Max Hoyt, pursuant to 2 U.S.C. § 431(5).

3. Respondent guaranteed the entire amount of a $50,000 bank loan to the Max Hoyt Congressional Committee in connection with the 1984 primary election in the sixth congressional district of Texas.

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4. Respondent made a direct contribution of $500 to the Max Hoyt Congressional Committee in connection with the 1984 primary election.

5. Section 441a(a)(1)(A), Title 2, United States Code, prohibits contributions by persons in excess of $1000 to the authorized political committee of a candidate with respect to any election for federal office. The loan guarantee described in subparagraph 3 and the direct contribution described in subparagraph 4 above are contributions pursuant to 2 U.S.C. § 431(8)(A).

V. Respondent's total contributions of $50,500 to the Max Hoyt Congressional Committee in connection with the 1984 primary election was in excess of the contribution limitation by $49,500, in violation of 2 U.S.C. § 441a(a)(1)(A).

VI. Respondent contends that his actions in violation of 2 U.S.C. § 441a(a)(1)(A) were not knowing and willful.

VII. Respondent will pay a civil penalty to the Treasurer of the United States in the amount of Five Thousand Dollars ($5,000), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VIII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 436g(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 requirement therefore has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

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X. Respondent 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.

XI. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: Lawrence M. Noble (JAT) 9/25/84
Lawrence M. Noble Date
Deputy General Counsel

FOR THE RESPONDENT:

Joseph Turner 6 Sept 84
Date

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Don Redd, Esquire
76 South Wavy Oaks
The Woodlands, TX 77380

RE: MUR 1954
Joseph Turner

Dear Mr. Redd:

On , 1986, the Commission accepted the conciliation agreement signed by your client, in settlement of a violation of 2 U.S.C. § 441a(a)(1)(A), a provision 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: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

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RVF

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Alan Phelps, Treasurer
P.O. Box 17786
The Woodlands, TX 77387

RE: MUR 1954
Max Hoyt Congressional
Committee and Alan
Phelps, treasurer

Dear Mr. Phelps:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within thirty days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within 10 days.

Should you have any questions, contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

BY: Lawrence M. Noble
Deputy General Counsel

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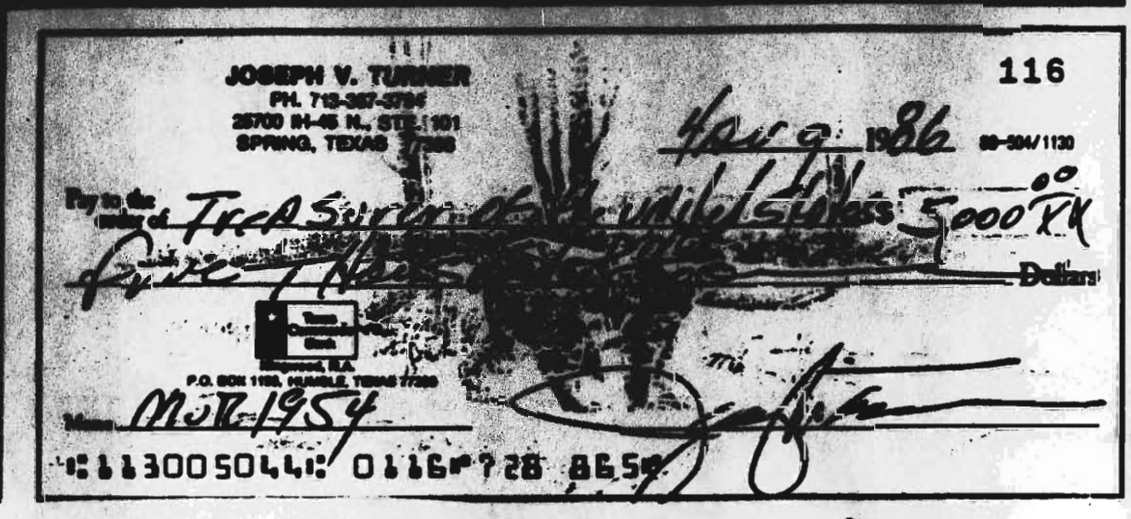

MEMORANDUM

AGC#1196

TO: Debra A. Reed

TO: Judy Smith

FROM: Judy Smith

FROM: Debra A. Reed

CHECK NO. 116 (a copy of which is attached) RELATING TO MUR 1954 (Kleinfeld) AND NAME Joseph Turner

WAS RECEIVED ON 8/13/86. PLEASE INDICATE THE ACCOUNT INTO WHICH IT SHOULD BE DEPOSITED:

/ V / BUDGET CLEARING ACCOUNT (#95F3875.16)

/ / CIVIL PENALTIES ACCOUNT (#95-1099.160)

/ / OTHER _____

SIGNATURE Debra A. Reed DATE 8/14/86

86 AUG 13 A10:32
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of) MUR 1954
Joseph Turner)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on September 23, 1986, the Commission decided by a vote of 6-0 to take the following actions in MUR 1954:

1. Accept the conciliation agreement, as recommended in the General Counsel's Report signed September 18, 1986.
2. Approve the letters, as recommended in the General Counsel's Report signed September 18, 1986.
3. Close the file.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald and McGarry voted affirmatively for this decision.

Attest:

9-24-86
Date

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: Fri., 9-19-86, 11:00
Circulated on 48 hour tally basis: Mon., 9-22-86, 11:00
Deadline for vote: Wed., 9-24-86 11:00

8604061418

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

August 8, 1986

Alan Phelps, treasurer
Max Hoyt Congressional Committee
P.O. Box 7786
The Woodlands, Texas 77387

RE: MUR 1954
Max Hoyt Congressional
Committee and Alan Phelps,
treasurer

Dear Mr. Phelps:

On August 1 , 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to the Max Hoyt Congressional Committee and you, as treasurer, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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 within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

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

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

8604061415 9

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee	)	MUR 1954
Alan Phelps, treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 1, 1986, the Commission decided by a vote of 6-0 to take the following actions in MUR 1954:

1. Approve the conciliation agreement signed by Alan Phelps, treasurer of the Max Hoyt Congressional Committee, as recommended in the General Counsel's Report signed July 29, 1986.

2. Close the file as it pertains to the Max Hoyt Congressional Committee and Alan Phelps, as treasurer.

3. Approve the letters, as recommended in the General Counsel's Report signed July 29, 1986.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald and McGarry voted affirmatively for this decision.

Attest:

8/4/86
Date

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: Wed., 7-30-86, 12:46
Circulated on 48 hour tally basis: Wed., 7-30-86, 4:00
Deadline for vote: Fri., 8-1-86, 4:00

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Alan Phelps, treasurer
Max Hoyt Congressional Committee
P.O. Box 7786
The Woodlands, Texas 77387

RE: MUR 1954
Max Hoyt Congressional
Committee and Alan Phelps,
treasurer

Dear Mr. Phelps:

On , 1986, the Commission accepted the conciliation agreement signed by you in settlement of a violation of 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. Accordingly, the file has been closed in this matter as it pertains to the Max Hoyt Congressional Committee and you, as treasurer, and it will become a part of the public record within thirty days after this matter has been closed with respect to all other respondents involved. 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 within 10 days.

The Commission reminds you that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

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

Sincerely,

Charles N. Steele
General Counsel

By: Lawrence M. Noble
Deputy General Counsel

Enclosure
Conciliation Agreement

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 16, 1986

Don R. Redd, Esquire
25211 Grogan's Mill Road
Suite 375
The Woodlands, Texas 77350

RE: MUR 1954
Joseph Turner

Dear Mr. Redd:

On May 13, 1986, the Commission determined that there is probable cause to believe your client committed a violation of 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with a loan guarantee made on behalf of the Max Hoyt Congressional Committee, in excess of the $1,000 contribution limitation of 2 U.S.C. § 441a(a)(1)(A).

The Commission has a duty to attempt to correct such a violation for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion. If we are unable to reach an agreement during this period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the U.S. Treasurer.

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If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Don R. Redd, Esquire
25211 Grogan's Mill Road
Suite 375
The Woodlands, Texas 77350

RE: MUR 1954
Joseph Turner

Dear Mr. Redd:

On , 1986, the Commission determined that there is probable cause to believe your client committed a violation of 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended, in connection with a loan guarantee made on behalf of the Max Hoyt Congressional Committee, in excess of the $1,000 contribution limitation of 2 U.S.C. § 441a(a)(1)(A).

The Commission has a duty to attempt to correct such a violation for a period of thirty to ninety days by informal methods of conference, conciliation and persuasion. If we are unable to reach an agreement during this period, the Commission may institute civil suit in United States District Court and seek payment of a civil penalty.

We enclose a conciliation agreement that this office is prepared to recommend to the Commission in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission within ten days. I will then recommend that the Commission approve the agreement. Please make your check for the civil penalty payable to the U.S. Treasurer.

8604061141164

If you have any questions or suggestions for changes in the enclosed conciliation agreement, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Conciliation Agreement

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RECEIVED AT THE FEC

86 JUN 17 P2:50

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1954
Max Hoyt Congressional)
Committee)
Alan Phelps, treasurer)

CONCILIATION AGREEMENT

This matter was initiated by the Federal Election Commission (hereinafter "the Commission"), pursuant to information ascertained in the normal course of carrying out its supervisory responsibilities. The Commission found probable cause to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, ("Respondents") violated 2 U.S.C. § 441a(f) by accepting $49,500 in excessive contributions from Joseph Turner.

NOW, THEREFORE, the Commission and Respondent, having duly entered into conciliation pursuant to 2 U.S.C. § 437g(a)(4)(A)(i) do hereby agree as follows:

I. The Commission has jurisdiction over the Respondents, and the subject matter of this proceeding.

II. Respondents have had a reasonable opportunity to demonstrate 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. Respondent Max Hoyt Congressional Committee is a political committee within the meaning of 2 U.S.C. § 431(4).

2. Respondent Alan Phelps currently serves as treasurer for respondent Max Hoyt Congressional Committee.

3. Respondents knowingly accepted a $50,000 loan

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guarantee from Joseph Turner in connection with the 1984 primary election for the United States House of Representatives in the sixth congressional district of Texas.

4. Respondents knowingly accepted a $500 direct contribution from Joseph Turner in connection with the 1984 primary election.

5. Section 441a(f), Title 2, United States Code, prohibits the authorized political committee of a candidate from knowingly accepting contributions from persons in excess of the $1000 contribution limitation of 2 U.S.C. § 441a(a)(1)(A), with respect to any election for federal office. The loan guarantee described in subparagraph 3 and the direct contribution described in subparagraph 4 above are contributions under 2 U.S.C. § 431(8)(A).

V. Respondents accepted contributions totalling $50,500 from Joseph Turner, in violation of 2 U.S.C. § 441a(a)(1)(A).

VI. Respondents will pay a civil penalty to the Treasurer of the United States in the amount of ~~Five Thousand dollars~~ Five Hundred Dollars ($500.) ~~($5,000)~~, pursuant to 2 U.S.C. § 437g(a)(5)(A).

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

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

IX. Respondent 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.

X. This Conciliation Agreement constitutes the entire agreement between the parties on the matters raised herein, and no other statement, promise, or agreement, either written or oral, made by either party or by agents of either party, that is not contained in this written agreement shall be valid.

FOR THE COMMISSION:

Charles N. Steele
General Counsel

BY: _____ 8/8/86
Lawrence M. Noble
Deputy General Counsel
Date

FOR THE RESPONDENT:

_____ 6/9/86
Alan Phelps
Treasurer
Date

8604061468

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Joseph Turner)

MUR 1954

CERTIFICATION

I, Mary W. Dove, recording secretary for the Federal Election Commission executive session of May 13, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1954:

1. Find probable cause to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A).

3. Approve the letter attached to the General Counsel's report signed May 5, 1986.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald, and McGarry voted affirmatively for this decision.

Attest:

5-15-86
Date

Mary W. Dove
Mary W. Dove
Administrative Assistant

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Joseph Turner)

MUR 1954

CERTIFICATION

I, Mary W. Dove, recording secretary for the Federal Election Commission executive session of May 13, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1954:

1. Find probable cause to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A).

2. Approve the conciliation agreement attached to the General Counsel's report signed May 5, 1986, subject to amendment by reducing the civil penalty to $5,000.

3. Approve the letter attached to the General Counsel's report signed May 5, 1986.

Commissioners Aikens, Elliott, Harris, Josefiak, McDonald, and McGarry voted affirmatively for this decision.

Attest:

5-15-86
Date

Mary W. Dove
Mary W. Dove
Administrative Assistant

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RECEIVED
OFFICE OF THE SEC.
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Joseph Turner) MUR 1954
)

86 MAY 5 P3:24

SENSITIVE
EXECUTIVE SESSION
MAY 13 1986

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 20, 1985, the Federal Election Commission ("Commission") determined there is reason to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to the Max Hoyt Congressional Committee ("Committee"). Specifically, Joseph Turner guaranteed the entire amount of a $50,000 bank loan to the Committee which was designated for the 1984 Republican primary election in the sixth congressional district of Texas and additionally made a $500 direct contribution to the Committee, also designated for the primary election.

By letter dated April 12, 1985, counsel for Mr. Turner responded to the Commission's reason to believe determinations and requested to enter into conciliation discussions prior to a finding of probable cause to believe. However, because the Commission lacked all the necessary information to adequately conciliate this matter, the Commission declined, at that time, to enter into pre-probable cause conciliation, and instead, authorized a subpoena to produce requested documents. On September 16, 1985, a response to the subpoena was received from Mr. Turner's counsel. Counsel, in telephone conversations with the Office of General Counsel, renewed his client's request

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to conciliate this matter prior to a finding of probable cause to believe.

On December 17, 1985, the Commission voted to enter into conciliation with respondent prior to a finding of probable cause to believe that a violation occurred. Despite being contacted by the General Counsel's Office and indicating a further willingness to conciliate, counsel for Mr. Turner failed to respond to the proposed conciliation agreement. On March 20, 1986, a brief was mailed to Mr. Turner's counsel advising him of the General Counsel's intent to recommend a finding of probable cause to believe. Respondent failed to file a response brief.

II. LEGAL ANALYSIS

The Office of General Counsel relies chiefly upon its brief of March 20, 1986, for analysis of this matter. A response brief was not filed by Mr. Turner.

In January, 1984, Joseph Turner guaranteed the entire amount of a $50,000 loan to candidate Max Hoyt for the primary election. A ledger sheet submitted by the treasurer of the Max Hoyt Congressional Committee lists Mr. Turner as a co-signer of the loan note. A letter from the Committee's treasurer to Mr. Turner's attorney indicates that the loan note was guaranteed by Mr. Turner and reported as such on the Committee's amended April Quarterly report. Finally, the Committee submitted a copy of a computer print-out concerning the loan, obtained from the lender, which lists Joseph Turner as guarantor.

Respondent does not dispute that the loan guarantee he executed in January, 1984, was excessive. Respondent claims not

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to have been aware that the guarantee was considered a campaign contribution and to have no intent to violate the Act.

Additionally, respondent indicated that once the Committee discovered the excessive nature of the loan guarantee, it obtained and delivered to the lender over fifty new guarantee agreements to replace Mr. Turner as guarantor, thus complying with the Act. These guarantors were reported to the Commission on the Committee's second amended April Quarterly report, and copies of the guarantee agreements were submitted to the Commission in response to its subpoena.

The new guarantees were delivered to the lender on or about June 1, 1984. Therefore, Mr. Turner's excessive loan guarantee was outstanding for a period of approximately four months. Accordingly, the Office of General Counsel recommends that the Commission find probable cause to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A).

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IV. RECOMMENDATIONS

The Office of General Counsel recommends that the Commission:

1. Find probable cause to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A).

2. Approve the attached conciliation agreement.

3. Approve the attached letter.

5 May 1986
Date

Charles N. Steele

Attachments
1. Conciliation agreement
2. Letter

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 21, 1986

Steven Holditch
8600 Rosewood
College Station, Texas 77840

RE: MUR 1954
Steven Holditch

Dear Mr. Holditch:

This is to advise you that after an investigation was conducted, the Commission concluded on April 15, 1986, that there is no probable cause to believe that you violated the Act. Accordingly the file in this matter, numbered MUR 1954, has been closed as it pertains to you. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 21, 1986

David Bumgardner, Esquire
2002 Timberloch
Suite 534
The Woodlands, Texas 77380

RE: MUR 1954
George Mitchell

Dear Mr. Bumgardner:

This is to advise you that after an investigation was conducted, the Commission concluded on April 15, 1986, that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1954, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 21, 1986

Edward R. Shaman, MD
979 Graham Drive
Suite D
Tomball, Texas 77375

RE: MUR 1954
Edward R. Shaman, MD

Dear Dr. Shaman:

This is to advise you that after an investigation was conducted, the Commission concluded on April 15, 1986, that there is no probable cause to believe that you violated the Act. Accordingly the file in this matter, numbered MUR 1954, has been closed as it pertains to you. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 21, 1986

Peggy Somermeyer, Esquire
Schultz & Somermeyer
1717 Woodstead Court
Suite 104
The Woodlands, Texas 77380

RE: MUR 1954
Navarro Crowson

Dear Ms. Somermeyer:

This is to advise you that after an investigation was conducted, the Commission concluded on April 15, 1986, that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1954, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

8604061418

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 21, 1986

Don R. Redd, Esquire
25211 Grogan's Mill Road
Suite 378
The Woodland, Texas 77380

RE: MUR 1954
Maple Avery, Alf Barnes,
Thomas Cox, James Hasenzahl,
R. Douglas Leonhard, John
Wiesner and Randall Woods

Dear Mr. Redd:

This is to advise you that after an investigation was conducted, the Commission concluded on April 15, 1986, that there is no probable cause to believe that your clients violated the Act. Accordingly the file in this matter, numbered MUR 1954, has been closed as it pertains to your clients. This finding does not apply to another individual you are representing in this matter, Joseph Turner. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

8604061417 9

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Steven Holditch
8600 Rosewood
College Station, Texas 77840

RE: MUR 1954
Steven Holditch

Dear Mr. Holditch:

This is to advise you that after an investigation was conducted, the Commission concluded on , 1986, that there is no probable cause to believe that you violated the Act. Accordingly the file in this matter, numbered MUR 1954, has been closed as it pertains to you. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

8604061480

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

David Bumgardner, Esquire
2002 Timberloch
Suite 534
The Woodlands, Texas 77380

RE: MUR 1954
George Mitchell

Dear Mr. Bumgardner:

This is to advise you that after an investigation was conducted, the Commission concluded on , 1986, that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1954, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

8604051418

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Edward R. Shaman, MD
979 Graham Drive
Suite D
Tomball, Texas 77375

RE: MUR 1954
Edward R. Shaman, MD

Dear Dr. Shaman:

This is to advise you that after an investigation was conducted, the Commission concluded on , 1986, that there is no probable cause to believe that you violated the Act. Accordingly the file in this matter, numbered MUR 1954, has been closed as it pertains to you. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

8604061418 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Peggy Somermeyer, Esquire
Schultz & Somermeyer
1717 Woodstead Court
Suite 104
The Woodlands, Texas 77380

RE: MUR 1954
Navarro Crowson

Dear Ms. Somermeyer:

This is to advise you that after an investigation was conducted, the Commission concluded on , 1986, that there is no probable cause to believe that your client violated the Act. Accordingly the file in this matter, numbered MUR 1954, has been closed as it pertains to your client. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Don R. Redd, Esquire
25211 Grogan's Mill Road
Suite 378
The Woodland, Texas 77380

2K RW

RE: MUR 1954
Maple Avery, Alf Barnes,
Thomas Cox, James Hasenzahl,
R. Douglas Leonhard, John
Wiesner and Randall Woods

Dear Mr. Redd:

This is to advise you that after an investigation was conducted, the Commission concluded on , 1986, that there is no probable cause to believe that your clients violated the Act. Accordingly the file in this matter, numbered MUR 1954, has been closed as it pertains to your clients. This finding does not apply to another individual you are representing in this matter, Joseph Turner. This matter will become part of the public record within 30 days, after it has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within 10 days. The Commission reminds you, however, that the confidentiality provisions of 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) remain in effect until the entire matter has been closed. The Commission will notify you when the entire file has been closed.

If you have any questions, contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

8604061418 4

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee, et al.	)	MUR 1954
	)	

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of Arpil 15, 1986, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1954:

1. Find probable cause to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f).

2. Find no probable cause to believe that the following persons violated 2 U.S.C. § 441a(a)(1)(A): Maple Avery, Alf Barnes, Thomas Cox, Navarro Crowson, James Hasenzahl, Steven Holditch, R. Douglas Leonhard, George Mitchell, Edward Shaman, John Wiesner, and Randall Woods.

8604061415

4. Approve the letters attached to the General Counsel's report dated April 1, 1986.

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

Attest:

4-16-86
Date

Marjorie W. Emmons
Secretary of the Commission

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RECEIVED SENSITIVE
BEFORE THE FEDERAL ELECTION COMMISSION OF THE FEC
COMMISSION SECRETARY
EXECUTIVE SESSION
86 APR 3 A9:41
APR 15 1986

In the Matter of	)	
	)	
Max Hoyt Congressional Committee	)	
Alan Phelps, treasurer	)	
Maple Avery	)	
Alf Barnes	)	
Thomas Cox	)	
Navarro Crowson	)	
James Hasenzahl	)	MUR 1954
Steven Holditch	)	
R. Douglas Leonhard	)	
George Mitchell	)	
Edward Shaman	)	
John Wiesner	)	
Randall Woods	)	

GENERAL COUNSEL'S REPORT

I. BACKGROUND

The 1984 amended April Quarterly report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 Republican primary election in the sixth congressional district of Texas. The report disclosed that the loan was guaranteed in its entirety by one individual, Joseph Turner. Additionally, the Committee's April Quarterly report disclosed a $500 contribution from Joseph Turner, designated for the primary election. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f), by accepting an excessive contribution from Joseph Turner.

Additionally, the 1984 amended 12 Day Run-off report filed with the Commission by the Committee disclosed a $50,000 loan to

8604041487

the candidate from Montgomery County Bank, designated for the 1984 run-off election. As disclosed on the Committee's report, Maple Avery, Alf Barnes, Thomas Cox, Navarro Crowson, James Hasenzahl, Steven Holditch, R. Douglas Leonhard, George Mitchell, Edward Shaman, John Wiesner and Randall Woods personally guaranteed varying amounts of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that these individuals violated 2 U.S.C. § 441a(a)(1)(A), by making excessive contributions to the Committee in the form of loan guarantees.

The General Counsel's brief recommending a finding of probable cause to believe a violation of 2 U.S.C. § 441a(f) occurred, was mailed to the Committee on December 20, 1985. The Committee requested and received an extension of time to file a response brief. On February 19, 1986, the Committee's brief was received by the Office of General Counsel.

Also on December 20, 1985, General Counsel's briefs recommending findings of no probable cause were mailed to the above-mentioned individuals.

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II. LEGAL ANALYSIS

Committee

For the legal analysis of this matter, the General Counsel's Office relies chiefly upon its brief dated December 17, 1985. The response brief submitted by candidate Max Hoyt reiterates the contentions made by the Committee throughout the course of this matter. Respondents do not dispute either the facts or the law. The Committee does not deny that 2 U.S.C. § 441a(f) was violated. However, the Committee does reiterate that any violation was unintentional.

In light of the fact that the Committee does not dispute that it accepted excessive contributions totalling $49,500 from Joseph Turner, the Office of General Counsel recommends that the Commission find probable cause to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f).

Individual Respondents

With respect to Joseph Turner, a brief was mailed to Mr. Turner's counsel on March 20, 1986. Following receipt of Mr. Turner's response, this office will make a further report to the Commission.

With respect to the remaining individuals, the Office of General Counsel relies primarily upon its briefs dated December 17, 1985. A response brief was received from only one of the eleven individuals, George Mitchell, which concurs with the General Counsel's recommendation of no probable cause to believe Mr. Mitchell violated 2 U.S.C. § 441a(a)(1)(A). The other respondents did not file response briefs.

As discussed in the applicable General Counsel's briefs, the loan guarantees executed by respondents for the run-off loan, although reported by the Committee, were never delivered to the bank, therefore never becoming legally valid. Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Maple Avery, Alf Barnes, Thomas Cox, Navarro Crowson, James Hasenzahl, Steven Holditch,

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R. Douglas Leonhard, George Mitchell, Edward Shaman, John Wiesner and Randall Woods violated 2 U.S.C. § 441a(a)(1)(A).

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IV. RECOMMENDATIONS

The Office of General Counsel recommends that the Commission:

1. Find probable cause to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f).

2. Find no probable cause to believe that the following persons violated 2 U.S.C. § 441a(a)(1)(A):

   Maple Avery
   Alf Barnes
   Thomas Cox
   Navarro Crowson
   James Hasenzahl
   Steven Holditch
   R. Douglas Leonhard
   George Mitchell
   Edward Shaman
   John Wiesner
   Randall Woods

3. Approve the attached conciliation agreement.

4. Approve the attached letters.

1 April 1986
Date

BY: Charles N. Steele
General Counsel

Attachments
1. Conciliation agreement
2. Letters

8604061419

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 20, 1986

Don Redd, Esquire
25211 Grogan's Mill Road
Suite 375
The Woodlands, Texas 77380

RE: MUR 1954
Joseph Turner

Dear Mr. Redd:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that your client had violated 2 U.S.C. § 441a(a)(1)(A), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your clients position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days. All requests for extension of time must be submitted 5 days prior to the due date and must be in writing. Further, good cause must be shown.

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A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

8604061493

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Joseph Turner) MUR 1954
)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On March 20, 1985, the Federal Election Commission ("Commission") determined there is reason to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to the Max Hoyt Congressional Committee ("Committee"). Specifically, Joseph Turner guaranteed the entire amount of a $50,000 bank loan to the Committee which was designated for the 1984 Republican primary election in the sixth congressional district of Texas and additionally made a $500 direct contribution to the Committee, also designated for the primary election.

By letter dated April 12, 1985, counsel for Mr. Turner responded to the Commission's reason to believe determinations and requested to enter into conciliation discussions prior to a finding of probable cause to believe. However, because the Commission lacked all the necessary information to adequately conciliate this matter, the Commission declined, at that time, to enter into pre-probable cause conciliation, and instead, authorized a subpoena to produce requested documents. On September 16, 1985, a response to the subpoena was received from Mr. Turner's counsel. Counsel, in telephone conversations with the Office of General Counsel, renewed his client's request

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to conciliate this matter prior to a finding of probable cause to believe.

On December 17, 1985, the Commission voted to enter into conciliation with respondent prior to a finding of probable cause to believe that a violation occurred. Despite being contacted by the General Counsel's Office and indicating a further willingness to conciliate, counsel for Mr. Turner has failed to respond in substance to the proposed conciliation agreement.

II. LEGAL ANALYSIS

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

In January, 1984, Joseph Turner guaranteed the entire amount of a $50,000 loan to candidate Max Hoyt for the primary election. A ledger sheet submitted by the treasurer of the Max Hoyt Congressional Committee lists Mr. Turner as a co-signer of the loan note. A letter from the Committee's treasurer to Mr. Turner's attorney indicates that the loan note was guaranteed by Mr. Turner and reported as such on the Committee's amended April

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Quarterly report. Finally, the Committee submitted a copy of a computer print-out concerning the loan, obtained from the lender, which lists Joseph Turner as guarantor.

Respondent does not dispute that the loan guarantee he executed in January, 1984, was excessive. However, respondent claims to have not been aware that the guarantee was considered a campaign contribution and to have no intent to violate the Act.

Additionally, respondent indicated that once the Committee discovered the excessive nature of the loan guarantee, it obtained and delivered to the lender over fifty new guarantee agreements to replace Mr. Turner as guarantor, thus complying with the Act. These guarantors were reported to the Commission on the Committee's second amended April Quarterly report, and copies of the guarantee agreements were submitted to the Commission in response to its subpoena.

The new guarantees were delivered to the lender on or about June 1, 1984. Therefore, Mr. Turner's excessive loan guarantee was outstanding for a period of approximately four months. The evidence adduced during the Office of General Counsel's investigation indicates that Joseph Turner made contributions to the Committee for the 1984 primary election in the form of a $50,000 loan guarantee and a $500 direct contribution, resulting in an excessive amount of $49,500. Accordingly, the Office of General Counsel recommends that the Commission find probable cause to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A).

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III. GENERAL COUNSEL'S RECOMMENDATIONS

The Office of General Counsel recommends that the Commission:

1. Find probable cause to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A).

20 March 1986
Date

Charles N. Steele

8604061417

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

86 MAR 21 A9:03

SENSITIVE

March 21, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR 1954

Attached for the Commission's review is a brief stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. A copy of this brief and a letter notifying the respondent of the General Counsel's intent to recommend to the Commission finding of probable cause to believe were mailed on March 20, 1986. Following receipt of the respondent's reply to this notice, this Office will make a further report to the Commission.

Attachments
1. Brief
2. Letter to Respondent

8604061498

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

March 20, 1986

Don Redd, Esquire
25211 Grogan's Mill Road
Suite 375
The Woodlands, Texas 77380

RE: MUR 1954
Joseph Turner

Dear Mr. Redd:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that your client had violated 2 U.S.C. § 441a(a)(1)(A), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your clients position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days. All requests for extension of time must be submitted 5 days prior to the due date and must be in writing. Further, good cause must be shown.

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A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)376-5690.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Joseph Turner) MUR 1954
)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

On March 20, 1985, the Federal Election Commission ("Commission") determined there is reason to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to the Max Hoyt Congressional Committee ("Committee"). Specifically, Joseph Turner guaranteed the entire amount of a $50,000 bank loan to the Committee which was designated for the 1984 Republican primary election in the sixth congressional district of Texas and additionally made a $500 direct contribution to the Committee, also designated for the primary election.

By letter dated April 12, 1985, counsel for Mr. Turner responded to the Commission's reason to believe determinations and requested to enter into conciliation discussions prior to a finding of probable cause to believe. However, because the Commission lacked all the necessary information to adequately conciliate this matter, the Commission declined, at that time, to enter into pre-probable cause conciliation, and instead, authorized a subpoena to produce requested documents. On September 16, 1985, a response to the subpoena was received from Mr. Turner's counsel. Counsel, in telephone conversations with the Office of General Counsel, renewed his client's request

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to conciliate this matter prior to a finding of probable cause to believe.

On December 17, 1985, the Commission voted to enter into conciliation with respondent prior to a finding of probable cause to believe that a violation occurred. Despite being contacted by the General Counsel's Office and indicating a further willingness to conciliate, counsel for Mr. Turner has failed to respond in substance to the proposed conciliation agreement.

II. LEGAL ANALYSIS

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

In January, 1984, Joseph Turner guaranteed the entire amount of a $50,000 loan to candidate Max Hoyt for the primary election. A ledger sheet submitted by the treasurer of the Max Hoyt Congressional Committee lists Mr. Turner as a co-signer of the loan note. A letter from the Committee's treasurer to Mr. Turner's attorney indicates that the loan note was guaranteed by Mr. Turner and reported as such on the Committee's amended April

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Quarterly report. Finally, the Committee submitted a copy of a computer print-out concerning the loan, obtained from the lender, which lists Joseph Turner as guarantor.

Respondent does not dispute that the loan guarantee he executed in January, 1984, was excessive. However, respondent claims to have not been aware that the guarantee was considered a campaign contribution and to have no intent to violate the Act.

Additionally, respondent indicated that once the Committee discovered the excessive nature of the loan guarantee, it obtained and delivered to the lender over fifty new guarantee agreements to replace Mr. Turner as guarantor, thus complying with the Act. These guarantors were reported to the Commission on the Committee's second amended April Quarterly report, and copies of the guarantee agreements were submitted to the Commission in response to its subpoena.

The new guarantees were delivered to the lender on or about June 1, 1984. Therefore, Mr. Turner's excessive loan guarantee was outstanding for a period of approximately four months. The evidence adduced during the Office of General Counsel's investigation indicates that Joseph Turner made contributions to the Committee for the 1984 primary election in the form of a $50,000 loan guarantee and a $500 direct contribution, resulting in an excessive amount of $49,500. Accordingly, the Office of General Counsel recommends that the Commission find probable cause to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A).

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III. GENERAL COUNSEL'S RECOMMENDATIONS

The Office of General Counsel recommends that the Commission:

1. Find probable cause to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A).

20 March 1986
Date

Charles N. Steele

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RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
)
Joseph Turner)

MUR 1954

96 MAR 11 A9:46

GENERAL COUNSEL'S REPORT

The Office of General Counsel is prepared to close the investigation in this matter as to Joseph Turner, based on the assessment of the information presently available.

14 March 1996
Date

Charles N. Steele
General Counsel

8604051420 5

OGC Docket

BEFORE THE FEDERAL ELECTION COMMISSION

SENSITIVE

In the Matter of)
) MUR 1954
Joseph Turner)

88 MAR 11 A9:46

GENERAL COUNSEL'S REPORT

The Office of General Counsel is prepared to close the investigation in this matter as to Joseph Turner, based on the assessment of the information presently available.

14 March 1988
Date

Charles N. Steele
General Counsel

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RECEIVED AT THE FEC
86 FEB 18 A10:46

PHELPS ADAMS & COMPANY

86 FEB 19 A9:50
RECEIVED
OFFICE OF THE
GENERAL COUNSEL

February 12, 1986

Mr. Eric Kleinfeld
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Kleinfeld:

Attached find a brief from Max Hoyt, a copy of a letter previously written to Mr. Hoyt's attorney regarding occurances in the Max Hoyt Congressional Committee and a copy of the Committee's latest report.

As we indicated in earlier conversations, Mr. Hoyt has had to seek protection under Chapter 7 of the Bankruptcy Code and is financially destitute. We sincerely hope you bear this in mind in considering any action aginst his Committee or Max Hoyt himself.

Sincerely,

Alan A. Phelps,
Treasurer

AAP/sh

Attachments

86040514207

Certified Public Accountants

MAILING ADDRESS
Post Office Box 7786
The Woodlands, Texas 77387

THE WOODLANDS OFFICES
713/367-0084 or 292-5523
5 Grogan's Park Drive, Suite 105
The Woodlands, Texas 77380

CONROE OFFICES
409/756-0030
2040 Loop 336 West, Suite 120
Conroe, Texas 77304

8604061 4208

February 12, 1986

Federal Election Commission
Washington, D.C. 20463

Gentlemen:

Your investigation into the campaign finances of The Max Hoyt Congressional Campaign is now well over a year old. You have a voluminous file on this matter which includes letters, memorandum of record, telephone calls and communications from bankers and lawyers. If desired you can also add an affidavit from The Bankruptcy Court which should close your investigation.

I have written previously to tell you that any violations were unintentional and without malice. Even today there is no change from that position.

The major concern, as I understand it, is the loan(s) totaling approximately $100,000 made by me from The Montgomery County Bank and cosigned by my friend, Joseph V. Turner. At the outset it was my intention to borrow the money myself and loan it to the campaign as needed. I was guilty of not spending enough time fundraising, but then, I don't like to ask others for money. Knowing that after being elected funds are readily available from party regulars and PAC's to pay off debt. That is what I expected to do also. I was willing to use my credit to accomplish that goal.

In Texas, one cannot borrow against the equity in his home. My major collateral was the equity in my home and some stock due from my former employer. Joe Turner offered to cosign as our two signatures were adequate to secure loan approval from the bank. We were and are well known responsible businessmen in Montgomery County. There was no intent to violate any contribution limits as the loan was considered my personal debt.

When we were challenged by my opponent regarding the campaign finance, we sought 100 guarantors who assumed debt of $1,000 each to bring the loan into guidelines of contributions. I believe there were more than 100 who stepped forward to help.

The bottom line is that an attempt to seek a seat in the U. S. Congress cost me a fortune personally and has caused unnecessary hardship and embarrassment to me and my friends. We speak of getting more people involved in government but this is the kind of experience that causes people to get out of politics.

I sincerely hope you can now bring to a conclusion the investigation into my campaign finances. You may conclude that mistakes were made. You may also choose to levy a fine, but, you need to know that I can no longer afford legal fees nor fines and can only refer such to the court appointed trustee.

Sincerely,

Max Hoyt

MH/sh

8604061420 9

PHELPS ADAMS & COMPANY

April 2, 1985

Mr. Don Redd, Attorney
First National Bank Building
25211 Grogan's Mill Road, Suite 375
The Woodlands, Texas 77380

Dear Don:

Following is a close approximation of the events surrounding the loans to the Max Hoyt Campaign that are in question.

Sometime in January 1984 Max personally borrowed $50,000 from Montgomery County Bank. Max put this money in his personal money market account at the Woodlands National Bank. Joe Turner endorsed (guaranteed?) (co-signed?) this note.

The money was then loaned to the Campaign Fund as the need dictated. When I filed the FEC report for the period January 1, 1984 through March 31, 1984 I reported this as a loan from Max as I was told it was.

During the period April 16 through May 12, 1984 Max borrowed another $50,000 from Montgomery Bank which was endorsed by others. (See following paragraph.) This money was reflected on the FEC reports as loans from Max as they were again deposited from Max's personal account as needed.

I was not aware that the funds from Max were anything but personal funds until approximately May 25th or May 28th, 1984.

I believe this was brought to our attention by the Joe Barton Campaign. They had asked Max where his money came from during a debate and he told them he borrowed at the bank, which we had not reported.

On May 29, 1984 we filed an amended FEC report for January 1 through March 31, 1984 showing the following endorsers or guarantors:

Joe Turner $45,500
(The original amount was $50,000 but only $45,500 had been put in the Campaign account at March 31, 1984.)

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Certified Public Accountants

MAILING ADDRESS
Post Office Box 7786
The Woodlands, Texas 77387

THE WOODLANDS OFFICES
713/367-0084 or 292-5523
Woodlands National Bank Building
The Woodlands, Texas 77380

CONROE OFFICES
409/756-0030
2040 Loop 336 West, Suite 120
Conroe, Texas 77304

On May 29th we also amended the April 16th through May 12, 1984 report to reflect another $50,000 that was loaned to Max and endorsed or guaranteed by the following:

John Weisner	$2,000
Randall Woods	2,500
Navarrow Carowson	5,000
James Hasenzahl	5,000
Steven Holditch	5,000
Edward Shaman, M.D.	5,000
Thomas Cox	5,000
Joseph Turner	5,000
Maple Avery, M.D.	5,000
R. Douglas Leonhard	5,000
George Mitchell	2,500
Alf Barnes	2,500

On approximately May 30, 1984, we learned that the above loans could (or would be) construed as campaign contributions and therefore, subject to the $1,000 limitation.

On May 30th and 31st and the morning of June 1, 1984, over 100 endorsements (guarantees) were acquired from various Max Hoyt supporters to remove and replace the original guarantors (endorsers) to eliminate the possibility of having illegal campaign contributions prior to the election of June 2, 1984.

Amended reports were filed the evening of June 1, 1984 reflecting all the new guarantors (endorsers?) on the two notes to Max from Montgomery County Bank.

I believe this is a reasonable accurate approximation of what occurred.

Yours very truly,

PHELPS, ADAMS & COMPANY

Alan A. Phelps
Treasurer

AAP/sh

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PHELPS ADAMS & COMPANY

FEC
MUR #1954
86 JAN 22 P12:53

January 13, 1986

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
86 JAN 22 P3:27

Mr. Eric Kleinfeld
Federal Election Commission
Washington, D.C. 20463

Re: MUR 1954 Max Hoyt Congressional Committee

Dear Mr. Kleinfeld:

The letter from General Counsel, Charles N. Steel, dated December 20, 1985 was delivered to my office on January 9, 1986 by Mrs. Max Hoyt. Consequently, we will need additional time to submit a brief and are hereby requesting an additional 20 days to do so.

For your information we have enclosed a copy of a letter mailed to Ms. Linda Tangney on December 31, 1985 regarding the status of the Hoyt committee and Mr. Hoyt.

Sincerely,

Alan A. Phelps,
Treasurer

AAP/sh

Enclosure

8604051421 2

Certified Public Accountants

MAILING ADDRESS
Post Office Box 7750
The Woodlands, Texas 77387

THE WOODLANDS OFFICE
713/367-3784 or 363-1523
Lexington Park Drive, Suite 103
The Woodlands, Texas 77380

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 23, 1986

Alan A. Phelps, treasurer
Max Hoyt Congressional Committee
P.O. Box 7786
The Woodlands, Texas 77387

Re: MUR 1954
Max Hoyt Congressional Committee and Alan A. Phelps, treasurer

Dear Mr. Phelps:

This is in reference to your letter dated January 13, 1986, requesting an extension of 20 days to respond to the General Counsel's Brief. The Commission has determined to grant you your requested extension. Accordingly, your response will be due on February 13, 1986.

If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

8604061421 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

January 23, 1986

Alan A. Phelps, treasurer
Max Hoyt Congressional Committee
P.O. Box 7786
The Woodlands, Texas 77387

Re: MUR 1954
Max Hoyt Congressional Committee and Alan A. Phelps, treasurer

Dear Mr. Phelps:

This is in reference to your letter dated January 13, 1986, requesting an extension of 20 days to respond to the General Counsel's Brief. The Commission has determined to grant you your requested extension. Accordingly, your response will be due on February 13, 1986.

If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

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PHELPS ADAMS & COMPANY

January 13, 1986

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
86 JAN 22 P3:27

Mr. Eric Kleinfeld
Federal Election Commission
Washington, D.C. 20403

Re: MUR 1954 Max Hoyt Congressional Committee

Dear Mr. Kleinfeld:

The letter from General Counsel, Charles N. Steel, dated December 20, 1985 was delivered to my office on January 9, 1986 by Mrs. Max Hoyt. Consequently, we will need additional time to submit a brief and are hereby requesting an additional 20 days to do so.

For your information we have enclosed a copy of a letter mailed to Ms. Linda Tangney on December 31, 1985 regarding the status of the Hoyt committee and Mr. Hoyt.

Sincerely,

Alan A. Phelps,
Treasurer

AAP/sh

Enclosure

8604061421 5

Certified Public Accountants

MAILING ADDRESS
Post Office Box 7786
The Woodlands, Texas 77387

THE WOODLANDS OFFICES
713/367-0084 or 292-5523
5 Grogan's Park Drive, Suite 105
The Woodlands, Texas 77380

CONROE OFFICES
409/756-0030
2040 Loop 336 West, Suite 120
Conroe, Texas 77304

PHELPS · ADAMS & COMPANY

December 31, 1985

Ms. Linda Tangney
Federal Election Commission
999 E. Street N.W.
Washington, D.C. 20462

Re: Max Hoyt Congressional Committee Report of 6/30/85

Dear Ms. Tangney:

I apologize for the delay in responding to your October 29, 1985 inquiry. As I informed you over the telephone I believe we could communicate better if you would use my address as opposed to Mr. Hoyt's, as he has moved at least once in the last few months.

In response to your questions, I acknowledge that I failed to include schedule B showing the loan repayment by the individuals who paid off their share of the note at Montgomery County Bank, they are listed on schedule A. The note at Montgomery County Bank has not been renegotiated. The note was called and the individual guarantors had paid the balance down to $60,843.64 at June 30, 1985.

Within the last sixty days the situation with the Montgomery County Bank note has been further complicated by several developments:

- The bank sued Max Hoyt for the outstanding balance of the loan it could not collect from guarantors ($18,000 - $20,000, I believe.)
- Other creditors sued Max Hoyt (campaign and personal creditors)
- Mr. Hoyt took protection under Chapter 13 of the bankruptcy law.
- Mr. Hoyt lost his job.

As you can readily see the situation is tragic and complicated and I will be looking to your office for assistance in filing the 7/1-12/31/85 report.

Sincerely,

Original signed by
ALAN A. PHELPS

Alan A. Phelps,
Campaign Treasurer

AAP/sh

R 6040514216

Certified Public Accountants

MAILING ADDRESS
Post Office Box 7786
The Woodlands, Texas 77387

THE WOODLANDS OFFICES
713/367-0084 or 292-5523
5 Grogan's Park Drive, Suite 105
The Woodlands, Texas 77380

CONROE OFFICES
409/756-0030
2040 Loop 336 West, Suite 120
Conroe, Texas 77304

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96 JAN22 P12:53

PHELPS ADAMS & COMPANY

Certified Public Accountants
Post Office Box 7786
The Woodlands, Texas 77387

TO: Mr. Eric Kleinfeld
Federal Election Commission
Washington, D.C. 20403

FIRST CLASS

CERTIFIED
P 269 344 143
MAIL

DAVID BUNGARDNER
Attorney-at-Law
2002 Timberloch, Suite 534
The Woodlands, Texas 77380
(713) 363-5676

10 AM : 30

January 6, 1986

Federal Election Commission
Washington, D. C. 20463

Attention: Secretary of the Commission

Re: MUR 1954 - George Mitchell

Gentlemen:

Enclosed are ten copies of Respondent's Brief in connection with the above-referenced matter.

Yours very truly,

David Bungardner
Attorney-at-Law

Enclosures

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GDB/csc/2BBRIEF/1-6-86

BEFORE THE FEDERAL ELECTION COMMISSION

'86 JAN 10 A10:30

In the Matter of	$	
	$	MUR 1954
George Mitchell	$	

RESPONDENT'S BRIEF

Respondent generally concurs with the statement of the case and legal analysis as set forth in the General Counsel's Brief dated December 17, 1985, submitted in connection with the above-referenced matter, and further concurs with the General Counsel's recommendation that the Commission find no probable cause to believe that George Mitchell violated 2 U.S.C. § 441a(a)(1)(A).

(Date)

G. David Bumgardner
Attorney for Respondent,
George Mitchell

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RECEIVED AT THE FEC
C&C 4451
86 JAN 15 P2:

DAVID BUMGARDNER
Attorney-at-Law
2002 Timberloch, Suite 534
The Woodlands, Texas 77380
(713) 363-5676

January 6, 1986

Federal Election Commission
Washington, D. C. 20463

Attention: Mr. Charles N. Steele
General Counsel

Re: MUR 1954 - George Mitchell

86 JAN 15 P3:27
RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Gentlemen:

Pursuant to your letter of December 20, 1985, enclosed are three copies of Respondent's Brief filed with the Commission in connection with the above-referenced matter.

As indicated in the enclosed Brief, we generally concur with the statement of the case and legal analysis as set forth in the General Counsel's Brief.

Your statement of the case refers to a report filed with the Federal Election Commission by the Max Hoyt Congressional Committee indicating that George Mitchell personally guaranteed $5,000.00 of a $50,000.00 loan. The only guarantee of which we are aware was in the amount of $2,500.00; however, we do not consider this to be a material issue since, as indicated by your legal analysis, apparently no guarantees by Mr. Mitchell in any amount were ever delivered to the Bank.

If you need any additional information regarding this matter, please let us know.

Yours very truly,

David Bumgardner
Attorney-at-Law

Enclosures

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GDB/csc/2BBRIEF/1-[illegible]86

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	§	
	§	MUR 1954
George Mitchell	§	

RESPONDENT'S BRIEF

Respondent generally concurs with the statement of the case and legal analysis as set forth in the General Counsel's Brief dated December 17, 1985, submitted in connection with the above-referenced matter, and further concurs with the General Counsel's recommendation that the Commission find no probable cause to believe that George Mitchell violated 2 U.S.C. § 441a(a)(1)(A).

January 6, 1986
(Date)

G. David Bumgardner
Attorney for Respondent,
George Mitchell

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Federal Election Commission
Washington, D. C. 20463
Attention: Mr. Charles N. Steele
General Counsel

85 JAN 15 P12:06

OGM 6077

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 27, 1985

Don R. Redd, Esquire
25211 Grogan's Mill Road
Suite 375
The Woodlands, Texas 77380

RE: MUR 1954
Joseph Turner

Dear Mr. Redd:

On March 20, 1985, the Commission found reason to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A). At your request, the Commission determined on December 17, 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your client agrees with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Eric Kleinfeld, the attorney assigned to this matter at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure

R 6040614223

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Don R. Redd, Esquire
25211 Grogan's Mill Road
Suite 375
The Woodlands, Texas 77380

RE: MUR 1954
Joseph Turner

Dear Mr. Redd:

On March 20, 1985, the Commission found reason to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A). At your request, the Commission determined on December 17, 1985, to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If your client agrees with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations, prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible. If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Eric Kleinfeld, the attorney assigned to this matter at (202) 376-5690.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure

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BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

In the Matter of)
)
Joseph Turner) MUR 1954
)
)

85 DEC 5 P12:20

GENERAL COUNSEL'S REPORT

SENSITIVE

I. BACKGROUND

On March 20, 1985, the Federal Election Commission ("Commission") determined there is reason to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to the Max Hoyt Congressional Committee ("Committee"). Specifically, Joseph Turner guaranteed the entire amount of a $50,000 bank loan to the Committee which was designated for the 1984 Republican primary election in the sixth congressional district of Texas and additionally made a $500 direct contribution to the Committee, also designated for the primary election.

By letter dated April 12, 1985, counsel for Mr. Turner responded to the Commission's reason to believe determinations and requested to enter into conciliation discussions prior to a finding of probable cause to believe. However, because the Commission lacked all the necessary information to adequately conciliate this matter, the Commission declined, at that time, to enter into pre-probable cause conciliation, and instead, authorized a subpoena to produce requested documents. On September 16, 1985, a response to the subpoena was received from Mr. Turner's counsel. Counsel, in telephone conversations with the Office of General Counsel, has renewed his client's request

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to conciliate this matter prior to a finding of probable cause to believe.

II. LEGAL ANALYSIS

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

Respondent does not dispute the making or the excessive nature of the loan guarantee executed in January, 1984. However, respondent claims to have not been aware that the guarantee was considered a campaign contribution and to have no intent to violate the Act.

Additionally, respondent indicates that once the Committee discovered the excessive nature of the loan guarantee, it obtained and delivered to the lender over fifty new guarantee agreements to replace Mr. Turner as guarantor and achieve compliance with the Act. These guarantors were reported to the Commission on the Committee's second amended April Quarterly report, and copies of the guarantee agreements were submitted to the Commission in response to its subpoena.

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The new guarantees were delivered to the lender on or about June 1, 1984. Therefore Mr. Turner's excessive loan guarantee was outstanding for a period of approximately four months. In light of the fact that the Committee attempted to rectify the violation upon its discovery and was able to obtain a sufficient number of guarantors, plus Mr. Turner's claim to have no intent to violate the Act, the Office of General Counsel recommends that the Commission enter into pre-probable cause conciliation with Joseph Turner.

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IV. RECOMMENDATIONS

The Office of General Counsel recommends that the Commission:

1. Enter into conciliation with Joseph Turner prior to a findng of probable cause to believe.

2. Approve the attached proposed conciliation agreement.

3. Approve the attached letter.

Charles N. Steele
General Counsel

December 4, 1985
Date

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

Attachments
1. Proposed conciliation agreement (1)
2. Proposed letter (1)

R 6 0 4 0 6 1 4 2 2 8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 1954
Joseph Turner)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of December 17, 1985, do hereby certify that the Commission decided by a vote of 6-0 to take the following actions in MUR 1954:

3. Approve the letter attached to the General Counsel's report dated December 4, 1985.

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

Attest:

12-18-85
Date

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

R 6040614229

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

Don R. Redd, Esquire
25211 Grogan's Mill Road
Suite 375
The Woodlands, Texas 77380

RE: MUR 1954
Maple Avery, Alf Barnes,
Thomas Cox, James Hasenzahl,
Douglas Leonhard, John
Wiesner and Randall Woods

Dear Mr. Redd:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that your clients had violated 2 U.S.C. § 441a(a)(1)(A), a provision of Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review are briefs stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your client's position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

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Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles M. Oberly
General Counsel

Enclosure
Briefs

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Maple Avery) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Maple Avery ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Maple Avery violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Maple Avery violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Maple Avery violated 2 U.S.C. § 441a(a)(1)(A).

17 December 1985
Date

Charles N. Steele
General Counsel

8604061 4235

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Alf Barnes) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Alf Barnes ("respondent") personally guaranteed $2,500 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Alf Barnes violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Alf Barnes violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Alf Barnes violated 2 U.S.C. § 441a(a)(1)(A).

17 December 1987
Date

Charles N. Steele
General Counsel

8604061142239

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Thomas Cox) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Thomas Cox ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Thomas Cox violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Thomas Cox violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Thomas Cox violated 2 U.S.C. § 441a(a)(1)(A).

17 December 1985
Date

Charles N. Steele
General Counsel

8604051424 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
James Hasenzahl) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that James Hasenzahl ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that James Hasenzahl violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that James Hasenzahl violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that James Hasenzahl violated 2 U.S.C. § 441a(a)(1)(A).

17 December 1987
Date

Charles N. Steele
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Douglas Leonhard) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Douglas Leonhard ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Douglas Leonhard violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Douglas Leonhard violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Douglas Leonhard violated 2 U.S.C. § 441a(a)(1)(A).

11 December 1987
Date

Charles N. Steele
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
John Wiesner) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that John Wiesner ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that John Wiesner violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that John Wiesner violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that John Wiesner violated 2 U.S.C. § 441a(a)(1)(A).

17 December 1986
Date

Charles N. Steele
General Counsel

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Randall Woods) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Randall Woods ("respondent") personally guaranteed $2,500 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Randall Woods violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Randall Woods violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Randall Woods violated 2 U.S.C. § 441a(a)(1)(A).

17 December 1987
Date

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

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OFFICE OF THE FEC
COMMISSION SECRETARY
85 DEC 23 P5:12

SENSITIVE

December 23, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR # 1954

Attached for the Commission's review are the briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. Copies of these briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission findings of probable cause and no probable cause to believe were mailed on December 20, 1985. Following receipt of the Respondents' replies to this notice, this Office will make a further report to the Commission.

Attachments
1. Briefs
2. Letters to Respondents

8604051426O

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

Edward R. Shaman, M.D.
929 Graham Drive
Suite D
Tomball, Texas 77375

RE: MUR 1954
Edward R. Shaman

Dear Mr. Shaman:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

8604051426 1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Edward Shaman) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Edward Shaman ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Edward Shaman violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Edward Shaman violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Edward Shaman violated 2 U.S.C. § 441a(a)(1)(A).

13 December 1985
Date

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

Steven Holditch
8600 Rosewood
College Station, Texas 77840

RE: MUR 1954
Steven Holditch

Dear Mr. Holditch:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

R5040514266

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Steven Holditch) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Steven Holditch ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Steven Holditch violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

8604042567

Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Steven Holditch violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Steven Holditch violated 2 U.S.C. § 441a(a)(1)(A).

17 December 1987
Date

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

David Bumgardner, Esquire
2002 Timberloch
Suite 534
The Woodlands, Texas 77380

RE: MUR 1954
George Mitchell

Dear Mr. Bumgardner:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that your client had violated 2 U.S.C. § 441a(a)(1)(A), a provision of Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your client's position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
George Mitchell) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that George Mitchell ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that George Mitchell violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that George Mitchell violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that George Mitchell violated 2 U.S.C. § 441a(a)(1)(A).

17 December 1985
Date

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

Peggy Somermeyer, Esquire
Schulze & Somermeyer
1717 Woodstead Court
Suite 104
The Woodlands, Texas 77380

RE: MUR 1954
Navarro Crowson

Dear Ms. Somermeyer:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that your client had violated 2 U.S.C. § 441a(a)(1)(A), a provision of Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your client's position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Navarro Crowson) MUR 1934

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Navarro Crowson ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Navarro Crowson violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Navarro Crowson violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Navarro Crowson violated 2 U.S.C. § 441a(a)(1)(A).

12 Dec. Dec 1995
Date

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

Alan Phelps, treasurer
Max Hoyt Congressional Committee
10600 Six Pines Drive #515
The Woodlands, Texas 77380

RE: MUR 1954
Max Hoyt Congressional Committee
Alan Phelps, treasurer

Dear Mr. Phelps:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that the Max Hoyt Congressional Committee and you, as treasurer, had violated 2 U.S.C. § 441a(f), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

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Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles H. Steele
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional Committee) MUR 1954
Alan Phelps, treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

The 1984 amended April Quarterly report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 Republican primary election in the sixth congressional district of Texas. The report disclosed that the loan was guaranteed in its entirety by one individual, Joseph Turner. Additionally, the Committee's April Quarterly report disclosed a $500 contribution from Joseph Turner, designated for the primary election. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f), by accepting an excessive contribution from Joseph Turner in the form of a loan guarantee.

The Committee failed to respond to the Commission's reason to believe determnations. Subpoenas to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. LEGAL ANALYSIS

2 U.S.C. § 431(8)(A) provides that the term "contribution"

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includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

The Committee does not dispute the fact that in January 1984 Joseph Turner guaranteed the entire amount of a $50,000 loan to candidate Max Hoyt for the primary election. A ledger sheet submitted by the Committee's treasurer in response to the Commission's subpoena has Mr. Turner listed as a "co-signer" of the note. Additionally, a letter from the Committee's treasurer to Mr. Turner's attorney indicates that the note was guaranteed by Mr. Turner and reported as such on the Committee's amended April Quarterly report. Finally, the Committee submitted a copy of a computer print-out concerning the loan, apparently obtained from the Montgomery County Bank, which lists Joseph Turner as guarantor.

The Committee does contend, however, that only $45,500 of the loan proceeds went to pay for campaign expenses, with the remainder being used for the candidate's personal expenses.

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According to Advisory Opinions 1976-84 and 1978-40, any funds provided to a candidate for personal living expenses or subsistence are contributions to that candidate, unless the source of the money was the candidate's own personal funds. Under the definition of "personal funds" at 11 C.F.R. § 110.10(b), a candidate, in general, is expending campaign contributions rather than personal funds, unless the funds involved are assets to which he or she had legal and rightful title or the right of beneficial enjoyment at the time he or she became a candidate, or unless the funds are personal assets under § 110.10(b)(2). Because loans, whether for campaign purposes or for personal living expenses, cannot meet the test for personal funds, and are considered contributions under the Act's definition of contribution, any such loan proceeds are subject to the Act's limitations. Because the entire amount of the loan proceeds are subject to the Act's contribution limitations, it also follows that the entire amount of Mr. Turner's guarantee, which is included within the meaning of loan pursuant to 11 C.F.R. § 100.7(a)(1)(i), will also be subject to the Act's contribution limitations.

During May, 1984, the Committee apparently discovered the excessive nature of Mr. Turner's guarantee and on May 30 and 31, 1984, proceeded to obtain fifty-one new guarantors to replace Mr. Turner as the sole guarantor and to achieve compliance with the Federal Election Campaign Act of 1971, as amended ("Act"). This information was disclosed to the Commission on June 1, 1984 in a second amended April Quarterly report. Copies of these guarantee

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agreements were submitted by the Committee, along with copies of the Committee's ledger sheets listing the guarantors. Therefore, it appears that Mr. Turner's guarantee was in effect for a period of approximately four months.

The evidence produced during the Office of General Counsel's investigation indicates that the Committee accepted contributions from Joseph Turner for the 1984 primary election in the form of a $50,000 loan guarantee and a $500 direct contribution, resulting in an excessive amount of $49,500. Accordingly, the Office of General Counsel recommends that the Commission find probable cause to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 44la(f), by knowingly accepting $49,500 in excessive contributions from Joseph Turner.

III. GENERAL COUNSEL'S RECOMMENDATIONS

The Office of General Counsel recommends that the Commission find probable cause to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 44la(f).

17 December 1985
Date

Charles N. Steele
General Counsel

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OGC Docket

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

85 DEC 23 P5:12

December 23, 1985

MEMORANDUM

TO: The Commission

FROM: Charles N. Steele
General Counsel

SUBJECT: MUR # 1954

Attached for the Commission's review are the briefs stating the position of the General Counsel on the legal and factual issues of the above-captioned matter. Copies of these briefs and letters notifying the respondents of the General Counsel's intent to recommend to the Commission findings of probable cause and no probable cause to believe were mailed on December 20 , 1985. Following receipt of the Respondents' replies to this notice, this Office will make a further report to the Commission.

Attachments
1. Briefs
2. Letters to Respondents

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

Edward R. Shaman, M.D.
929 Graham Drive
Suite D
Tomball, Texas 77375

RE: MUR 1954
Edward R. Shaman

Dear Mr. Shaman:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Edward Shaman) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Edward Shaman ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Edward Shaman violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Edward Shaman violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Edward Shaman violated 2 U.S.C. § 441a(a)(1)(A).

13 December 1985
Date

Charles N. Steele
General Counsel

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

Steven Holditch
8600 Rosewood
College Station, Texas 77840

RE: MUR 1954
Steven Holditch

Dear Mr. Holditch:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that you had violated 2 U.S.C. § 441a(a)(1)(A), a provision of Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Steven Holditch) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Steven Holditch ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Steven Holditch violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Steven Holditch violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Steven Holditch violated 2 U.S.C. § 441a(a)(1)(A).

17 December 1987
Date

Charles N. Steele
General Counsel

8604051142297

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

David Bumgardner, Esquire
2002 Timberloch
Suite 534
The Woodlands, Texas 77380

RE: MUR 1954
George Mitchell

Dear Mr. Bumgardner:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that your client had violated 2 U.S.C. § 441a(a)(1)(A), a provision of Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your client's position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

R 6040514298

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
George Mitchell) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that George Mitchell ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that George Mitchell violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that George Mitchell violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that George Mitchell violated 2 U.S.C. § 441a(a)(1)(A).

17 December 1986
Date

Charles N. Steele
General Counsel

8604051430 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

Peggy Somermeyer, Esquire
Schulze & Somermeyer
1717 Woodstead Court
Suite 104
The Woodlands, Texas 77380

RE: MUR 1954
Navarro Crowson

Dear Ms. Somermeyer:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that your client had violated 2 U.S.C. § 441a(a)(1)(A), a provision of Federal Election Campaign Act of 1971, as amended ("the Act") and instituted an investigation of this matter.

After considering all the evidence available to the Commission, the Office of General Counsel is prepared to recommend that the Commission find no probable cause to believe that a violation has occurred. The Commission may or may not approve the General Counsel's Recommendation.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your client's position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you submit will be considered by the Commission before proceeding to a vote of no probable cause to believe a violation has occurred.

Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles N. Steele
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Navarro Crowson) MUR 1954

GENERAL COUNSEL'S BRIEF

I. Statement of the Case

The 1984 amended 12 Day Run-off report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 run-off election in the sixth congressional district of Texas. The report also disclosed that Navarro Crowson ("respondent") personally guaranteed $5,000 of the loan. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that Navarro Crowson violated 2 U.S.C. § 441a(a)(1)(A), by making an excessive contribution to the Committee in the form of a loan guarantee.

Supoenaes to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

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Pursuant to 11 C.F.R. § 100.7(a)(1)(i)(c), the loan guarantee or endorsement must be in writing:

> Each endorser or guarantor shall be deemed to have contributed that portion of the total amount of the loan for which he or she agreed to be liable in a written agreement. (emphasis added)

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

According to respondent, the $50,000 note executed by the candidate was originally to have been guaranteed by twelve individuals in amounts in excess of $1,000, through twelve separate written guarantee agreements. This information was reported by the Committee on its amended 12 Day Run-off prior to the actual execution of the guarantee agreements. While in the process of collecting the guarantees, the Committee discovered their apparent excessive nature due to the $1,000 limitation of 2 U.S.C. § 441a(a)(1)(A). As a result, the Committee obtained fifty-one guarantors, all of whom guaranteed a portion of the run-off loan within the contribution limitations of § 441a. These guarantors were disclosed to the Commission on the Committee's second amended 12 Day Run-off report.

Respondent argues that the excessive guarantees did not constitute contributions because they were never delivered to the bank and therefore never became legally operative. A letter from the Chief Executive Officer of the Montgomery County Bank to one

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of the respondents in this matter indicates that the bank never received the excessive guarantees and in that sense the loan note is misleading. */ Instead the bank only received those guarantees which complied with the contribution limitations of the Act. Copies of these guarantees were submitted by respondents.

The amount of a contribution made by a loan guarantor under the Commission's regulations is equal to the amount of the loan for which the guarantor agreed to be liable in writing. To become legally effective a guarantee must be delivered to the lender, otherwise it is nothing more than a non-binding promise. Hence, an undelivered loan guarantee would not be a contribution under the Act. From the evidence produced during the Office of General Counsel's investigation, it appears that no written agreements containing guarantees in excess of the contribution limitations were ever delivered to the Montgomery County Bank for the run-off loan. Only those guarantee in compliance with § 441a were delivered to the bank. This conclusion is supported by respondents' statements, copies of the guarantee agreements and the statement of the bank's Chief Executive Officer.

The Committee mistakenly reported the excessive guarantees to the Commission, without such guarantees ever becoming legally effective. However, when its error was discovered, the Committee not only obtained guarantees in compliance with the Act, but it also amended its reports to reflect this.

*/ The loan note lists the "original" guarantors. However, the note was subsequently renegotiated and consolidated with another loan.

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Accordingly, the Office of General Counsel recommends that the Commission find no probable cause to believe that Navarro Crowson violated 2 U.S.C. § 441a(a)(1)(A).

III. General Counsel's Recommendations

The Office of General Counsel recommends that the Commission find no probable cause to believe that Navarro Crowson violated 2 U.S.C. § 441a(a)(1)(A).

14 December 1995
Date

Charles N. Steele
General Counsel

8604061143307

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

December 20, 1985

Alan Phelps, treasurer
Max Hoyt Congressional Committee
10600 Six Pines Drive #515
The Woodlands, Texas 77780

RE: MUR 1954
Max Hoyt Congressional Committee
Alan Phelps, treasurer

Dear Mr. Phelps:

Based on information ascertained in the normal course of carrying out its supervisory responsibilities, the Federal Election Commission, on March 20, 1985, found reason to believe that the Max Hoyt Congressional Committee and you, as treasurer, had violated 2 U.S.C. § 441a(f), and instituted an investigation in this matter.

After considering all the evidence available to the Commission, the Office of the General Counsel is prepared to recommend that the Commission find probable cause to believe that a violation has occurred.

Submitted for your review is a brief stating the position of the General Counsel on the legal and factual issues of the case. Within fifteen days of your receipt of this notice, you may file with the Secretary of the Commission a brief (10 copies if possible) stating your position on the issues and replying to the brief of the General Counsel. Three copies of such brief should also be forwarded to the Office of General Counsel, if possible. The General Counsel's brief and any brief which you may submit will be considered by the Commission before proceeding to a vote of probable cause to believe a violation has occurred.

If you are unable to file a responsive brief within 15 days, you may submit a written request to the Commission for an extension of time in which to file a brief. The Commission will not grant any extensions beyond 20 days.

A finding of probable cause to believe requires that the Office of General Counsel attempt for a period of not less than thirty, but not more than ninety, days to settle this matter through a conciliation agreement.

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Should you have any questions, please contact Eric Kleinfeld, the attorney assigned to handle this matter, at (202)523-4000.

Sincerely,

Charles H. Stack
General Counsel

Enclosure
Brief

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional Committee) MUR 1954
Alan Phelps, treasurer)

GENERAL COUNSEL'S BRIEF

I. STATEMENT OF THE CASE

The 1984 amended April Quarterly report filed with the Federal Election Commission ("Commission") by the Max Hoyt Congressional Committee ("Committee") disclosed a $50,000 loan to the candidate from Montgomery County Bank, designated for the 1984 Republican primary election in the sixth congressional district of Texas. The report disclosed that the loan was guaranteed in its entirety by one individual, Joseph Turner. Additionally, the Committee's April Quarterly report disclosed a $500 contribution from Joseph Turner, designated for the primary election. Based on these disclosures, the Commission, on March 20, 1985, determined that there was reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f), by accepting an excessive contribution from Joseph Turner in the form of a loan guarantee.

The Committee failed to respond to the Commission's reason to believe determnations. Subpoenas to produce requested documents were authorized by the Commission on May 28, 1985. Due to the number of respondents involved, complete responses were not received until September 16, 1985.

II. LEGAL ANALYSIS

2 U.S.C. § 431(8)(A) provides that the term "contribution"

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includes a loan made to a political committee. 11 C.F.R. § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceed $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

The Committee does not dispute the fact that in January 1984 Joseph Turner guaranteed the entire amount of a $50,000 loan to candidate Max Hoyt for the primary election. A ledger sheet submitted by the Committee's treasurer in response to the Commission's subpoena has Mr. Turner listed as a "co-signer" of the note. Additionally, a letter from the Committee's treasurer to Mr. Turner's attorney indicates that the note was guaranteed by Mr. Turner and reported as such on the Committee's amended April Quarterly report. Finally, the Committee submitted a copy of a computer print-out concerning the loan, apparently obtained from the Montgomery County Bank, which lists Joseph Turner as guarantor.

The Committee does contend, however, that only $45,500 of the loan proceeds went to pay for campaign expenses, with the remainder being used for the candidate's personal expenses.

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According to Advisory Opinions 1976-84 and 1978-40, any funds provided to a candidate for personal living expenses or subsistence are contributions to that candidate, unless the source of the money was the candidate's own personal funds. Under the definition of "personal funds" at 11 C.F.R. § 110.10(b), a candidate, in general, is expending campaign contributions rather than personal funds, unless the funds involved are assets to which he or she had legal and rightful title or the right of beneficial enjoyment at the time he or she became a candidate, or unless the funds are personal assets under § 110.10(b)(2). Because loans, whether for campaign purposes or for personal living expenses, cannot meet the test for personal funds, and are considered contributions under the Act's definition of contribution, any such loan proceeds are subject to the Act's limitations. Because the entire amount of the loan proceeds are subject to the Act's contribution limitations, it also follows that the entire amount of Mr. Turner's guarantee, which is included within the meaning of loan pursuant to 11 C.F.R. § 100.7(a)(1)(i), will also be subject to the Act's contribution limitations.

During May, 1984, the Committee apparently discovered the excessive nature of Mr. Turner's guarantee and on May 30 and 31, 1984, proceeded to obtain fifty-one new guarantors to replace Mr. Turner as the sole guarantor and to achieve compliance with the Federal Election Campaign Act of 1971, as amended ("Act"). This information was disclosed to the Commission on June 1, 1984 in a second amended April Quarterly report. Copies of these guarantee

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agreements were submitted by the Committee, along with copies of the Committee's ledger sheets listing the guarantors. Therefore, it appears that Mr. Turner's guarantee was in effect for a period of approximately four months.

The evidence produced during the Office of General Counsel's investigation indicates that the Committee accepted contributions from Joseph Turner for the 1984 primary election in the form of a $50,000 loan guarantee and a $500 direct contribution, resulting in an excessive amount of $49,500. Accordingly, the Office of General Counsel recommends that the Commission find probable cause to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f), by knowingly accepting $49,500 in excessive contributions from Joseph Turner.

III. GENERAL COUNSEL'S RECOMMENDATIONS

The Office of General Counsel recommends that the Commission find probable cause to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f).

17 December 1985
Date

Charles N. Steele
General Counsel

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85 JUL 19 A8:44
Mar 1954

July 17, 1985

85 JUL 19 A11:06
RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Mr. Eric Kleinfeld
1325 K Street N.W.
Washington, DC 20463

Dear Mr. Kleinfeld:

This letter is a follow-up to our telephone conversation of last week concerning the commission's inquiry of my 1984 Congressional campaign.

I am generally familiar with the nature of your investigation but unable to provide any documentation that would aid the commission. It is my opinion that the twelve or thirteen individuals that are being questioned about loan guarantees never in fact signed any such guarantees. I do know that in the course of discussing financial needs to sustain the campaign our consultants suggested loan guarantees as one possible source of funding. I believe that paid or volunteer staff contacted some of the more successful businessmen in the district and obtained verbal committment to do what was necessary to ensure campaign funding. I do not believe anyone purposely violated any rules, regulations or laws with regard to campaign contributions.

I am concerned with the nature of the investigation for the individuals involved. I know each of them to be successful businessmen who were supportive of my bid to represent the 6th Congressional District of Texas. I know that they are honorable men who are leaders in their communities. For example, one of the men, Mr. Joe Turner, is the past president of the South Montgomery County Chamber of Commerce, past president of the Montgomery County Lions Club, president of Montgomery County Road District, etc., etc. Another, Dr. Maple Avery is an ordained Baptist Minister and serves on our school board. Mr. Mitchell is a philanthropist and confidant to presidents, governors and CEO's across the nation. He has donated substantial sums of money for medical research in the Houston/Galveston area as well as many other worthwhile efforts. Dr. Shaman is the immediate past Chief of Staff of the Tomball Community Hospital. For years he has donated his services at no charge to the Tomball Boy Scouts and Little League for annual physicals.

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Each of the others are leaders of their communities with civic and charitable involvement.

I sincerely hope the commission will realize that there was no intent to violate any law by people associated with my campaign. I would not have permitted willful violation nor would anyone associated with the campaign. These are honorable people who can and want to help finance good government.

Sincerely,

Max Hoyt

Max Hoyt

8604061315

600 Six Pines Drive
15
e Woodlands, TX 77380

Mr. Eric Kleinfeld
1325 K Street N.W.
Washington, DC 20463

POSTAGE

RECEIVED AT THE FEC
QCCH 2043
85 JUL 18 P1:

E. R. Shaman, M.D., P.A.
[illegible] Graham Dr. - Suite D
Tomball, Texas 77375
713-351-7457

July 10, 1985

85 JUL 18 P2:53

Mr. Eric Kleinfeld
Office of General Consel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C.

Dear Mr. Kleinfeld:

As per our telephone conversation of July 10, 1985, please dismiss me from the pending legal action against Wax Hoyt or the Wax Hoyt Congressional Committee.

Thank you for your patience and guidance in this matter.

Yours sincerely,

Edward R. Shaman, M.D., P.A.

ERS/jc

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Shaman, M.D., P.A.
all Medical Arts Building
raham Dr. - Suite D
all, Texas 77375

CERTIFIED
P 609 665 993
MAIL

Return Receipt Requested
Showing Address
Where Delivered

Correction Requested

Mr. Eric Kleinfeld
Office of General Consel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. ~~20005~~

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alan Phelps, treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, Texas 77380

RE: MUR 1954
Max Hoyt Congressional Committee
and Alan Phelps, treasurer

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
85 JUL 9 P 1:52

Dear Mr. Phelps:

On March 26, 1985, you were notified that the Commission found reason to believe that the Max Hoyt Congressional Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604061439

MUR 1954
BCC# 7962
6/25/85
Kleinfeld

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Alan Phelps, treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you and the Max Hoyt Congressional Committee to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

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2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both their present and original forms.

4. The terms "guarantors or endorsers" refer to any and all persons who guaranteed or endorsed any portion of the loans from the Montgomery County Bank at any time, as reflected in the 1984 April Quarterly, amended April Quarterly, 12 Day Run-off and amended 12 Day Run-off Reports filed with the Federal Election Commission by the Max Hoyt Congressional Committee, whether the guarantees or endorsements are currently in effect or not, and specifically refer to, among others, the following persons:

Maple Avery	R. Douglas Leonhard
Alf Barnes	George Mitchell
Navarro Crowson	Edward Shaman
Thomas Cox	Joseph Turner
James Hasenzahl	John Weisner
Steven Holditch	Randall Woods

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to the terms of the loans, including but not limited to copies of the current and any former notes on the loans;

2. Copies of all documents and materials which relate, refer or pertain to the current or any former collateral or security pledged on the loans;

3. Copies of all documents and materials which relate, refer or pertain to the guarantees or endorsements of the loans and the identification of the guarantors or endorsers of the loans, including but not limited to any and all copies of guarantees or endorsements submitted to the guarantors or endorsers at any time, whether currently in effect or not;

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4. Copies of all documents and materials received by Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf or otherwise obtained by the Committee from any of the guarantors or endorsers or any person acting on their behalf which relate, refer or pertain to any guarantee or endorsement on the loans, whether currently in effect or not;

5. Copies of all documents and materials submitted by Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf to the Montgomery County Bank which relate, refer or pertain to the guarantees or endorsements on the loans and the identification of the guarantors or endorsers, including but not limited to any and all copies of guarantees or endorsements submitted, whether currently in effect or not; and

6. Copies of all documents and materials which relate, refer or pertain to repayment of the loans to Montgomery County Bank.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which, where applicable, show both sides of documents, may be substituted for originals.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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480 — AFFIDAVIT TO ANY FACT The Odee Company, Publishers, Dallas

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FEC
85 JUL 9 P12:

The State of Texas,
County of MONTGOMERY

BEFORE ME, the undersigned, a Notary Public in and for said County, State of Texas, on this day personally appeared ALAN PHELPS to me well known, and who, after being by me duly sworn, deposes and says that

"The copies of documents attached hereto are all of the items in my possession or under my control which are requested of me by the Federal Election Commission subpoena dated June 3, 1985."

Alan Phelps

SUBSCRIBED AND SWORN TO BEFORE ME, this day of JULY A. D. 1985

(L. S.)

Notary Public in and for State of ~~County~~, Texas.

86240514323

8 6 0 4 0 5 1 4 3 4

Initials Date

Prepared By

Approved By

MAX 13 HOUR CAMPAIGN
BANK RECONCILIATION
1/1/84 - 3/31/84

1	2	3	4
Balance per Bank			29270
Add Deposits in Transit			14700
Less outstanding checks			
	1056.	#	
	1105.	#	
1056	1122.	#	
Balance per Bank		3/31/84	34170
Balance per Books			
Add CASH RECEIPTS			
CONTRIBUTIONS			87700
LOANS 20000			550000
INTEREST EARNED			8312
			687612
LESS CASH DISBURSEMENTS		1/84	683732
		CHECKS	15384
		CHECKS 1001-1122	543283
		CHARGES	5787
		CREDIT MEMO CHARGE	16000
		RETURN CHECK - INSUFFICIENT	2500
Balance per Books 3/31/84			34170
		DEPOSITS	CHECKS
BANK STMTS 1/84		148035	67373
		423426	278981
		101433	175761
		652720	623207
Proof			34170
ADD O/S FROM ABOVE			10000
			44170

© WILSON JONES COMPANY U.S.A. • "COLUMN WRITE" G7604 PADDED WG7604 WIRING BOUND

B 6 0 4 0 5 1 4 3 2 5

The Woodlands National Bank

A Bank of the Southwest

Woodlands Parkway at I-45 - 1400 Woodloch Forest Dr., The Woodlands, Texas, 77380

034 28

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

1/84

WE MAKE BANKING MORE CONVENIENT FOR YOU

STATEMENT

STATEMENT CLOSING DATE - 01/31/84 PAGE NO. 1

SOUTHWEST NOW ACCOUNT
016 102

* SUMMARY *

BEGINNING BALANCE	.00
14 DEPOSITS AND OTHER CREDITS.....	12,803.53
15 CHECKS AND OTHER DEBITS.....	6,937.31
SERVICE CHARGE.....	.00
NEW BALANCE AS OF STATEMENT DATE.....	5,866.22
AVERAGE BALANCE	$2,340.00
INTEREST PAID YEAR TO DATE.....	10.53

TRANSACTION SUMMARY.....

DATE.	....AMOUNT.....	.....DESCRIPTION
01/03	3,050.00+	DEPOSIT
01/05	401.00+	DEPOSIT
01/09	1,025.00+	DEPOSIT
01/09	1,350.00+	DEPOSIT
01/16	1,050.00+	DEPOSIT
01/20	805.00+	DEPOSIT
01/23	847.00+	DEPOSIT
01/26	330.00+	DEPOSIT
01/26	1,050.00+	DEPOSIT
01/30	200.00+	DEPOSIT
01/30	540.00+	DEPOSIT
01/30	1,795.00+	DEPOSIT
01/31	600.00+	DEPOSIT
01/31	10.53+	INTEREST PAID

DATE	CHECK NO.....	AMOUNT	DATE	CHECK NO.....	AMOUNT
01/05		526.48-	01/13		1,950.00-
01/05		48.56-	01/16		1,500.00-
01/05		150.00-	01/16		650.00-
01/06		33.84-	01/25		100.00-
01/06		39.88-	01/26		36.00-
01/11		805.00-	01/26		630.25-
01/11		71.74-	01/30		111.56-
01/11		200.00-			

*** AVOID LONG LINES AND HAVE FAST FREE SERVICE BY USING ***
*** YOUR SOUTHWEST BANK CARD AT ALL SOUTHWEST BANKS. ***

approved to be c/m

8 6 0 4 0 5 1 4 3 2 6

The Woodlands National Bank

A Bank of the Southwest

Woodlands Parkway at I-45 • 1400 Woodloch Forest Dr., The Woodlands, Texas, 77380

084 72

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

2/84

WE MAKE BANKING MORE CONVENIENT FOR YOU

STATEMENT

STATEMENT CLOSING DATE - 02/29/84 PAGE NO. 1

SOUTHWEST NOW ACCOUNT
016 102

* SUMMARY *

BEGINNING BALANCE 1-31-84	5,886.22
11 DEPOSITS AND OTHER CREDITS.....	42,334.26
62 CHECKS AND OTHER DEBITS.....	27,899.10
SERVICE CHARGE.....	.00
NEW BALANCE AS OF STATEMENT DATE.....	20,302.38
AVERAGE BALANCE	17,950.00
INTEREST PAID YEAR TO DATE.....	49.79

TRANSACTION SUMMARY.....

DATE	AMOUNT	DESCRIPTION
02/02	85.00+	DEPOSIT
02/02	20,000.00+	DEPOSIT
02/03	300.00+	DEPOSIT
02/07	2,500.00-	CHECK
02/08	6.20-	CHECK
02/08	22.08-	CHECK
02/08	57.40-	CHECK
02/08	77.80-	CHECK
02/08	158.11-	CHECK
02/08	242.00-	CHECK
02/08	309.49-	CHECK
02/08	318.60-	CHECK
02/08	350.00-	CHECK
02/08	350.00-	CHECK
02/08	378.76-	CHECK
02/08	439.90-	CHECK
02/09	100.00-	DEPOSIT
02/09	198.91-	CHECK
02/09	698.54-	CHECK
02/09	1,072.00-	CHECK
02/09	1,516.72-	CHECK
02/14	125.00+	DEPOSIT
02/16	800.00+	DEPOSIT
02/21	600.00+	DEPOSIT
02/23	200.00+	DEPOSIT
02/28	75.00+	DEPOSIT
02/28	20,000.00+	DEPOSIT
02/29	39.26+	INTEREST PAID

DATE	CHECK NO	AMOUNT	DATE	CHECK NO	AMOUNT
02/01		1,515.94	02/02	1002	600.00
02/01	1003	1,000.00	02/02	1018	13.26

8 6 0 4 0 5 1 4 3 2 7

The Woodlands National Bank

A Bank of the Southwest

Woodlands Parkway at I-45 • 1400 Woodlands Forest Dr., The Woodlands, Texas, 77380

094 72

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

WE MAKE BANKING MORE CONVENIENT FOR YOU

STATEMENT

STATEMENT CLOSING DATE - 02/29/84 PAGE NO. 2

SOUTHWEST NOW ACCOUNT
016 108

DATE	CHECK NO.	AMOUNT	DATE	CHECK NO.	AMOUNT
02/02	1020	20.00	02/17	1027	300.00
02/02	1023	80.00	02/17	1045	113.00
02/03		38.00	02/17	1047	600.00
02/03	1001	650.00	02/17	1048	1,250.00
02/06		15.00	02/21	1038	135.82
02/06	1019	450.00	02/21	1051	800.00
02/06	1030	80.84	02/22	1039	1,104.85
02/09		51.88	02/22	1041	31.56
02/09	1007	85.07	02/22	1050	600.00
02/09	1009	234.08	02/22	1053	274.88
02/09	1010	3,500.00	02/22	1057	95.20
02/09	1032	1,325.60	02/23	1040	118.09
02/10	1016	70.00	02/23	1042	240.64
02/13	1034	99.57	02/23	1058	135.00
02/14	1043	100.00	02/23	1060	75.00
02/16	1035	260.00	02/24	1063	196.25
02/16	1036	80.00	02/27	1064	31.80
02/16	1037	100.00	02/27	1069	18.00
02/16	1044	229.69	02/28	1061	75.69
02/16	1046	650.00	02/28	1062	59.40
02/16	1048	1,000.00			

YOUR MINIMUM BALANCE OF 323.21 OCCURRED ON 02/27

*** NEW BANKING HOURS STARTING FEB 21ST. DRIVE IN MON-FRI ***
*** 7AM TO 6PM. LOBBY MON-THUR 9AM TO 3PM, FRI 9AM TO 5PM. ***

8 6 0 4 0 5 1 4 3 2 8

DEPOSIT TICKET

Date February 2 19 84

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE TERMS AND CONDITIONS OF THIS FINANCIAL INSTITUTION'S AGREEMENT

DEPOSITED IN

The Woodlands National Bank
A Bank of the Southwest
1400 Woodlands Parkway Drive
The Woodlands, Texas 77380

CLARKE CHECKS D-41

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTEE
P. O. BOX 3364
CONROE, TEXAS 77305

		DOLLARS	CENTS
CASH	CURRENCY		
	COIN		
CHECKS LIST SINGLY • BE SURE	Max Hoyt	20,000	00
TOTAL FROM REVERSE SIDE			
TOTAL DEPOSIT		20,000	00

SEE OTHER SIDE FOR ADDITIONAL LISTING

PAID
FEB 24

THE WOODLANDS NATIONAL BANK
THE WOODLANDS, TEXAS

⑈113108718⑈ TWNB ⑈ 2000000=a 80248
016 102⑈ 01 ⑈000 2000000⑈

SUBJECT TO RULES AND REGULATIONS OF

The Woodlands National Bank

A Bank of The Southwest

This deposit is accepted by the bank subject to all applicable provisions of The Texas Banking Code, Uniform Clearing House Association Rules, Federal Reserve Bank Regulations and Bylaws of this Corporation.

If additional space is needed for listing checks, use reverse side and bring total forward. Please see that all checks and drafts are endorsed, both as drawn and as your account is carried with us.

016-1

DATE 2-22-1[illegible]

NAME MAX HOYT CAMPAIGN

ADDRESS

CITY

FEB 2[illegible]

DESCRIPTION		DOLLARS	CENTS
CURRENCY & COIN			
CHECKS	ENDORSE PROPERLY		
	MAX HOYT		
	TRANS- MCB	20000	—
SUB TOTAL			
LESS CASH			
TOTAL DEPOSIT		20000	—

⑈113108718⑈ TWNB ⑈ 2000000=a 82482
016 102⑈ 01 ⑈000 2000000⑈

6041439

REVERSE CARBON BEFORE LISTING

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

IMPORTANT: ENTER THE TOTAL OF THIS SPACE PROVIDED ON FRONT

FEB '84 20

PAID

FEB 0 2 84

SORTING

FEB '84 20

ADDITIONAL CHECKS—ENTER ON FACE

The Woodlands National Bank

A Bank of the Southwest

Woodlands Parkway at I 45 - (713) 363-3333
1400 Woodloch Forest Dr., The Woodlands, Texas, 77380

6040614370 Statement of Account

3/84

084 70

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3384
CONROE, TEXAS 77305

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 800-3728 or 1-800-232-5800.

STATEMENT CLOSING DATE - 03/30/84 PAGE NO. 1

SOUTHWEST NOW ACCOUNT
016 102

* SUMMARY *

BEGINNING BALANCE 2-29-84	20,302.38
14 DEPOSITS AND OTHER CREDITS.....	10,132.33
57 CHECKS AND OTHER DEBITS.....	27,507.66
SERVICE CHARGE.....	.00
NEW BALANCE AS OF STATEMENT DATE.....	2,927.05
AVERAGE BALANCE	87,380.00
INTEREST PAID YEAR TO DATE.....89.12	

TRANSACTION SUMMARY.....

DATE.	....AMOUNT.....	.DESCRIPTION
03/01	430.00+	DEPOSIT
03/02	125.00+	DEPOSIT
03/06	695.00+	DEPOSIT
03/12	150.00+	DEPOSIT
03/13	550.00+	DEPOSIT
03/13	25.00-	CHECK RETURNED TO US
03/15	1,025.00+	DEPOSIT
03/16	500.00+	DEPOSIT
03/19	5,000.00+	DEPOSIT
03/21	500.00+	DEPOSIT
03/23	100.00+	DEPOSIT
03/23	490.00+	DEPOSIT
03/27	84.00+	DEPOSIT
03/29	440.00+	DEPOSIT
03/30	33.33+	INTEREST PAID

DATE	CHECK NO.....	AMOUNT	DATE	CHECK NO.....	AMOUNT
03/01	1064	150.00	03/06	1067	388.53
03/01	1076	650.00	03/06	1068	731.40
03/01	1077	600.00	03/06	1072	283.02
03/01	1080	1,000.00	03/06	1073	240.62
03/01	1081	536.76	03/06	1083	536.00
03/02	1075	87.15	03/07	1070	212.00
03/02	1079	600.00	03/07	1086	900.00
03/02	1082	77.50	03/07	1087	80.00
03/05	1066	3,500.00	03/12	1084	900.00
03/05	1069	1,016.71	03/12	1085	38.80
03/05	1071	49.18	03/13	1088	603.00
03/05	1074	390.00	03/13	1093	378.24
03/05	1078	600.00	03/14	1092	84.19

The Woodlands National Bank

A Bank of the Southwest

Woodlands Parkway at I 45 - (713) 363-3333
1400 Woodloch Forest Dr., The Woodlands, Texas, 77380

0 6 0 4 0 5 1 4 3 1

Statement of Account

084 70

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

STATEMENT CLOSING DATE - 03/30/84 PAGE NO. 2

SOUTHWEST NOW ACCOUNT
016 102

DATE	CHECK NO.	AMOUNT	DATE	CHECK NO.	AMOUNT
03/14	1095	35.00	03/20	1099	275.00
03/14	1101	89.57	03/20	1102	58.30
03/15	1091	171.96	03/20	1107	600.00
03/15	1096	486.81	03/20	1109	600.00
03/15	1104	1,250.00	03/22	1098	75.00
03/16	1088	338.78	03/22	1115	48.00
03/16	1100	267.22	03/23	1112	3,500.00
03/16	1106	650.00	03/26	1114	48.00
03/16	1110	1,000.00	03/26	1116	123.89
03/19	1090	31.98	03/26	1118	100.00
03/19	1094	200.00	03/27	1113	362.50
03/19	1097	222.00	03/27	1117	51.72
03/19	1103	685.13	03/27	1119	309.49
03/19	1108	600.00	03/27	1120	158.11
03/19	1111	450.00	03/30	1121	65.00

YOUR MINIMUM BALANCE OF 2,518.72 OCCURRED ON 03/27

*** NEW BANKING HOURS STARTING FEB 21ST. DRIVE IN MON-FRI ***
*** 7AM TO 6PM. LOBBY MON-THUR 9AM TO 3PM, FRI 9AM TO 5PM. ***

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 880-3728 or 1-800-232-5800.

6040614302

SUBJECT TO RULES AND REGULATIONS OF

The Woodlands National Bank

A Bank of The Southwest

If additional space is needed for listing checks see reverse side and bring total forward. Please see that all checks and items are endorsed, both as shown and as your account is carried with us.

DESCRIPTION	DOLLARS	CENTS
CURRENCY & COIN		
CHECKS — ENDORSE PROPERLY	500	00
SUB TOTAL		
LESS CASH		
TOTAL DEPOSIT	500	00

PAID
MAR 1 '84
THE WOODLANDS NATIONAL BANK
THE WOODLANDS, TEXAS

NAME Max Hoyt Congressional Campaign

ADDRESS P.O. Box 3364

CITY Conroe, TX

DATE 3/29/84

⑈113108718⑈ TWNB 0102 -5000001a ⑈191 01 ⑈0000500000⑈

DEPOSIT TICKET

Date 3/20 1984

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE TERMS AND CONDITIONS OF THIS FINANCIAL INSTITUTION'S AGREEMENT.

DEPOSITED IN

The Woodlands National Bank
A Bank of the Southwest
1400 Woodlands Parkway
The Woodlands, Texas 77380

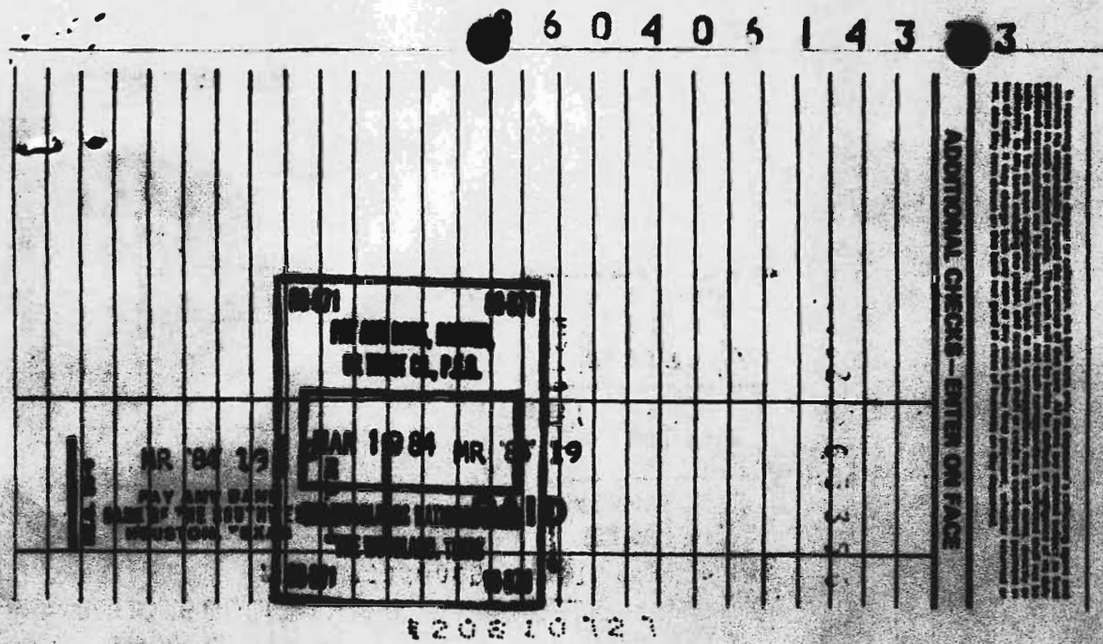
MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTEE
P. O. BOX 3364
CONROE, TEXAS 77305

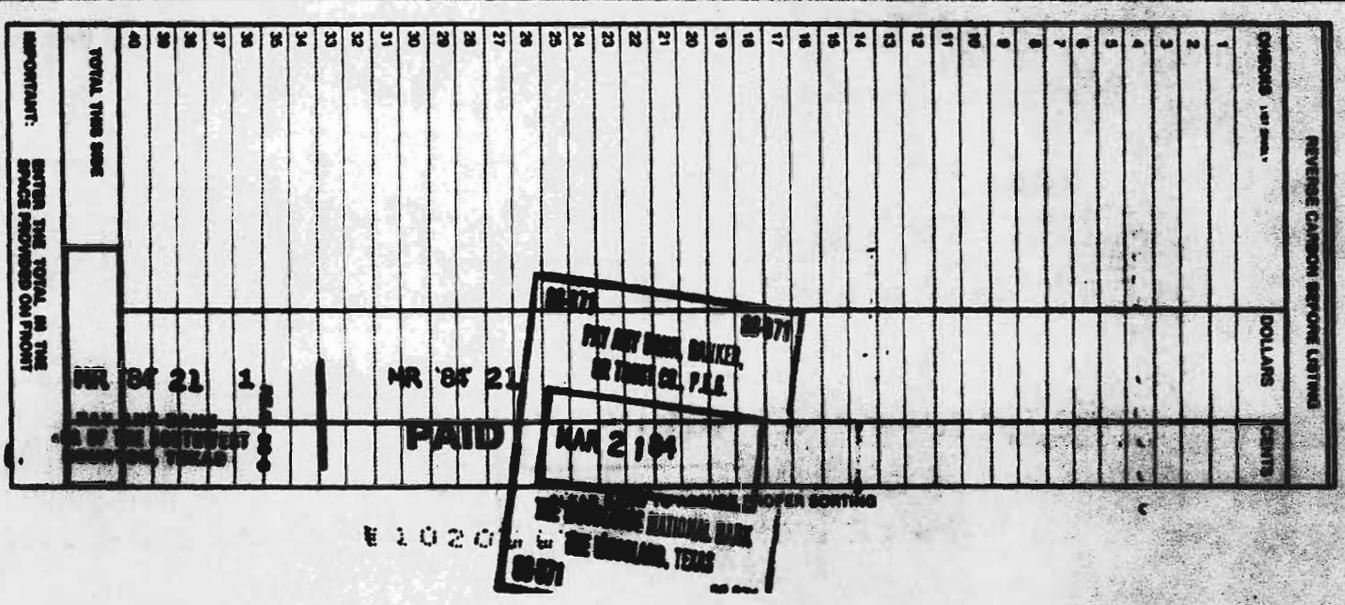
CASH	DOLLARS	CENTS
CURRENCY		
COIN		
CHECKS LIST SINGLY — BE SURE EACH ITEM IS ENDORSED	500	00
TOTAL FROM REVERSE SIDE		
TOTAL	500	00

USE OTHER SIDE FOR ADDITIONAL LISTING

PAID
MAR 2 1984
THE WOODLANDS NATIONAL BANK
THE WOODLANDS, TEXAS

⑈113108218⑈ 0102 01 ⑈0000050000⑈


6040614333
ADDITIONAL CHECKS — ENTER ON FACE
MAR 1984
MR '84 19
⑆208101271


REVERSE CARBON BEFORE LISTING
DOLLARS
CENTS
TOTAL THIS SIDE
IMPORTANT: ENTER THE TOTAL ON THE SPACE PROVIDED ON FRONT
MR '84 21 1
MR '84 21
PAID
MAR 21 84
⑈1020

Montgomery County Bank N.A.

PAGE 1

8 6 0 4 0 6 1 4

[redacted]
[redacted]
The Woodlands, Texas 77380
(713) 367-3701 • (409) 756-8804

MAX B HOYT
10716 WHISPER WILLOW PLACE
THE WOODLANDS TX 77380

ACCOUNT NO: 655 530

STATEMENT RENDERED 03/30/84

THE MARKET ACCOUNT

PLEASE EXAMINE AT ONCE, REPORT ANY DIFFERENCES WITHIN 14 DAYS FROM STATE[redacted]

LA[redacted]	[redacted]	[redacted]	[redacted]	[redacted]	BALANCE
10,204.19	1	62.70	2	5,500.00	4,766.8[redacted]

* * * * * * * * * * DEPOSITS AND OTHER CREDITS * * * * * * * * * *			0229 10,20[redacted]
INTEREST PAYMENT		62.70	0320 5,20[redacted]
			0322 4,76[redacted]
* * * * * * * * * * CHECKS AND OTHER DEBITS * * * * * * * * * *			0330 4,76[redacted]
1130320	5,000.00	1130322 500.00	

ELTER BOTH INCOME AND INTEREST.
EASE CALL ABOUT OUR I.R.A.'S

only personal Account in
my possession for MAX B Hoyt.

Checks (two) written to
campaign as loans are reflected
on March 31, 1984 Bank Reconciliation
as "Loans"

Alan Akin
Ellen O'Neal

S G-19 (7-83)

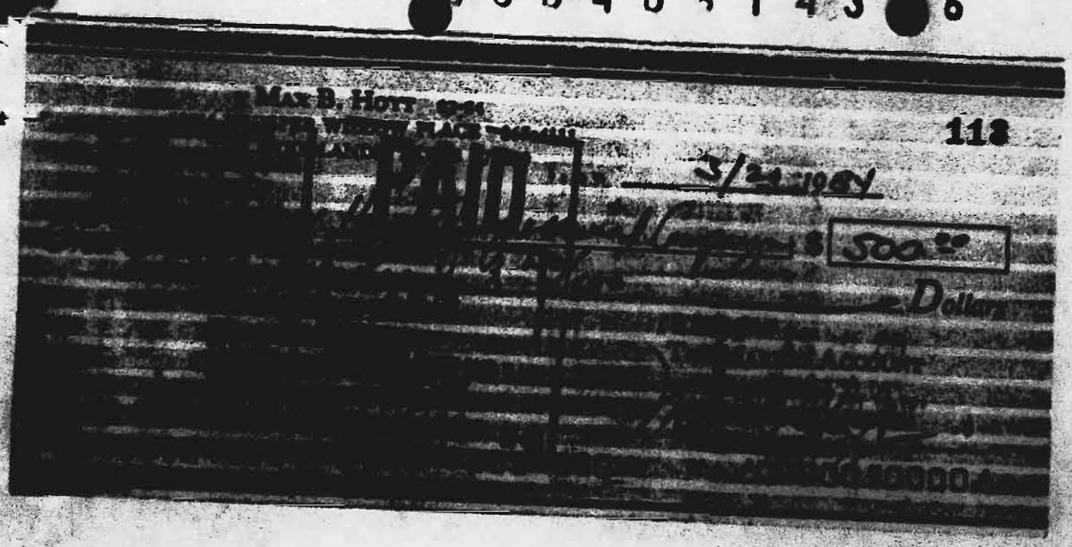
NOTE: USE REVERSE SIDE FOR RECONCILING YOUR ACCOUNT.

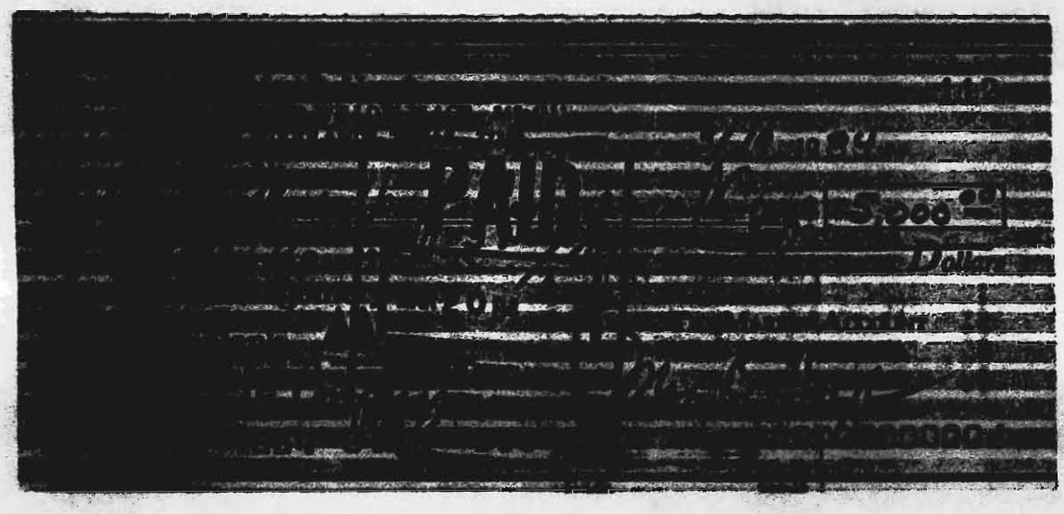
8604051435

PAY TO THE ORDER OF
The Woodlands
National Bank
FOR DEPOSIT ONLY

CREDITED TO THE ACCOUNT OF
THE WITHIN NAMED PAYEE
THE WOODLANDS NATIONAL
THE WOODLANDS, TEXAS

8604051436





6040514307

Initials Date

Prepared By
Approved By

Max B Hoyt
Bank Reconciliation
4/30/84

Balance per bank				9521.52
Add in Transit			650.00	
			4000.00	4650.00
Less O/S				
1174.		5,000.00 +		
		200.00 +		
		1,700.00 +		
		1,362.69 +		
		20.00 +		
		1,770.00 +		
		100.00 +		
		50.00 +		
Bank Chg		724.74 +	Less	3,170.35
		20.08 +		
		3,968.90 +		
		242.06 +		
		232.13 +	Interest Accounts	15,000.00
		222.18 +	Interest	23.00
		23.00 +	Loan Account Correct	40,000.00 (9.00)
Less Cash Acct			Checks 1123-1244	5,762.80
			NSF Charges	75.00

COLUMN WRITE G7606 PADDED #G7604 WIRE BOUND

The Woodlands National Bank 5 1 4 3 [redacted] 8

Statement of Account

A Bank of the Southwest

1400 Woodloch Forest Dr. - (713) 363-3333
P. O. Box 8368, The Woodlands, Texas, 77380

1 of 3

5/84

034 125

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

Showing Int Transfer Item as Reversed on Feb

STATEMENT CLOSING DATE - 05/31/84 PAGE NO. 1

SOUTHWEST NOW ACCOUNT
016 102

* SUMMARY *

BEGINNING BALANCE 4-30-84	4,521.50
29 DEPOSITS AND OTHER CREDITS.....	84,336.30
99 CHECKS AND OTHER DEBITS.....	80,761.70
SERVICE CHARGE.....	.00
NEW BALANCE AS OF STATEMENT DATE.....	8,096.10
AVERAGE BALANCE	96,560.00

INTEREST PAID YEAR TO DATE.....147.06

TRANSACTION SUMMARY.....

DATE	....AMOUNT.....	DESCRIPTION
05/01	650.00+	DEPOSIT
05/01	100.00-	NSF CHECK HANDLING CHARGE
05/02	100.00+	DEPOSIT
05/02	40,000.00+	DEPOSIT
05/02	143.10-	CHECK
05/02	319.49-	CHECK
05/02	332.50-	CHECK
05/02	1,362.69-	CHECK
05/02	1,700.00-	CHECK
05/02	3,968.90-	CHECK
05/02	5,000.00-	CHECK
05/02	5,000.00-	CHECK
05/03	75.00+	DEPOSIT
05/03	7,000.00+	DEPOSIT
05/04	75.00+	DEPOSIT
05/04	275.00+	DEPOSIT
05/07	465.36+	DEPOSIT
05/09	650.00+	DEPOSIT
05/14	50.00+	DEPOSIT
05/14	205.00+	DEPOSIT
05/14	1,075.00+	DEPOSIT
05/15	2,065.00+	DEPOSIT
05/15	3,000.00+	DEPOSIT
05/16	350.00+	DEPOSIT
05/17	210.00+	DEPOSIT
05/18	350.00+	DEPOSIT
05/22	435.00+	DEPOSIT
05/22	5,000.00+	DEPOSIT
05/23	630.00+	DEPOSIT
05/23	3,000.00-	CHECK RETURNED TO US

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 880-3728 or 1-800-232-5800.

The Woodlands National Bank 0 5 1 4 3 [redacted] 9 — Statement of Account

A Bank of the Southwest

1400 Woodloch Forest Dr. • (713) 363-3333
P. O. Box 8369, The Woodlands, Texas, 77380

2 of 3

5/6

034 125

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

STATEMENT CLOSING DATE - 05/31/84 PAGE NO. 2

SOUTHWEST NOW ACCOUNT
016 102

TRANSACTION SUMMARY

DATE	AMOUNT	DESCRIPTION
05/23	25.00-	NSF CHECK HANDLING CHARGE
05/24	18,000.00+	DEPOSIT
05/24	4,500.00-	CHECK
05/25	120.00+	DEPOSIT
05/25	838.00+	DEPOSIT
05/29	1,000.00+	DEPOSIT
05/29	2,030.00+	DEPOSIT
05/30	350.00+	DEPOSIT
05/30	5,000.00-	CHECK RETURNED TO US
05/31	400.00+	DEPOSIT
05/31	4,100.00+	DEPOSIT
05/31	40.84+	INTEREST PAID

DATE	CHECK NO.	AMOUNT	DATE	CHECK NO.	AMOUNT
05/01		5,000.00	05/04	1208	888.36
05/01	1205	150.00	05/04	1210	380.00
05/02	1174	200.00	05/04	1211	283.88
05/02	1180	100.00	05/04	1212	209.11
05/02	1182	724.74	05/04	1218	3,500.00
05/02	1187	222.18	05/04	1224	850.00
05/02	1190	246.86	05/04	1228	100.00
05/02	1192	166.02	05/07	1126	600.00
05/02	1216	320.00	05/07	1177	20.00
05/02	1217	20.00	05/07	1178	1,770.00
05/02	1219	20.00	05/07	1188	23.00
05/02	1221	175.50	05/07	1208	133.21
05/03	1185	242.06	05/07	1228	465.36
05/03	1191	34.74	05/08	1222	500.00
05/03	1194	611.38	05/10	1202	276.32
05/03	1198	107.30	05/10	1213	700.00
05/03	1199	155.51	05/11	1128	1,000.00
05/03	1203	472.50	05/11	1230	315.91
05/03	1214	750.00	05/14		40.00
05/03	1225	600.00	05/14	1223	800.00
05/03	1227	1,000.00	05/14	1242	1,000.00
05/04	1144	87.08	05/15	1215	900.00
05/04	1183	20.08	05/16	1241	130.00
05/04	1189	422.78	05/16	1247	4,655.00
05/04	1197	1,707.61	05/17		25.00
05/04	1200	128.63	05/18	1244	105.00
05/04	1204	307.40	05/18	1251	450.00
05/04	1206	2,799.46	05/21	1232	165.98
05/04	1207	254.40	05/21	1233	123.15

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 880-3728 or 1-800-232-5800.

The Woodlands National Bank

A Bank of the Southwest

1400 Woodloch Forest Dr. • (713) 363-3333
P. O. Box 8369, The Woodlands, Texas, 77380

0 5 1 4 3 0 0

Statement of Account

3 of 3

5/84

034 125

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

STATEMENT CLOSING DATE - 05/31/84 PAGE NO. 3

SOUTHWEST NOW ACCOUNT
016 102

DATE	CHECK NO	AMOUNT	DATE	CHECK NO	AMOUNT
05/21	1234	49.80	05/24	1258	600.00
05/21	1235	1,184.53	05/25	1260	128.28
05/21	1236	178.50	05/25	1265	100.00
05/21	1237	324.35	05/28	1259	650.00
05/21	1238	283.01	05/28	1263	462.00
05/21	1239	467.17	05/28	1264	325.00
05/21	1240	521.05	05/30	1261	500.00
05/21	1252	31.61	05/30	1262	2,500.00
05/22	1248	1,500.00	05/30	1273	500.00
05/22	1252	48.00	05/31	1245	200.00
05/23	1230	169.50	05/31	1250	260.00
05/23	1231	37.84	05/31	1271	514.50
05/23	1257	60.00	05/31	1274	629.78
05/24	1254	383.78	05/31	1275	291.00

YOUR MINIMUM BALANCE OF 78.50- OCCURRED ON 05/01

*** NEW BANKING HOURS STARTING FEB 21ST. DRIVE IN MON-FRI ***
*** 7AM TO 6PM. LOBBY MON-THUR 9AM TO 3PM, FRI 9AM TO 5PM. ***

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 880-3728 or 1-800-232-5800.

6040614301

SUBJECT TO RULES AND REGULATIONS OF

The Woodlands National Bank

A Bank of The Southwest

If additional space is needed for listing checks and currency, coin and listing total forward. Please see that all checks and items are endorsed, both as shown and as your account is carried with us.

DESCRIPTION	DOLLARS	CENTS
CURRENCY & COIN		
CHECKS ENDORSE PROPERLY		
[illegible] to Brooks (M.D)	40,000	00
[illegible]		
[illegible]		
SUBTOTAL		
LESS CASH [illegible]		
TOTAL DEPOSIT	40,000	00

PAID

DATE 5/9/88

Max Hoyt Gonzalez

ADDRESS

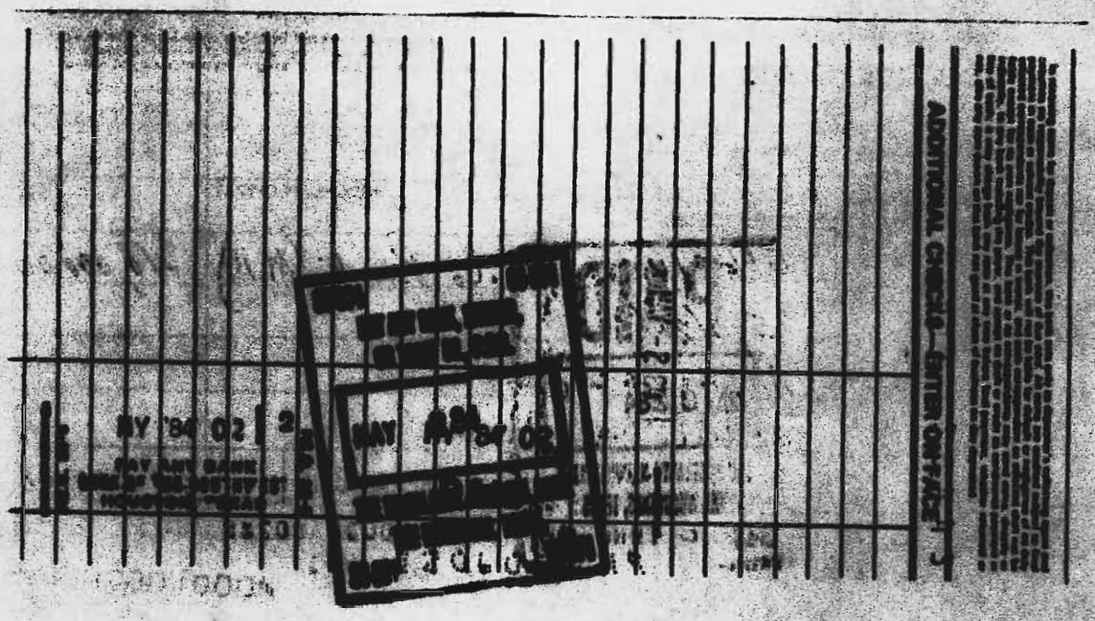
CITY

TUNE

⑈103108⑈ ⑆113⑈ ⑈0288

⑆113⑈ ⑈0004000000⑈

6 0 4 0 6 1 4 3 2



The Woodlands National Bank

A Bank of the Southwest

1400 Woodlands Forest Dr. · (713) 363-3333
P. O. Box 8368, The Woodlands, Texas, 77380

5 0 2 0 5 1 4 3 3

Statement of Account

4/84

034 62

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

STATEMENT CLOSING DATE - 04/30/84 PAGE NO. 2

SOUTHWEST NOW ACCOUNT
016 102

DATE	CHECK NO	AMOUNT	DATE	CHECK NO	AMOUNT
04/11	1105	600.00	04/18	1157	210.00
04/11	1125	600.00	04/18	1163	650.00
04/11	1131	350.00	04/18	1165	1,000.00
04/11	1132	348.70	04/19	1158	232.46
04/11	1146	100.00	04/19	1160	715.00
04/12	1149	85.00	04/20	1153	63.40
04/12	1150	1,000.00	04/20	1167	125.00
04/12	1151	85.60	04/20	1168	230.00
04/13	1148	75.75	04/23	1159	150.00
04/16	1147	45.00	04/23	1161	600.00
04/16	1156	273.56	04/24	1166	600.00
04/17	1152	200.00	04/26	1169	140.00
04/17	1154	59.80	04/30	1164	600.00
04/17	1155	50.68	04/30	1178	870.00

YOUR MINIMUM BALANCE OF 2,927.06 OCCURRED ON 03/30

*** NEW BANKING HOURS STARTING FEB 21ST. DRIVE IN MON-FRI *** 7AM TO 6PM. LOBBY MON-THUR 9AM TO 3PM. FRI 9AM TO 5PM. ***

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 880-3728 or 1-800-232-5800.

The Woodlands National Bank

A Bank of the Southwest

1400 Woodlands Forest Dr. • (713) 363-3333
P. O. Box 8366, The Woodlands, Texas, 77380

Statement of Account

4/84

2012

034 63

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 880-3228 or 1-800-232-5800.

STATEMENT CLOSING DATE - 04/30/84 PAGE NO. 1

SOUTHWEST NOW ACCOUNT
016 102

* SUMMARY *

BEGINNING BALANCE 3-30-84	2,927.05
18 DEPOSITS AND OTHER CREDITS.....	16,593.50
47 CHECKS AND OTHER DEBITS.....	14,999.05
SERVICE CHARGE.....	.00
NEW BALANCE AS OF STATEMENT DATE.....	4,521.50
AVERAGE BALANCE	84,730.00
INTEREST PAID YEAR TO DATE.....106.12	

TRANSACTION SUMMARY.....

DATE.	....AMOUNT.....	.DESCRIPTION
04/02	2,505.00+	DEPOSIT
04/05	75.00+	DEPOSIT
04/05	795.00+	DEPOSIT
04/05	889.50+	DEPOSIT
04/05	2,500.00+	DEPOSIT
04/09	220.00+	DEPOSIT
04/09	925.00+	DEPOSIT
04/10	550.00+	DEPOSIT
04/13	175.00+	DEPOSIT
04/13	765.00+	DEPOSIT
04/16	1,000.00+	DEPOSIT
04/17	2,000.00+	DEPOSIT
[illegible]	[illegible]	[illegible]
04/24	625.00+	DEPOSIT
04/26	551.00+	DEPOSIT
04/30	900.00+	DEPOSIT
04/30	75.00-	NSF CHECK HANDLING CHARGE
04/30	23.00+	INTEREST PAID

DATE	CHECK NO.....	AMOUNT	DATE	CHECK NO.....	AMOUNT
04/03	1127	650.00	04/06	1137	82.62
04/03	1136	47.84	04/06	1142	188.10
04/03	1139	100.10	04/06	1139	100.00
04/04	1130	600.00	04/06	1138	573.26
04/05		95.00	04/06	1140	386.50
04/05	1123	180.28	04/06	1141	192.71
04/06	1124	200.11	04/06	1143	175.00
04/06	1129	600.00	04/10	1122	150.00
04/06	1134	72.98	04/10	1145	412.50

60405143

Prepared By
Approved By

Max B Hoyt
Bank Recon
Malone 3/43/84 5/1/84 - 5/23/84

	1	2	3	4

Balance per Books

A66 Cash receipts

18,380.50*G

235.00 +
75.00 +
465.36 +
650.00 +
205.00 +
1,075.00 +
50.00 +
2,755.36 *

2,755.36*G

600.00 +
600.00 +
650.00 +
600.00 +
600.00 +
1,000.00 +
100.00 +
465.36 +
169.50 +
37.84 +
165.98 +
123.16 +
49.80 +
1,154.53 +
178.50 +
324.35 +
253.01 +
467.17 +
521.05 +
130.00 +
1,000.00 +
9,190.25 *

© WILSON JONES COMPANY U.S.A. • "COLUMN WRITE" G7604 PADDED WG7604 "WYRING" BOUND

60405143

SUBJECT TO RULES AND REGULATIONS OF

The Woodlands National Bank

A Bank of The Southwest

If additional space is needed for listing checks use reverse side and bring total forward. Please see that all checks and drafts are endorsed, both as drawn and as your account is carried with us.

DESCRIPTION	DOLLARS	CENTS
CURRENCY & COIN		
CHECKS ENDORSE PROPERLY	7,000	00
TOTAL DEPOSIT	7,000	00

016 PAID

DATE

NAME Max Hoyt

ADDRESS 1514 E-46

CITY Conroe, Tx

⑆113108718⑆ 016 ⑈TNB 089 ⑈000007000000⑈

SUBJECT TO RULES AND REGULATIONS OF

The Woodlands National Bank

A Bank of The Southwest

If additional space is needed for listing checks use reverse side and bring total forward. Please see that all checks and drafts are endorsed, both as drawn and as your account is carried with us.

DESCRIPTION	DOLLARS	CENTS
CURRENCY & COIN		
CHECKS ENDORSE PROPERLY	3000	00
TOTAL DEPOSIT		

THIS ITEM WAS ENCLOSED SO COULD BE PROCESSED ELECTR... THIS CARRIER MAY CARRY ENC... RETAIN IT WITH THE CHECK.

106102

DATE 5/14/84

NAME Max Hoyt Enterprises

ADDRESS P.O. Box 3364

CITY Conroe, Tx 77...

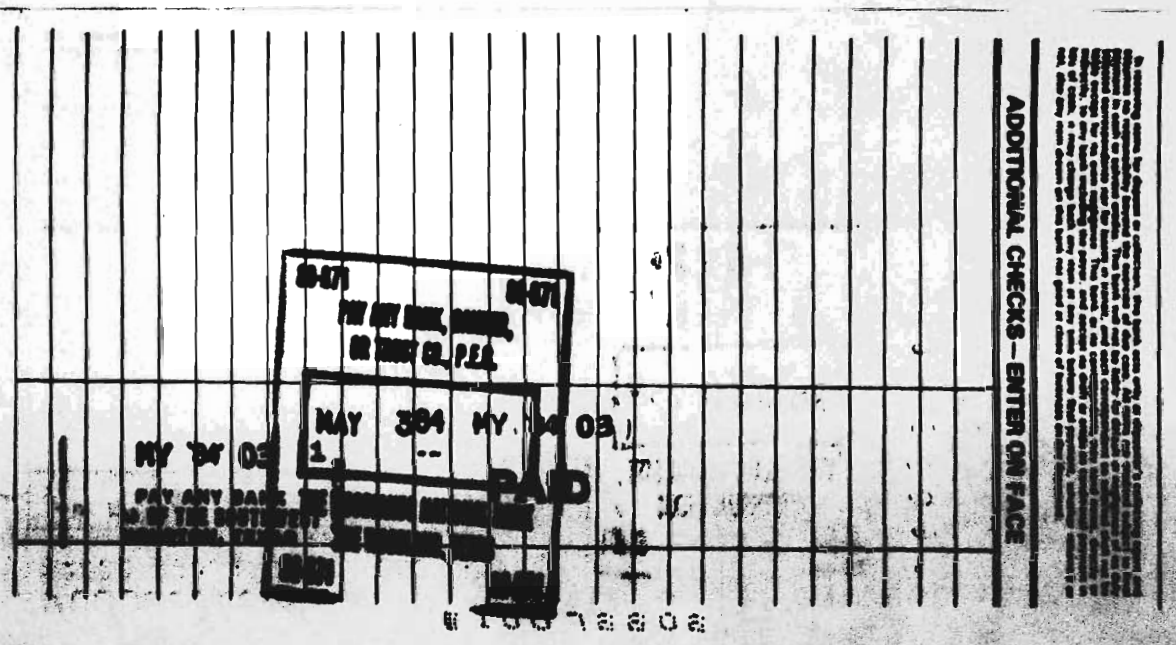
PAID

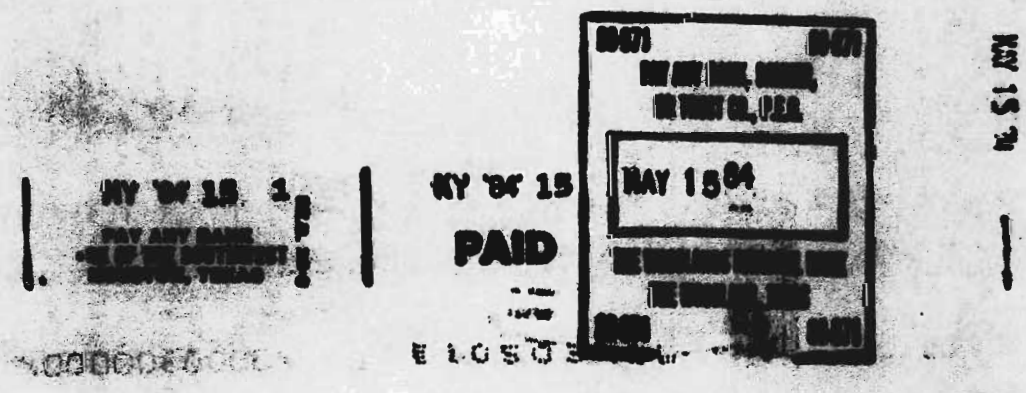
⑆113108718⑆ 01 ⑈0000300000⑈

⑆113108718⑆ 01 ⑈0000300000⑈

5 SEE 5/31/84 Bank Statement

6040643





6040614308

Initials | Date
Prepared By
Approved By

MAX Hoyt Campaign
Bank Reconciliation
June 30, 1984 (5/14/84 — 6/30/84)

Balance per bank	6/30/84			22845
Add deposits in transit				
Less O/S				
6/26	1135	[illegible]	75000	
6/26	1162	Jim Brooks	60000	
6/26	1151	Karen McCartney	5000	
6/26	1186	Brooks Printing	2325	
6/26	1134	Jim Brooks	60000	
6/26	1187	Hoy Brooks	5000	
6/20	1199	Bryant Electric	50000	
6/26	1304	Shell Oil	22807	
6/26	1307	Exxon	24228	470319
				57824
Balance per books	5/13/84			286725
Add cash receipts	Coupons 1625 thru 1652 =			1470524
	Coupons 1300 thru 1306 =			2000000
	Refunds W&F chgs	175		12500
	Interest	4084	92	5024
Less Cash Disbursements				
1244 — 1306	Checks		4112975	

JONES COMPANY U.S.A. • "COLUMN WRITE" G7604 PADDED WG7604 "WYRING" BOUND

The Woodlands National Bank 0 4 1 4 3 9

Statement of Account

A Bank of the Southwest

1400 Woodlands Forest Dr. - (713) 363-3333
P. O. Box 8369, The Woodlands, Texas, 77380

1 of 3

5/84

034 125

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

STATEMENT CLOSING DATE - 05/31/84 PAGE NO. 1

SOUTHWEST NOW ACCOUNT
016 102

* SUMMARY *

BEGINNING BALANCE 4-30-84	4,521.50
29 DEPOSITS AND OTHER CREDITS.....	84,336.30
99 CHECKS AND OTHER DEBITS.....	80,761.70
SERVICE CHARGE.....	.00
NEW BALANCE AS OF STATEMENT DATE.....	8,096.10
AVERAGE BALANCE	16,380.00

INTEREST PAID YEAR TO DATE.....147.06

TRANSACTION SUMMARY.....

DATE.	....AMOUNT.....	.DESCRIPTION
05/01	650.00+	DEPOSIT
05/01	100.00-	NSF CHECK HANDLING CHARGE
05/02	100.00+	DEPOSIT
05/02	40,000.00+	DEPOSIT
05/02	143.10-	CHECK
05/02	319.48-	CHECK
05/02	332.50-	CHECK
05/02	1,362.68-	CHECK
05/02	1,700.00-	CHECK
05/02	3,968.90-	CHECK
05/02	5,000.00-	CHECK
05/02	5,000.00-	CHECK
05/03	75.00+	DEPOSIT
05/03	7,000.00+	DEPOSIT
05/04	75.00+	DEPOSIT
05/04	275.00+	DEPOSIT
05/07	465.36+	DEPOSIT
05/09	650.00+	DEPOSIT
05/14	50.00+	DEPOSIT
05/14	205.00+	DEPOSIT
05/14	1,075.00+	DEPOSIT
05/15	2,065.00+	DEPOSIT
05/15	3,000.00+	DEPOSIT
05/16	350.00+	DEPOSIT
05/17	210.00+	DEPOSIT
05/18	350.00+	DEPOSIT
05/22	435.00+	DEPOSIT
05/22	5,000.00+	DEPOSIT
05/23	630.00+	DEPOSIT
05/23	3,000.00-	CHECK RETURNED TO US

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 880-3728 or 1-800-232-5800.

The Woodlands National Bank 0 5 1 4 3 0

Statement of Account

A Bank of the Southwest

1400 Woodlands Parkway • (713) 363-3333
P. O. Box 8280, The Woodlands, Texas, 77380

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5/of

034 125

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 800-3728 or 1-800-232-5800.

SOUTHWEST NOW ACCOUNT
016 102

TRANSACTION SUMMARY

DATE.	....AMOUNT.....	.DESCRIPTION
05/23	25.00-	NSF CHECK HANDLING CHARGE
05/24	13,000.00+	DEPOSIT
05/24	4,500.00-	CHECK
05/25	150.00+	DEPOSIT
05/25	635.00+	DEPOSIT
05/29	1,000.00+	DEPOSIT
05/29	2,050.00+	DEPOSIT
05/30	350.00+	DEPOSIT
05/30	5,000.00-	CHECK RETURNED TO US
05/31	400.00+	DEPOSIT
05/31	4,100.00+	DEPOSIT
05/31	40.94+	INTEREST PAID

DATE	CHECK NO	AMOUNT	DATE	CHECK NO	AMOUNT
05/01		5,000.00	05/04	1208	888.38
05/01	1205	150.00	05/04	1210	350.00
05/02	1174	200.00	05/04	1211	293.88
05/02	1180	100.00	05/04	1212	209.11
05/02	1182	724.74	05/04	1218	3,500.00
05/02	1187	222.18	05/04	1224	650.00
05/02	1190	246.85	05/04	1228	100.00
05/02	1192	166.02	05/07	1136	600.00
05/02	1216	320.00	05/07	1177	20.00
05/02	1217	20.00	05/07	1178	1,770.00
05/02	1219	20.00	05/07	1188	23.00
05/02	1221	178.80	05/07	1208	183.21
05/03	1185	242.06	05/07	1229	485.38
05/03	1191	34.74	05/09	1222	600.00
05/03	1194	611.38	05/10	1208	276.32
05/03	1198	107.30	05/10	1213	700.00
05/03	1199	155.51	05/11	1128	1,000.00
05/03	1203	472.50	05/11	1220	315.61
05/03	1214	750.00	05/14		40.00
05/03	1225	600.00	05/14	1223	600.00
05/03	1227	1,000.00	05/14	1242	1,000.00
05/04	1144	87.08	05/15	1215	900.00
05/04	1183	20.08	05/16	1241	130.00
05/04	1189	422.78	05/16	1247	4,655.00
05/04	1197	1,707.61	05/17		25.00
05/04	1200	128.63	05/18	1244	105.00
05/04	1204	307.40	05/18	1251	450.00
05/04	1206	2,788.46	05/21	1232	165.95
05/04	1207	254.40	05/21	1233	123.16

The Woodlands National Bank 0 5 1 4 3 1

Statement of Account

A Bank of the Southwest

1400 Woodlands Forest Dr. - (713) 363-3333
P. O. Box 8280, The Woodlands, Texas, 77380

3 of 3

5/84

034 125

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

STATEMENT CLOSING DATE - 05/31/84 PAGE NO. 3

SOUTHWEST NOW ACCOUNT
016 102

DATE	CHECK NO	AMOUNT	DATE	CHECK NO	AMOUNT
05/21	1234	49.80	05/24	1258	600.00
05/21	1235	1,154.53	05/25	1260	128.29
05/21	1236	178.50	05/25	1265	100.00
05/21	1237	324.36	05/28	1268	650.00
05/21	1238	253.01	05/28	1269	462.00
05/21	1239	467.17	05/29	1264	325.00
05/21	1240	521.05	05/30	1261	500.00
05/21	1253	31.61	05/30	1262	2,800.00
05/22	1248	1,500.00	05/30	1273	500.00
05/22	1252	48.09	05/31	1245	200.00
05/23	1230	169.50	05/31	1250	260.00
05/23	1231	37.84	05/31	1271	514.50
05/23	1257	60.00	05/31	1274	629.78
05/24	1254	383.78	05/31	1275	231.00

YOUR MINIMUM BALANCE OF 78.50- OCCURRED ON 05/01

*** NEW BANKING HOURS STARTING FEB 21ST. DRIVE IN MON-FRI *** 7AM TO 6PM. LOBBY MON-THUR 9AM TO 3PM, FRI 9AM TO 5PM. ***

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 880-3728 or 1-800-232-5800.

SUBJECT TO RULES AND REGULATIONS OF

The Woodlands National Bank

A Bank of The Southwest

If additional space is needed for listing checks use reverse side and bring total forward. Please see that all checks and items are endorsed, both as shown and as your account is carried with us.

DESCRIPTION	DOLLARS	CENTS
CURRENCY & COIN		
CHECKS ENDORSE PROPERLY		
016-102 #9680	$13,000.00	
SUBTOTAL		
LESS CASH		
TOTAL DEPOSIT	$13,000.00	

PAID

DATE May 24, 1984

NAME Max Hoyt Congressional Campaign

ADDRESS P. O. Box 3364

CITY Conroe, Texas 77305

THE WOODLANDS NATIONAL BANK
THE WOODLANDS, TEXAS

⑈113108718⑈ 130[illegible]246 01 #0001300000#

SUBJECT TO RULES AND REGULATIONS OF

The Woodlands National Bank

A Bank of The Southwest

If additional space is needed for listing checks use reverse side and bring total forward. Please see that all checks and items are endorsed, both as shown and as your account is carried with us.

DESCRIPTION	DOLLARS	CENTS
CURRENCY & COIN		
CHECKS ENDORSE PROPERLY	5000	
TOTAL DEPOSIT	5000	00

PAID

DATE 5/30

NAME Max Hoyt Congressional Campaign

ADDRESS 10716 Whisper Willow

CITY Woodlands

THE WOODLANDS NATIONAL BANK
THE WOODLANDS, TEXAS

⑈113108718⑈ [illegible] 2⑈ 01 #0000500000#

DEPOSIT TICKET

Date 5/30 19 84

CHECKS AND OTHER ITEMS ARE RECEIVED FOR DEPOSIT SUBJECT TO THE TERMS AND CONDITIONS OF THIS FINANCIAL INSTITUTION'S AGREEMENT.

DEPOSITED IN

The Woodlands National Bank
A Bank of the Southwest
1400 Woodlands Parkway Suite
The Woodlands, Texas 77380

MAX HOYT CONGRESSIONAL
CAMPAIGN COMMITTEE
P. O. BOX 3364
CONROE, TEXAS 77305

		DOLLARS	CENTS
CASH	CURRENCY		
	COIN		
CHECKS LIST SINGLY • BE SURE ITEM IS ENDORSED	L. Appel	100	00
	Jerry	500	00
	[illegible]	500	00
	P.A.C.	3000	00
TOTAL FROM OTHER SIDE			
TOTAL DEPOSIT		4,100	00

PAID

MAY 31 1984

SEE OTHER SIDE FOR ADDITIONAL LISTING

THE WOODLANDS NATIONAL BANK
THE WOODLANDS, TEXAS

⑆ TX NB 056 [illegible] 2318 [illegible]

⑈113108718⑈ [illegible] 2⑈ 01 #0004100000#

ADDITIONAL CHECKS—ENTER ON FACE

ADDITIONAL CHECKS—ENTER ON FACE

REVERSE CARBON BEFORE LISTING		
CHECKS (AT ONCE)	DOLLARS	CENTS
1		
2		
3		
4		
5		
6		
7		
8		
9		
10		
11		
12		
13		
14		
15		
16		
17		
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19		
20		
21		
22		
23		
24		
25		
26		
27		
28		
29		
30		
31		
32		
33		
34		
35		
36		
37		
38		
39		
40		
TOTAL THIS SIDE		

IMPORTANT: ENTER THE TOTAL IN THE SPACE PROVIDED ON FRONT

The Woodlands National Bank

A Bank of the Southwest

1400 Woodloch Forest Dr. · (713) 363-3333
P. O. Box 8368, The Woodlands, Texas, 77380

0 4 1 4 3 4

Statement of Account

1 of 2

6/84

034 46

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3364
CONROE, TEXAS 77305

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 880-3728 or 1-800-232-5800.

STATEMENT CLOSING DATE - 06/29/84 PAGE NO. 1

SOUTHWEST NOW ACCOUNT
016 102

* SUMMARY *

BEGINNING BALANCE 5-31-84	8,096.10
15 DEPOSITS AND OTHER CREDITS.....	15,039.37
37 CHECKS AND OTHER DEBITS.....	20,853.29
SERVICE CHARGE.....	.00
NEW BALANCE AS OF STATEMENT DATE.....	1,282.18
AVERAGE BALANCE	11,640.00
INTEREST PAID YEAR TO DATE.....	156.43

TRANSACTION SUMMARY

DATE	AMOUNT	DESCRIPTION
06/01	456.00+	DEPOSIT
06/04	1,026.00+	DEPOSIT
06/04	3,000.00+	DEPOSIT
06/05	295.00+	DEPOSIT
06/05	25.00-	NSF CHECK HANDLING CHARGE
06/06	50.00-	NSF CHECK HANDLING CHARGE
06/07	100.00-	NSF CHECK HANDLING CHARGE
06/08	1,150.00+	DEPOSIT
06/08	134.27-	CHECK
06/08	178.20-	CHECK
06/08	178.20-	CHECK
06/08	178.20-	CHECK
06/08	178.20-	CHECK
06/08	178.20-	CHECK
06/08	75.00-	NSF CHECK HANDLING CHARGE
06/11	350.00+	DEPOSIT
06/11	178.20-	CHECK
06/11	178.20-	CHECK
06/11	178.20-	CHECK
06/13	2,078.00+	DEPOSIT
06/15	1,000.00+	DEPOSIT
06/15	1,950.00+	DEPOSIT
06/15	2,200.00+	DEPOSIT
06/19	100.00+	DEPOSIT
06/22	25.50-	DEBIT, CHK ORDERS CLARKE CHECKS 0000070000000228
06/25	900.00+	DEPOSIT
06/27	500.00+	DEPOSIT
06/28	25.00+	DEPOSIT
06/29	9.37+	INTEREST PAID

NO COPIES IN C(B)

The Woodlands National Bank 0 6 1 4 3 5

Statement of Account

A Bank of the Southwest

1400 Woodlands Parkway • (713) 363-3333
P. O. Box 8388, The Woodlands, Texas, 77380

2 of 2

034 46

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTE
P O BOX 3264
CONROE, TEXAS 77305

STATEMENT CLOSING DATE - 06/29/84 PAGE NO. 2

SOUTHWEST NOW ACCOUNT
016 102

DATE	CHECK NO	AMOUNT	DATE	CHECK NO	AMOUNT
06/01	1270	240.00	06/05	1280	178.20
06/01	1272	382.00	06/06	1282	178.20
06/01	1277	4,300.00	06/07	1246	87.29
06/01	1278	509.36	06/14	1294	248.17
06/01	1279	25.00	06/14	1296	182.00
06/01	1290	89.40	06/18	1297	146.87
06/01	1291	92.00	06/18	1301	1,421.74
06/01	1292	280.00	06/19	1298	1,500.00
06/01	1293	58.50	06/19	1303	650.00
06/04	1249	325.00	06/21	1302	600.00
06/04	1266	3,000.00	06/27	1300	1,500.00
06/04	1267	3,000.00			

YOUR MINIMUM BALANCE OF 208.72- OCCURRED ON 06/11

*** NEW BANKING HOURS STARTING FEB 21ST. DRIVE IN MON-FRI *** 7AM TO 6PM. LOBBY MON-THUR 9AM TO 3PM, FRI 9AM TO 5PM. ***

SAVE AS MUCH AS 70% WITH MPACT BROKERS.
Call 880-3728 or 1-800-232-5800.

	Initials	Date
Prepared by		
Approved by		

LIST OF ORIGINAL CO-SIGNERS AS CALLED TO ME FOR CORRECTION OF F.C.C REPORT + A. APP/05

50,000 — MAX HART — JOE TURNER CO-SIGNER

12,500 — ALF BARNES — CONTRACTOR

2000 — JOHN WEISSER — CAR DEALER

2500 — RANDOLPH WOODS — J-MES WOODLAND

5000 — MICHAEL CARDOZO — EXECUTIVE MITCHELL BROS

5000 — JAMES H. HARRIS JAMES — CONSTRUCTION EXECUTIVE

5000 — STEVEN HOLDITCH — ASSISTANT ENGINEER

5000 — EDWARD — ADMINISTRATIVE ASSISTANT

5000 — VOLKSWAGEN — JUNIOR — CONSTRUCTION EXECUTIVE

5000 — THOMAS H COX — DENTIST

5000 — MICHAEL — ANESTHESIOLOGIST

5000 — R. FLORIDA — CONTRACTOR — HOME BUILDER

2500 — GEORGE — MECHANIC — MECHANICAL ENGINEER

-[illegible] — 10 YEAR × 40,000

6040614307

Initials Date

Prepared By

Approved By

LIST OF CONTRIBUTORS AS SUBMITTED TO BANK

pg 2

	1	2	3	4
	Kay Walker	1000		
	Allan Akelas	1000		
	Doris Akelas	1000		
	David Akelas	1000		
	Joe Anderson (2)	$900 Primary	$900 Run-off	
(Kay)	Myrta Applewhite	1000		
	Gary Messenger	1000		
	Vera Robbins	1000		
	Peggy Turner	1000		
	Russ Wyllie	1000		
	Randall Woods	1000		
	Jerry Overbeck	1000		
	John Joyce	1000		
	W. Hous[illegible] Lewis Hurd	1000		
	Melvin Du Maux	1000		
	George C. Cate	1000		
	Richard P. Brown	1000		
	C.B. Lee	1000		
	John H. Joyce	1000		
	Cathy Thornton	1000		
	Gary Collier	1000		
	Martin W. Rogers	1000		
	Emily Hagen Zahn	1000		
	James Hagen Zahn	1000		
	Thomas D. Cox	1000		
	Edgar Bates	1000		
	W. Scott Jones	1000		
	W. Scott Jones	1000		
	David Slavin	1000		
	J.N. Moore Jr.	1000		
5/20	Richard E Jewett	1000		
5/20	Ann M. Jewett	1000		
5/20	David A. Vogt	1000		
	Jennifer Hoyt	1000		
	Jim Galloway	1000		
	Lisa Mayo	1000		
	Jonathan Jewett	1000		
	Shelley Murphy	1000		
5/16	Joe Turner	1000		
	DAVID A. OVERBECK	1000		
	KAREN L. LEE	1000		
	John M. WEEKLEY	1000	PRIMARY	
	John M. WEEKLEY	1000	RUN-OFF	
	JAMES A. ULRICH	1000		
	FRANCES A. SAXE	1000		
	MAY S. Stephens	1000		
	BOBBIE JOAN HOLLWAY	1000		
	JAN PEARCE	1000		
	Mrs. John Wiesner	1000		
	John W. Wiesner	1000		

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6040614308

Initials Date

Prepared By

Approved By

List of Credentials

2 of 2

	1	2	3	4
	DON BUCKALEW 900			
	PAUL C HUGHES 1000	PRIMARY		
	SALLY B. NAUGLE 1000			
	HOWELL WIEGNER, JR 1000			
	HILDRED M. MONTGOMERY 1000			
	LEE EWING 1000			
	ELIZABETH WAINWRIGHT 1000			
	JOE HOLMES 1000			
	[illegible] 1000			
	MARY HARDEE 1000			
	H. PAUL YOUNG 1000			
	RON MAY 1000			
	LONDA MAY 1000			
	JOHN J-NAUGLE 1000			
	DELORES ARNOTT 1000			
	ANN D FRIEND 1000			
	ANN ADAMS 1000			
	ANN ADAMS 1000			
	ANNE SMITH 1000			
	ED JONES 1000			
A.O.	LINDA B DIGIOVANNI 1000			
A.O	ALTHEA HATFIELD 1000			
A.O	JAMES ANDERSON 1000			
A.O	JAY D. RANKIN 1000			
A.O	H. MACK BROWN 1000			
A.O.	JIMMY M. HICKMAN 1000			
A.O	E KEITH CLAGHORN 1000			
A.O	ANDREW HAYCRAFT 1000			
A.O	LINDA L. HOLT 1000			
MAIN	LINDA L HOLT 1000			
	B.F. FRANKLIN 1000			
	ROBERT BAXTER 1000			
	[illegible] FITZGERALD 1000			
	T. J. ROETTGER 1000			
	MATTHEW WOOD 1000			
	JOAN H. BROOKS 1000			
	FRED HEALEE 1000			
	MARIE AVERY 1000			
	JOAN MARKS 1000			
	M.D. EVERETT JR 1000			
	W.T BUXTON 1000			
	JANICE DANIEL 1000			
	LESLIE WOODS 1000			
	MARY LOUISE [illegible] 1000			
	WILLIAM O MALLY 1000			
	[illegible] D. [illegible] 1000			
	ELAINE [illegible] 1000			
	[illegible] 1000			
	[illegible] 1000			
	[illegible] 1000			

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PRIMARY ELECTION

Dan Adams	$1,000.00
Linda Holt	1,000.00
Andrew Hrycushko	1,000.00
H. Mack Brown	1,000.00
James C. Anderson	1,000.00
Althea Hartsfield	1,000.00
Linda B. Digilormo	1,000.00
Joe R. Anderson	900.00
Dolores R. Amato	1,000.00
Ann S. Friend	1,000.00
Kathryn Blood	1,000.00
T.J. Roetschke	1,000.00
Doris Phelps	1,000.00
Robert W. Baxter	1,000.00
B.J. Franklin	1,000.00
Michael R. Cotter	1,000.00
E. Keith Claghorn	1,000.00
Bobbie Joan Holiway	1,000.00
John M Weekley	1,000.00
David A. Overbeck	1,000.00
Karen L Lee	1,000.00
Ken Walker	1,000 00
R Gary Montgomery	900.00
Peggy Turner	1,000.00
~~1,000.00~~	
Melvin DuPauix	1,000.00
George C. Lake	1,000.00
Richard A. Brown	1,000.00
John H. Joyce, Jr.	1,000.00
Cathy Thornton	1,000.00
Martin W. Rogers, Jr.	1,000.00
Emily R. Hasenzahl	1,000.00
C.R. Reed	1,000.00
David A. Vogt	1,000.00
Maurice E. Paradis	1,000.00
John Wiesner	1,000.00
Frances A. Saxer	1,000.00
Alan A. Phelps	200.00
Richard E. Jewett	1,000.00
David Slavin	1,000.00
Thomas D. Cox	1,000.00
Londa May	1,000.00
William Scott Jones	1,000.00
Ann Jewett	1,000.00
Jennifer Hoyt	1,000.00
Jim Galloway	1,000.00
Lisa Mann	1,000.00
Jonathan E. Jewett	1,000.00
Shelley Murphy	1,000.00
Elizabeth Wambaugh	1,000.00
Frank Davis	1,000.00
Roy Sanches	1,000.00

50 000 ✓

RUNOFF ELECTION

Bernadette C. Fitzgerald	$1,000.00	James A. Ullrich	900.00
P. Vernon Robbins	1,000.00	Doris Phelps	1,000.00
Russell Wylie	1,000.00	Myrta Kae Applewhite	1,000.00
Jerry L. Overbeck	1,000.00	Winn Sharp	1,000.00
W. Douglas Leonhard	900.00	Edwin E. Jones, Jr.	1,000.00
Jim Hasenzahl	1,000.00	Ron May	1,000.00
J. R. Moore, Jr.	1,000.00	Edgar P. Bates	1,000.00
Joseph V. Turner	1,000.00	Don Buckalew	900.00
Lee W. Ewing	1,000.00	M. W. Everett, Jr.	1,000.00
Joseph Frank Holmes	1,000.00	W. J. Buxton	1,000.00
William C. Wambaugh	1,000.00	Janice Darden	1,000.00
DiAnn L. Yount	1,000.00	Leslie Woods	1,000.00
Mildred M. Montgomery	1,000.00	Mary Louise Holmes	1,000.00
Paul C. Hughes	1,000.00	William A. Mann	1,000.00
Sally B. Naugle	1,000.00	Tom O. Miessler, Sr.	1,000.00
Howell Wiener, Jr.	1,000.00	Glenn Hall	1,000.00
John M. Weekley	1,000.00	Glenn Jasper	1,000.00
Maple Avery	1,000.00	W. Robert Eissler	1,000.00
Jay S. Rankin	1,000.00	Mike Tusing	1,000.00
Bobby M. Hickman	1,000.00	Carrie Thornton	1,000.00
Linda L. Holt	1,000.00	Randy Woods	1,000.00
Mrs. Joan H. Barnes	1,000.00	Dan Adams	1,000.00
Fred H. Pearce	1,000.00	John Naughle	1,000.00
Gary W. Collier	900.00		
Joe R. Anderson	900.00		
John W. Wiesner	1,000.00		
Jan Pearce	1,000.00		
May S. Stephens	1,000.00		

PHELPS ▪ ADAMS & COMPANY

April 2, 1985

Mr. Don Redd, Attorney
First National Bank Building
25211 Grogan's Mill Road, Suite 375
The Woodlands, Texas 77380

Dear Don:

Following is a close approximation of the events surrounding the loans to the Max Hoyt Campaign that are in question.

Sometime in January 1984 Max personally borrowed $50,000 from Montgomery County Bank. Max put this money in his personal money market account at the Woodlands National Bank. Joe Turner endorsed (guaranteed?) (co-signed?) this note.

The money was then loaned to the Campaign Fund as the need dictated. When I filed the FEC report for the period January 1, 1984 through March 31, 1984 I reported this as a loan from Max as I was told it was.

During the period April 16 through May 12, 1984 Max borrowed another $50,000 from Montgomery Bank which was endorsed by others. (See following paragraph.) This money was reflected on the FEC reports as loans from Max as they were again deposited from Max's personal account as needed.

I was not aware that the funds from Max were anything but personal funds until approximately May 25th or May 28th, 1984.

I believe this was brought to our attention by the Joe Barton Campaign. They had asked Max where his money came from during a debate and he told them he borrowed at the bank, which we had not reported.

On May 29, 1984 we filed an amended FEC report for January 1 through March 31, 1984 showing the following endorsers or guarantors:

Joe Turner $45,500
(The original amount was $50,000 but only $45,500 had been put in the Campaign account at March 31, 1984.)

R 6 0 4 0 5 1 4 3 6 1

On May 29th we also amended the April 16th through May 12, 1984 report to reflect another $50,000 that was loaned to Max and endorsed or guaranteed by the following:

John Weisner	$2,000
Randall Woods	2,500
Navarrow Carowson	5,000
James Hasenzahl	5,000
Steven Holditch	5,000
Edward Shaman, M.D.	5,000
Thomas Cox	5,000
Joseph Turner	5,000
Maple Avery, M.D.	5,000
R. Douglas Leonhard	5,000
George Mitchell	2,500
Alf Barnes	2,500

On approximately May 30, 1984, we learned that the above loans could (or would be) construed as campaign contributions and therefore, subject to the $1,000 limitation.

On May 30th and 31st and the morning of June 1, 1984, over 100 endorsements (guarantees) were acquired from various Max Hoyt supporters to remove and replace the original guarantors (endorsers) to eliminate the possibility of having illegal campaign contributions prior to the election of June 2, 1984.

Amended reports were filed the evening of June 1, 1984 reflecting all the new guarantors (endorsers?) on the two notes to Max from Montgomery County Bank.

I believe this is a reasonable accurate approximation of what occurred.

Yours very truly,

PHELPS, ADAMS & COMPANY

Alan A. Phelps
Treasurer

AAP/sh

R 8 6 0 4 0 5 1 4 3 6 2

June 13, 1985

Ms. Linda Tangney
Federal Election Commission
Reports Analysis Division
1325 Case Street
Washington, D.C. 20463

Re: Max Hoyt Congressional Committee
I. D. #C00174656

Dear Ms. Tangney:

Attached find "Databanker" print-outs on Max Hoyt loans showing that the notes were current and interest was paid by the candidate.

Item No. one is the note shown on the December 31, 1984 report as $100,000 but somehow this note is on the bank books for $99,957.53, a difference of $42.47. You will also note that there has been much activity since the end of the year. The bank has called the note and the guarantors have been paying their pro-rata share of the outstanding balance, plus interest. I do not look forward to reporting all of these developments on the June 30, 1985 F.E.C. report.

Item No. two is the $15,000 note shown as paid by the candidate on the December 31, 1984 report. We reported the note as being paid in full. The full details are: The note was secured by stock owned by the candidate. The stock was sold to pay off the note, but was not sufficient to retire the note and interest. Consequently, the bank let the candidate pay off the balance of $1,013.00 monthly, which he has been doing out of personal funds.

We trust the above information is sufficient for your files to show the candidate's notes were current and the interest is being properly paid.

Very truly yours,

Alan A. Phelps, Treasurer
Max Hoyt Congressional Committee

AAP:csm

cc: Max Hoyt

R6040614363

LOAN DESCRIPTION DATA

OPENED	MATURE	SHORT-NAME	HOLD
09-14-84	03-13-85	HOYT MAX	0

TERM	ALT/NA	NTC	ORIG MAT	L/C	MISC
006	N	2	03-13-85	0	

NET LOAN	TYPE	CHG OFF	REV. CODE
99,957.53	S.INT	0	N

INTEREST INFORMATION

CALC MTH	RATE	ADD ON	MIN-ACC
365/365	14.00000		0.00

PRIME	PRIME %	PRI FLR	PRI CEILG
	+0.0000	00.00000	99.99999

LAST ACT	LAST PMT	PER DIEM
05-22-85	05-22-85	29.01261

ORIG AMOUNT	BALANCE
99,957.53	75,640.04
ORIG-VSI-INT	VSI-INT-REB
0.00	0.00
BANK INTEREST	EARNED
0.00	1,294.93
DLR DISCOUNT	DLR REBATE
0.00	0.00
INS-REB-POSTED	
0.00	
INS PREMIUMS	INS REBATE
0.00	0.00
SPEC CHGS	UNPD-LT-CHG
0.00	0.00
PAID-MSC CHG	UNPD-MSC CHG
0.00	0.00
DLR HLDBACK	PAYOFF
0.00	76,934.97

CUST 3673985 LOAN 9004 D A T A B A N K E R BANK 94 BR 001 PAGE 1
LOAN SYSTEM MONETARY TRANSACTION HISTORY 05/28/85
SINCE 00-00-00

PROC DT	EFF DT	TC	PRIN AMT	INT AMT	MISC	BALANCE
09-26-84	09-14-84	22	99,957.53	0.00	0.00	99,957.53
10-03-84	10-03-84	36R	0.00	0.12	0.00	99,957.53
12-14-84	12-13-84	30M	0.00	3,450.46	0.00	99,957.53
04-11-85	04-11-85	30M	1,332.82	4,562.45	0.00	98,624.71
04-16-85	04-16-85	30I	887.62	2.38	0.00	97,737.09
04-16-85	04-16-85	30I	986.44	1.70	0.00	96,750.65
04-17-85	04-17-85	30I	986.44	1.70	0.00	95,764.21
04-17-85	04-17-85	30I	986.44	2.08	0.00	94,777.77
04-18-85	04-18-85	30I	986.44	2.46	0.00	93,791.33
04-22-85	04-22-85	30I	986.44	2.08	0.00	92,804.89
04-22-85	04-22-85	30I	986.44	4.00	0.00	91,818.45
04-22-85	04-22-85	30I	986.44	2.85	0.00	90,832.01
04-25-85	04-25-85	30I	986.44	5.15	0.00	89,845.57
04-25-85	04-25-85	30I	887.62	4.43	0.00	88,957.95
04-25-85	04-25-85	30I	986.44	5.15	0.00	87,971.51

904---------- MORE ----------

CUST 3673985 LOAN 9004 D A T A B A N K E R BANK 94 BR 001 PAGE 2
LOAN SYSTEM MONETARY TRANSACTION HISTORY 05/28/85
SINCE 00-00-00

PROC DT	EFF DT	TC	PRIN AMT	INT AMT	MISC	BALANCE
04-25-85	04-25-85	30I	986.44	4.76	0.00	86,985.07
04-25-85	04-25-85	30I	986.44	5.15	0.00	85,998.63
04-26-85	04-26-85	30I	0.00	100.00	0.00	85,998.63
04-29-85	04-29-85	30I	986.44	2.46	0.00	85,012.19
05-01-85	04-29-85	30M	986.44	4.38	0.00	84,025.75
05-01-85	04-29-85	30M	986.44	4.38	0.00	83,039.31
05-02-85	05-02-85	30I	494.19	5.81	0.00	82,545.12
05-02-85	05-02-85	30I	986.44	5.81	0.00	81,558.68
05-02-85	05-02-85	30I	986.44	5.81	0.00	80,572.24
05-02-85	05-02-85	30I	986.44	5.81	0.00	79,585.80
05-03-85	05-03-85	30I	986.44	5.81	0.00	78,599.36
05-07-85	05-07-85	30I	986.44	7.72	0.00	77,612.92
05-13-85	05-13-85	30I	986.44	8.91	0.00	76,626.48
05-22-85	05-22-85	30I	986.44	11.13	0.00	75,640.04

904---------- LAST PAGE ----------

ITEM #2

CUST 3673985 LOAN 9003 D A T A B A N K E R BANK 94 BR 001 PAGE 1/3
LOAN SYSTEM BASIC ACCOUNT DATA 05/28/85

LOAN DESCRIPTION DATA					ORIG AMOUNT	BALANCE
OPENED	MATURE	SHORT NAME		HOLD	15,000.00	928.00
05-24-84	11-08-87	HOYT MAX		0		
					ORIG-VSI-INT	VSI-INT-REB
TERM	ALT/NA	NTC	ORIG MAT	L/C MISC	0.00	0.00
036	N	2	11-08-87	0		
					BANK INTEREST	EARNED
NET LOAN	TYPE	CHG OFF	REV. CODE		0.00	7.94
15,000.00	S.INT	0	N		DLR DISCOUNT	DLR REBATE
					0.00	0.00
INTEREST INFORMATION					INS-REB-POSTED	
CALC MTH	RATE	ADD ON	MIN-ACC		0.00	
365/365	14.00000		0.00		INS PREMIUMS	INS REBATE
					0.00	0.00
PRIME	PRIME %	PRI FLR	PRI CEILG		SPEC CHGS	UNPD-LT-CHG
	+1.0000	00.00000	99.99999		0.00	0.00
					PAID-MSC CHG	UNPD-MSC CHG
LAST ACT	LAST PMT	PER DIEM			0.00	0.00
04-16-85	04-16-85	0.35594			DLR HLDBACK	PAYOFF
					0.00	935.94

CUST 3673985 LOAN 9003 D A T A B A N K E R BANK 94 BR 001 PAGE 1
LOAN SYSTEM MONETARY TRANSACTION HISTORY 05/28/85
SINCE 00-00-00

PROC DT	EFF DT	TC	PRIN AMT	INT AMT	MISC	BALANCE
05-24-84	05-24-84	22	15,000.00	0.00	0.00	15,000.00
10-03-84	10-03-84	30M	13,987.00	752.26	0.00	1,013.00
12-13-84	11-08-84	82	0.00	0.00		1,013.00
12-14-84	12-13-84	30M	34.62	13.60	0.00	978.38
03-12-85	03-12-85	30M	0.00	21.02	0.00	978.38
03-12-85	03-12-85	30M	15.92	26.12	0.00	962.46
04-16-85	04-16-85	30M	17.23	9.97	0.00	945.23
04-16-85	04-16-85	30M	17.23	9.97	0.00	928.00

004---------- LAST PAGE ----------

July 25, 1985

Ms. Linda Tangney
Federal Election Commission
Reports Analysis Division
1325 Case Street
Washington, D.C. 20463

Re: Max Hoyt Congressional Committee
I.D. #C00174656

Dear Ms. Tangney:

This in addition to our letter dated June 13, 1985.

The reason the due dates of the outstanding loans differ between reporting periods is the result of the loans being renegotiated and renewed.

Very truly yours,

Alan A. Phelps, Treasurer
Max Hoyt Congressional Committee

AAP/sh

8504051436

Mortgage Agent

CUST 3673985 LOAN 9003 D A T A B A N K E R BANK 94 BR 001 PAGE 1/3
LOAN SYSTEM BASIC ACCOUNT DATA 05/28/85

LOAN DESCRIPTION DATA					ORIG AMOUNT	BALANCE
OPENED	MATURE	SHORT NAME	HOLD		15,000.00	928.00
05-24-84	11-08-87	HOYT MAX	0			
				ORIG-VSI-INT		VSI-INT-REB
TERM	ALT/NA	NTC	ORIG MAT	L/C	MISC	0.00	0.00
036	N	2	11-08-87	0		
					BANK INTEREST	EARNED
NET LOAN	TYPE	CHG OFF	REV. CODE		0.00	7.94
15,000.00	S.INT	0	N		DLR DISCOUNT	DLR REBATE
					0.00	0.00
INTEREST INFORMATION					INS-REB-POSTED	
CALC MTH	RATE	ADD ON	MIN-ACC		0.00	
365/365	14.00000		0.00		INS PREMIUMS	INS REBATE
					0.00	0.00
PRIME	PRIME %	PRI FLR	PRI CEILG		SPEC CHGS	UNPD-LT-CHG
	+1.0000	00.00000	99.99999		0.00	0.00
					PAID-MSC CHG	UNPD-MSC CHG
LAST ACT	LAST PMT	PER DIEM			0.00	0.00
04-16-85	04-16-85	0.35594			DLR HLDBACK	PAYOFF
					0.00	935.94

CUST 3673985 LOAN 9003 D A T A B A N K E R BANK 94 BR 001 PAGE 1
LOAN SYSTEM MONETARY TRANSACTION HISTORY 05/28/85
SINCE 00-00-00

PROC DT	EFF DT	TC	PRIN AMT	INT AMT	MISC	BALANCE
05-24-84	05-24-84	22	15,000.00	0.00	0.00	15,000.00
10-03-84	10-03-84	30M	13,987.00	752.26	0.00	1,013.00
12-13-84	11-08-84	82	0.00	0.00		1,013.00
12-14-84	12-13-84	30M	34.62	13.60	0.00	978.38
03-12-85	03-12-85	30M	0.00	21.02	0.00	978.38
03-12-85	03-12-85	30M	15.92	26.12	0.00	962.46
04-16-85	04-16-85	30M	17.23	9.97	0.00	945.23
04-16-85	04-16-85	30M	17.23	9.97	0.00	928.00

004---------- LAST PAGE ----------

CUST 3673985 LOAN 9004 D A T A B A N K E R BANK 94 BR 001 PAGE 1/3
LOAN SYSTEM BASIC ACCOUNT DATA 05/28/85

LOAN DESCRIPTION DATA					ORIG AMOUNT	BALANCE
OPENED	MATURE	SHORT NAME	HOLD		99,957.53	75,640.04
09-14-84	03-13-85	HOYT MAX	0			
				ORIG-VSI-INT		VSI-INT-REB
TERM	ALT/NA	NTC	ORIG MAT	L/C	MISC	0.00	0.00
006	N	2	03-13-85	0		
					BANK INTEREST	EARNED
NET LOAN	TYPE	CHG OFF	REV. CODE		0.00	1,294.93
99,957.53	S.INT	0	N		DLR DISCOUNT	DLR REBATE
					0.00	0.00
INTEREST INFORMATION					INS-REB-POSTED	
CALC MTH	RATE	ADD ON	MIN-ACC		0.00	
365/365	14.00000		0.00		INS PREMIUMS	INS REBATE
					0.00	0.00
PRIME	PRIME %	PRI FLR	PRI CEILG		SPEC CHGS	UNPD-LT-CHG
	+0.0000	00.00000	99.99999		0.00	0.00
					PAID-MSC CHG	UNPD-MSC CHG
LAST ACT	LAST PMT	PER DIEM			0.00	0.00
05-22-85	05-22-85	29.01261			DLR HLDBACK	PAYOFF
					0.00	76,934.97

CUST 3673985 LOAN 9004 D A T A B A N K E R BANK 94 BR 001 PAGE 1
LOAN SYSTEM MONETARY TRANSACTION HISTORY 05/28/85
SINCE 00-00-00

PROC DT	EFF DT	TC	PRIN AMT	INT AMT	MISC	BALANCE
09-26-84	09-14-84	22	99,957.53	0.00	0.00	99,957.53
10-03-84	10-03-84	36R	0.00	0.12	0.00	99,957.53
12-14-84	12-13-84	30M	0.00	3,450.46 (X)	0.00	99,957.53
04-11-85	04-11-85	30M	1,332.82 Δ	4,562.45 Δ	0.00	98,624.71
04-16-85	04-16-85	30I	887.62 Δ	2.38	0.00	97,737.09
04-16-85	04-16-85	30I	986.44	1.70	0.00	[illegible]
04-17-85	04-17-85	30I	986.44	1.70	0.00	[illegible]
04-17-85	04-17-85	30I	986.44	2.08	0.00	[illegible]
04-18-85	04-18-85	30I	986.44	2.46	0.00	[illegible]
04-22-85	04-22-85	30I	986.44	2.08	0.00	[illegible]
04-22-85	04-22-85	30I	986.44	4.00	0.00	[illegible]
04-22-85	04-22-85	30I	986.44	2.85	0.00	[illegible]
04-25-85	04-25-85	30I	986.44	5.15	0.00	[illegible]
04-25-85	04-25-85	30I	887.62	4.43	0.00	[illegible]
04-25-85	04-25-85	30I	986.44	5.15	0.00	[illegible]

010---------- MORE ----------

CUST 3673985 LOAN 9004 D A T A B A N K E R BANK 94 BR 001 PAGE 2
LOAN SYSTEM MONETARY TRANSACTION HISTORY 05/28/85
SINCE 00-00-00

PROC DT	EFF DT	TC	PRIN AMT	INT AMT	MISC	BALANCE
04-25-85	04-25-85	30I	986.44	4.76	0.00	86,985.07
04-25-85	04-25-85	30I	986.44	5.15	0.00	85,998.63
04-26-85	04-26-85	30I	0.00	100.00	0.00	85,998.63
04-29-85	04-29-85	30I	986.44	2.46	0.00	85,012.19
05-01-85	04-29-85	30M	986.44	4.38	0.00	84,025.75
05-01-85	04-29-85	30M	986.44	4.38	0.00	83,039.31
05-02-85	05-02-85	30I	494.19	5.81	0.00	82,545.12
05-02-85	05-02-85	30I	986.44	5.81	0.00	81,558.68
05-02-85	05-02-85	30I	986.44	5.81	0.00	80,572.24
05-02-85	05-02-85	30I	986.44	5.81	0.00	79,585.80
05-03-85	05-03-85	30I	986.44	5.81	0.00	78,599.36
05-07-85	05-07-85	30I	986.44	7.72	0.00	77,612.92
05-13-85	05-13-85	30I	986.44	8.91	0.00	76,626.48
05-22-85	05-22-85	30I	986.44	11.13	0.00	75,640.04

004---------- LAST PAGE ----------

(X) INTEREST PAYMENT (AS REPORTED ON 12/31/84 BY FEC REPORT)

Δ INTEREST & PRINCIPAL PAID - NOTE CALLED BY BANK - GUARANTORS STARTED MAKING PAYMENTS (TO BE REPORTED ON 6/30/85 FEC REPORT)

Montgomery County Home

CUST 3673985 LOAN 9001 D A T A B A N K E R BR 001 PAGE 1/3

LOAN SYSTEM BASIC ACCOUNT DATA

LOAN DESCRIPTION DATA				ORIG AMOUNT	BALANCE
OPENED	MATURE	SHORT NAME	HOLD	50,000.00	50,000.00
02-02-84	08-22-84	HOYT MAX	0		

TERM	ALT/NA	NTC	ORIG MAT	L/C	MISC	ORIG-VSI-INT	VSI-INT-REB
003	N	2	05-02-84	0		0.00	0.00

NET LOAN	TYPE	CHG OFF	REV. CODE	BANK INTEREST	EARNED
50,000.00	S.INT	0	N	0.00	2,241.09
				DLR DISCOUNT	DLR REBATE
				0.00	0.00

INTEREST INFORMATION — INS-REB-POSTED 0.00

CALC MTH	RATE	ADD ON	MIN-ACC	INS PREMIUMS	INS REBATE
365/365	14.00000		0.00	0.00	0.00

PRIME	PRIME %	PRI FLR	PRI CEILG	SPEC CHGS	UNPD-LT-CHG
MGT	+1.0000	00.00000	99.99999	0.00	0.00
				PAID-MSC CHG	UNPD-MSC CHG
				0.00	0.00

LAST ACT	LAST PMT	PER DIEM	DLR HLDBACK	PAYOFF
06-26-84	05-24-84	19.17808	0.00	52,241.09

CUST 3673985 LOAN 9001 D A T A B A N K E R BR 001 PAGE 2/3

LOAN SYSTEM BASIC ACCOUNT DATA

LOAN DESCRIPTION DATA				LOAN CLASSIFICATION			
DMND	DISPOSITION	SPEC CHG	JOINT	CENSUS TR	SELL BK	OCCUP	RATING
N	EXPIRE	0.00	N	0000000	0000000	13	000
COSIGN	BILL DT	RMRKS DT		OFF2	BR2	PART SOLD	NO PART
Y	00	00-00-00		AAA	001	0.00	00

REMARKS — CK/SV NO-TYPE TYPE

DESC- GTY JOE TURNER — 00000000000

INTEREST INFORMATION

BEGIN	PAID YTD
05-24-84	0.00

PAYMENT INFORMATION

LAST TR	T/C	PARTIAL PAY
06-26-84	80	0.00

CUST 3673985 LOAN 9001 D A T A B A N K E R BR 001 PAGE 3/3

LOAN SYSTEM BASIC ACCOUNT DATA

PAYMENT INFORMATION — INSURANCES

DUE NEXT	NEXT SCH	NEXT TOT	C	R	PREMIUM	REBATE	START	ENDING
00-00-00	0.00	50,000.00						
PAST DUE	AMT PAST DUE	LAST PMT						
00-00-00	0.00	05-24-84						

DEALER INFORMATION

PAY MODE	EXT	REN	10-30-60-90	P-SCH	NBR	HOLDBACK
AT/MATU	000	001	2 0 0 0	0	000	0.00

PAYMENT SCHEDULES

SCH	PMTS	START	AMOUNT

INTEREST INFORMATION — LOAN CLASSIFICATION

INT BILL	INT DUE	I-SCH	EXT FEE	COLL CODE	LGR	CLASS	CALL RPT	OFF
1,704.11	00-00-00	0		1003	02	02	6F0	AAA

CUST 3673985 LOAN 9001 D A T A B A N K E R BR 001 PAGE 1

LOAN SYSTEM MONETARY TRANSACTION HISTORY SINCE 00-00-00

PROC DT	EFF DT	TC	PRIN AMT	INT AMT	MISC	BALANCE
02-02-84	02-02-84	20	50,000.00	0.00	0.00	50,000.00
05-24-84	05-24-84	30M	0.00	1,930.82	0.00	50,000.00
05-24-84	05-24-84	80	0.00	0.00		50,000.00

004---------- LAST PAGE ----------

CUST 3673985 LOAN 9002 D A T A B A N K E R BR 001 PAGE 1/3

LOAN SYSTEM BASIC ACCOUNT DATA

LOAN DESCRIPTION DATA				ORIG AMOUNT	BALANCE
OPENED	MATURE	SHORT NAME	HOLD	50,000.00	50,000.00
04-30-84	07-30-84	HOYT MAX	0		

TERM	ALT/NA	NTC	ORIG MAT	L/C	MISC	ORIG-VSI-INT	VSI-INT-REB
003	N	2	07-30-84	0		0.00	0.00

NET LOAN	TYPE	CHG OFF	REV. CODE	BANK INTEREST	EARNED
50,000.00	S.INT	0	N	0.00	2,467.65
				DLR DISCOUNT	DLR REBATE
				0.00	0.00

INTEREST INFORMATION — INS-REB-POSTED 0.00 — 4708.74

CALC MTH	RATE	ADD ON	MIN-ACC	INS PREMIUMS	INS REBATE
365/365	13.00000		0.00	0.00	0.00

PRIME	PRIME %	PRI FLR	PRI CEILG	SPEC CHGS	UNPD-LT-CHG
	+0.0000	00.00000	99.99999	0.00	0.00
				PAID-MSC CHG	UNPD-MSC CHG
				0.00	0.00

LAST ACT	LAST PMT	PER DIEM	DLR HLDBACK	PAYOFF
05-30-84	00-00-00	18.8824	0.00	52,467.65

R 0 0 4 0 5 1 4 3 6

CUST 3673985 LOAN 9002 D A T A B A N K E R BR 001 PAGE 2/3

LOAN SYSTEM BASIC ACCOUNT DATA

LOAN DESCRIPTION DATA
MND DISPOSITION SPEC CHG JOINT
N EXPIRE 0.00 N
COSIGN BILL DT RMRKS DT
N 00 00-00-00
REMARKS
COLL DESC: CDYS
INTEREST INFORMATION
BEGIN PAID YTD
04-30-84 0.00
PAYMENT INFORMATION
LAST TR T/C PARTIAL PAY
[illegible] 0.00

LOAN CLASSIFICATION
CENSUS TR SELL BK OCCUP RATING
0000000 0000000 DIR/BK
OFF2 BR2 PART SOLD NO PART
AAA 001 0.00
CK/SV NO-TYPE TYPE
00000000000

Total per diem - $36.76 [illegible]

CUST 3673985 LOAN 9002 D A T A B A N K E R BR 001 PAGE 2/3

LOAN SYSTEM BASIC ACCOUNT DATA

PAYMENT INFORMATION
DUE NEXT NEXT SCH NEXT TOT C R
00-00-00 0.00 50,000.00
LAST DUE AMT PAST DUE LAST PMT
00-00-00 0.00 00-00-00

INSURANCES
PREMIUM REBATE START END

DEALER INFORMATION
NBR HOLDBACK
000 0.00

PAY MODE EXT REN 10-30-60-90 P-SCH
AT/MATU 000 000 1 1 0 0 0

PAYMENT SCHEDULES
SCH PMTS START AMOUNT

INTEREST INFORMATION
INT BILL INT DUE I-SCH EXT FEE
1,559.43 00-00-00 0

LOAN CLASSIFICATION
COLL CODE LGR CLASS CALL RPT
1003 01 6F0

CUST 3673985 LOAN 9002 D A T A B A N K E R BR 001 PAGE 1/3

LOAN SYSTEM MONETARY TRANSACTION HISTORY
SINCE 00-00-00

PROC DT	EFF DT	TC	PRIN AMT	INT AMT	MISC	BALANCE
04-30-84	04-30-84	22	50,000.00	0.00	0.00	50,000.00
04-30-84	04-30-84	46R	40,000.00	0.00	0.00	0.00
05-11-84	05-11-84	46R	6,759.16	0.00	0.00	46,759.16
05-30-84	05-30-84	46R	3,240.84	0.00	0.00	50,000.00

LAST PAGE

CUST 3673985 LOAN 9003 D A T A B A N K E R BR 001 PAGE 1/3

LOAN SYSTEM BASIC ACCOUNT DATA

LOAN DESCRIPTION DATA
SIGNATURE SHORT NAME HOLD
08-22-84 HOYT MAX 0

ORIG AMOUNT
15,000.00

(Refund of $ 1.00)

ALT/NA NTC ORIG MAT L/C MISC
N 2 08-22-84 0

ORIG-VSI-INT
0.00

VSI-INTEREST
0.00

LOAN TYPE CHG OFF REV. CODE
15,000.00 S.INT 0 N

BANK INTEREST
0.00

EARNED
672.32

DLR DISCOUNT
0.00

DLR REBATE
0.00

INTEREST INFORMATION
ADJ MTH RATE ADD ON MIN-ACC
365/365 14.00000 0.00

INS-REB-HOLD
0.00

INS PREMIUMS
0.00

INS REBATE
0.00

INDEX PRIME % PRI FLR PRI CEILG
HOST +1.0000 00.00000 99.99999

SPEC CHGS
0.00

UNPD-LT-CHG
0.00

PAID-MSC CHG
0.00

UNPD-MSC CHG
0.00

LAST ACT LAST PMT PER DIEM
06-26-84 00-00-00 5.75342

DLR HLDBACK
0.00

PAYOFF
15,672.32

CUST 3673985 LOAN 9003 D A T A B A N K E R BR 001 PAGE 2/3

LOAN SYSTEM BASIC ACCOUNT DATA

LOAN DESCRIPTION DATA
COMND DISPOSITION SPEC CHG JOINT
N EXPIRE 0.00 N
COSIGN BILL DT RMRKS DT
N 00 00-00-00
REMARKS
COLL DESC: STOCK
INTEREST INFORMATION
BEGIN PAID YTD
05-24-84 0.00
PAYMENT INFORMATION
LAST TR T/C PARTIAL PAY
06-26-84 22 0.00

LOAN CLASSIFICATION
CENSUS TR SELL BK OCCUP RATING
0000000 0000000 10 100
OFF2 BR2 PART SOLD NO PART
AAA 001 0.00 00
CK/SV NO-TYPE TYPE
00000000000

CUST 3673985 LOAN 9003 D A T A B A N K E R BR 001 PAGE 3/3

LOAN SYSTEM BASIC ACCOUNT DATA

PAYMENT INFORMATION
DUE NEXT NEXT SCH NEXT TOT C R
00-00-00 0.00 15,000.00
PAST DUE AMT PAST DUE LAST PMT
00-00-00 0.00 00-00-00

INSURANCES
PREMIUM REBATE START ENDING

DEALER INFORMATION
NBR HOLDBACK
000 0.00

PAY MODE EXT REN 10-30-60-90 P-SCH
AT/MATU 000 000 1 0 0 0 0

PAYMENT SCHEDULES
SCH PMTS START AMOUNT

INTEREST INFORMATION
INT BILL INT DUE I-SCH EXT FEE
511.23 00-00-00 0

LOAN CLASSIFICATION
COLL CODE LGR CLASS CALL RPT
1004 02 02

CUST 3673985 LOAN 9003 D A T A B A N K E R BR 001

LOAN SYSTEM MONETARY TRANSACTION HISTORY
SINCE 00-00-00

PROC DT	EFF DT	TC	PRIN AMT	INT AMT	MISC	BALANCE
05-24-84	05-24-84	22	15,000.00	0.00	0.00	15,000.00

004 LAST PAGE

8604061437 0

PHELPS ADAMS & COMPANY
Certified Public Accountants
Post Office Box 7786
The Woodlands, Texas 77387

TO: Office of General Counsel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

FIRST CLA

ERTIFIED
204 757 645
MAIL

RECEIVED AT THE FEC
6CC# 7957
85 JUL 9 AM : 42

1954

E. R. Sherman, M.D., P.A.
[illegible] Graham Dr. - Suite D
Tomball, Texas 77375
713-351-7837

June 27, 1985

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
85 JUL 9 P1:52

Mr. Eric Kleinfeld
Office of General Consel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C.

Dear Mr. Kleinfeld:

As per our telephone conversation of 6/26/85, please note the following aetiology:

Mrs. Hoyt asked me to guarantee a loan for her and Max, early in January; they being longterm friends, I acquiesced to do so. The note was for the sum of $5,000.00. I did not attend a bank or meet with any bankers, or with Max.

Approximately 5 or 10 days later, I was informed by Max that since this note was for his election campaign, the note, in fact, was illegal. Apparently Max was not knowledgable regarding the Federal Election laws, until the Federal Election Commission told Max the action was illegal.

Max then informed me that I was no longer required to act as guarantor for his note, in light of the fact that some 50 other supporters would co-sign loans for him.

I do not nor did I ever possess any endorsements, loan papers, documents, or materials that relate, refer or pertain to loans obtained in behalf of the Max Hoyt Congressional Committee.

I do not nor did I ever possess any documents or materials from Max Hoyt or the Max Hoyt Congressional Committee or from any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

8604051437 1

No documents were submitted by me to Max Hoyt or the Max Hoyt Congressional Committee or to any persons acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

As you well know, my only contributions to the Hoyt campaign were; a check for $1,000.00 and my support.

The above information given you is unbiased and the best of my recollection. Please contact me if you have any further questions.

Without prejudice,

Edward R. Shaman, M.D., P.A.

ERS/jc

Given Under My Hand and SEAL OF OFFICE on this the 27th day of June, 1985.

JoAnn W. Corn
NOTARY PUBLIC

JOANN W. CORN
Notary Public of Texas
My Commission Expires 11-7-87

8604051437 2

E. R. Shaman, M.D., P.A.
Tomball Medical Arts Building
929 Graham Dr. - Suite D
Tomball, Texas 77375

RETURN RECEIPT REQUESTED

CERTIFIED

P 609 666 013

MAIL

Address Correction Requested

RESTRICTED DELIVERY

Mr. Eric Kleinfeld
Office of General Consel
Federal Election Commission
1325 K Street, N.W.
Washington, D.C.

85 JUL 9 AM 11:42

RECEIVED AT THE FEC
660883
85 JUL 1 AM 10:

SCHULZE & SOMERMEYER
ATTORNEYS
1717 WOODSTEAD COURT, SUITE 104
THE WOODLANDS, TEXAS 77380
(713) 363-2934

R.M. SCHULZE, JR.
BOARD CERTIFIED — REAL ESTATE LAW (COMMERCIAL)
TEXAS BOARD OF LEGAL SPECIALIZATION

PEGGY SOMERMEYER

June 24, 1985

85 JUL 1 AM 10:32
RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20463

Re: MUR 1964
Navarro Crowson

Dear Mr. Gross:

In response to your letter and subpoena dated June 10, 1985, received in this office June 18, 1985, enclosed is Mr. Crowson's sworn affidavit. Mr. Crowson does not have, nor has he at any time prior to the date of this letter, had in his possession any documents or other written materials relating to either of the loans made to Mr. Hoyt. I suggest that you contact John West, President of Montgomery County Bank, at P. O. Box 25025, The Woodlands, Texas 77380, for copies of materials in the Bank's file. Mr. Crowson does not have access to that file. All of Mr. Crowson's contacts with Mr. Hoyt and his staff were oral.

Mr. Crowson would like to settle this matter prior to a finding of probable cause and is willing to cooperate to his fullest ability with your investigation.

Very truly yours,

Peggy Somermeyer

Peggy Somermeyer

PS:clk
cc: Eric Kleinfeld
Associate General Counsel
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20463

8604051437 4

8 6 0 4 0 5 1 4 3 5

RECEIVED AT THE FEC

85 JUN 28 P1:09

f8/aff

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF	X	
MAX HOYT CONGRESSIONAL COMMITTEE,	X	MUR 1954
ALAN PHILLIPS, TREASURER	X	

AFFIDAVIT

STATE OF TEXAS X

COUNTY OF MONTGOMERY X

Before me, the undersigned authority, on this day personally appeared NAVARRO CROWSON, who, being by me duly sworn, upon his oath did depose and say as follows:

My name is Navarro Crowson. I reside in The Woodlands, Texas and am over the age of 21 years. I have personal knowledge of the matters contained herein and they are true and correct.

In response to your Subpoena directed to me in the above matter, please be advised as follows:

1, 2. I do not have, nor, to the best of my recollection, have I ever had in my possession or subject to my control, either originals or copies of any documents or materials relating to (1) any loans obtained by or for the benefit of Max Hoyt from Montgomery County Bank, or (2) any guarantees or endorsements of any loans to Mr. Hoyt, whether currently in effect or not.

3. I do not have in my possession, nor do I recall ever seeing or receiving, any documents or materials from Max Hoyt or his Congressional Committee relating, referring or pertaining to any guarantee or endorsement of his loans.

4. I have not, nor has anyone on my behalf, to the best of my knowledge, submitted any documents or materials to Max Hoyt or his Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Dated June 24, 1985.

NAVARRO CROWSON

8604061 3376

Subscribed and Sworn to before me on this the 24th day of June, 1985, to certify which witness my hand and seal of office.

Peggy L Semmeyer
Notary Public for the State of Texas

Notary's name printed:
PEGGY L SEMMEYER

My commission expires: 9-27-86

8604061437

fs/aff

Kleinfeld

BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF X
MAX HOYT CONGRESSIONAL COMMITTEE, X MUR 1954
ALAN PHILLIPS, TREASURER X

AFFIDAVIT

STATE OF TEXAS X

COUNTY OF MONTGOMERY X

Before me, the undersigned authority, on this day personally appeared NAVARRO CROWSON, who, being by me duly sworn, upon his oath did depose and say as follows:

My name is Navarro Crowson. I reside in The Woodlands, Texas and am over the age of 21 years. I have personal knowledge of the matters contained herein and they are true and correct.

In response to your Subpoena directed to me in the above matter, please be advised as follows:

1, 2. I do not have, nor, to the best of my recollection, have I ever had in my possession or subject to my control, either originals or copies of any documents or materials relating to (1) any loans obtained by or for the benefit of Max Hoyt from Montgomery County Bank, or (2) any guarantees or endorsements of any loans to Mr. Hoyt, whether currently in effect or not.

3. I do not have in my possession, nor do I recall ever seeing or receiving, any documents or materials from Max Hoyt or his Congressional Committee relating, referring or pertaining to any guarantee or endorsement of his loans.

4. I have not, nor has anyone on my behalf, to the best of my knowledge, submitted any documents or materials to Max Hoyt or his Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Dated June 24, 1985.

NAVARRO CROWSON

Subscribed and Sworn to before me on this the 24th day of June, 1985, to certify which witness my hand and seal of office.

Peggy L Somermeyer
Notary Public for the State of Texas

Notary's name printed:
PEGGY L. SOMERMEYER

My commission expires: 9-27-86

Neenah Bond
25% COTTON FIBER

6040614 3

MUR 1954 #7873

85 JUN 28 P1:19

SCHULZE & SOMMERMEYER
ATTORNEYS
1717 WOODSTEAD COURT, SUITE 104
THE WOODLANDS, TEXAS 77380
(713) 363-2934

R.M. SCHULZE, JR.
BOARD CERTIFIED — REAL ESTATE LAW (COMMERCIAL)
TEXAS BOARD OF LEGAL SPECIALIZATION

PEGGY SOMMERMEYER

June 26, 1985

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20463

Re: MUR 1954
Navarro Crowson

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
85 JUN 28 P2:1

Dear Mr. Gross:

In response to your letter and subpoena dated June 10, 1985, received in this office June 18, 1985, enclosed is Mr. Crowson's sworn affidavit. Mr. Crowson does not have, nor has he at any time prior to the date of this letter, had in his possession any documents or other written materials relating to either of the loans made to Mr. Hoyt. I suggest that you contact John West, President of Montgomery County Bank, at P. O. Box 25025, The Woodlands, Texas 77380, for copies of materials in the Bank's file. Mr. Crowson does not have access to that file. All of Mr. Crowson's contacts with Mr. Hoyt and his staff were oral.

Mr. Crowson would like to settle this matter prior to a finding of probable cause and is willing to cooperate to his fullest ability with your investigation.

Very truly yours,

Peggy Sommermeyer

Peggy Sommermeyer

PS:clk
cc: Eric Kleinfeld
Associate General Counsel
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20463

8604061379

8604061438 0

Kenneth A. Gross
Associate General Counsel
Federal Election Commission
1325 K. Street N. W.
Washington, D.C. 20463

HULZE & SOMERMEYER
ORNEYS
WOODSTEAD COURT, SUITE 104
WOODLANDS, TEXAS 77380

5 JUN 28 P2:20

Mr. Eric Kleinfield
Associate General Counsel
Federal Election Commission
1325 K. Street N. W.
Washington, D.C. 20463

LGC# 7832
85 JUN 21 P2:52

David Bumgardner
Attorney-at-Law
2002 Timberloch, Suite 534
The Woodlands, Texas 77380
(713) 363-5676

June 20, 1985

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
85 JUN 24 A10:01

Federal Election Commission
Washington, D. C. 20463

Attention: Mr. Kenneth A. Gross

Re: MUR 1954
George Mitchell

Gentlemen:

Enclosed are the documents and materials which you require pursuant to the Subpoena to Produce Documents dated June 3, 1985. We are still hopeful that this matter can be handled through the conciliation process prior to a finding of probable cause.

If we can provide further assistance in this matter, please let us know.

Yours very truly,

David Bumgardner
Attorney-at-Law

GDB/sp/2AFEC
Enclosures

8604051432

AKW/sp/2BSub/06-19-8

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, Treasurer	)	

RESPONSE TO SUBPOENA TO PRODUCE DOCUMENTS

TO: Office of General Counsel
Federal Election Commission
1325 K Street N.W.
Washington, D. C. 20463

George P. Mitchell files this response to the Subpoena to Produce Documents ("Subpoena") dated June 3, 1985. All documents and materials called for by the Subpoena which are in the custody and control of George P. Mitchell are enclosed with this response.

Respectfully submitted,

G. David Bumgardner
Attorney-at-Law

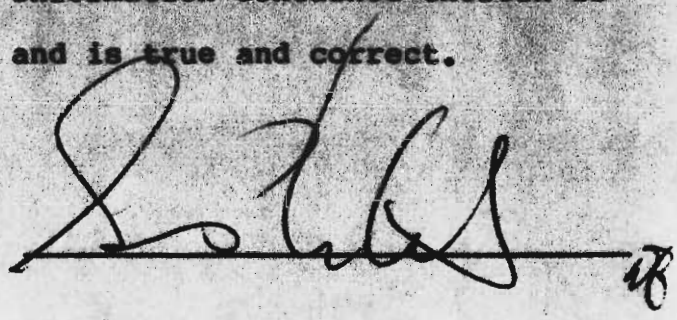
8504014393

AFFIDAVIT

THE STATE OF TEXAS §
§
COUNTY OF MONTGOMERY §

BEFORE ME, the undersigned authority, personally appeared George P. Mitchell, after being duly sworn by me, upon his oath stated:

That he has read the attached Response to Subpoena to Produce Document and that the information contained therein is within his personal knowledge and is true and correct.



SUBSCRIBED AND SWORN TO before me, the undersigned authority on this the 19th day of June, A.D. 1985.

Connie S. Cottingham
Notary Public State of Texas
My Commission Expires: 11-04-86

CONNIE S. COTTINGHAM
Notary Public in and for State of Texas
My Commission Expires 11-04-86

8604051-43384

TURNER-HASENZAHL
CONSTRUCTION INC.
CONTRACTORS/MANAGERS

To Dave Baumgardner

April 12, 1985

Dr. Maple Avery
333 N. Rivershire, Suite 160
Conroe, Texas 77303

Mr. Doug Leonhard
P.O. Box 4000
The Woodlands, Texas 77380

Mr. Alf Barnes

Mr. Tom Cox
5 Grogan's Park Drive, Suite #210
The Woodlands, Texas 77380

Mr. George Mitchell
P.O. Box 4000
The Woodlands, Texas 77380

Mr. John Weisner
P.O. Drawer 2348
Conroe, Texas 77305

Mr. Randall L. Woods
2201 Timberloch Place
The Woodlands, Texas 77380

Mr. Navarro Crowson
P.O. Box 4000
The Woodlands, Texas 77380

R604061438S

25700 INTERSTATE 45 NORTH - SUITE 101, SPRING, TEXAS 77386 PHONE: 713/367-3704

Mr. James D. Hasenzahl
29 Cedarwing Lane
The Woodlands, Texas 77380

Mr. Stephen Holditch

Mr. Edward Shaman, M.D.
939 Graham Drive, Suite D
Tomball, Texas 77375

Gentlemen:

Attached please find a letter that Joe Barton was kind enough to write on our behalf concerning this investigation by the FEC of the Max Hoyt Campaign. I had called and talked with Joe Barton and he has made a number of phone calls to the FEC and has written this letter on our behalf. I thought you would like to have a copy of it.

Sincerely,

Joseph V. Turner

JVT:mas

R6040611.43386

JOE BARTON
6TH DISTRICT, TEXAS

COMMITTEE ON
SCIENCE AND TECHNOLOGY

SUBCOMMITTEES:
ENERGY DEVELOPMENT AND APPLICATIONS
ENERGY RESEARCH AND PRODUCTION
SPACE SCIENCE AND APPLICATIONS

1017 Longworth Building
Washington, DC 20515
(202) 225-2002

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS

SUBCOMMITTEES:
WATER AND POWER RESOURCES
ENERGY AND THE ENVIRONMENT

Congress of the United States
House of Representatives
Washington, DC 20515

April 11, 1985

Mr. John Warren McGarry, Chairman
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

RE: Max Hoyt Investigation
Case # MUR 1954

Dear Mr. McGarry,

It has been brought to my attention that the Federal Election Commission is investigating several loans made by the Max Hoyt For Congress Committee in the Republican Primary and Runoff elections in the Sixth Congressional District of Texas for the 1984 election cycle. I was a candidate in both elections, and am now the Congressman for that district.

It is my understanding that the loans in question may have violated several campaign election regulations. If so, I would ask that no penalties be imposed on the individuals involved. I believe that the individuals involved in Mr. Hoyt's campaign were acting in good faith. Almost all were involved in a federal election for the first time and did not have a clear understanding of the regulations regarding loan limitations.

I, or my campaign staff, am available to furnish additional information if requested.

Sincerely,

Joe Barton

Joe Barton
Member of Congress

JB/ab

8604051437

BRYAN OFFICE:
P.O. Box 4902
Bryan, TX 77805
(409) 846-1985

CONROE OFFICE:
Briarcrest Towers, Suite 207
300 West Davis
Conroe, TX 77301
(409) 760-2281

DENTON OFFICE:
Interfirst Bank, Suite 101
300 West Hickory
Denton, TX 76201
(817) 565-8498

FORT WORTH OFFICE:
3008 Ridgmar #110
Fort Worth, TX 76107
(817) 731-7737

PHELPS • ADAMS & COMPANY

April 2, 1985

Mr. Don Redd, Attorney
First National Bank Building
25211 Grogan's Mill Road, Suite 375
The Woodlands, Texas 77380

Dear Don:

Following is a close approximation of the events surrounding the loans to the Max Hoyt Campaign that are in question.

Sometime in January 1984 Max personally borrowed $50,000 from Montgomery County Bank. Max put this money in his personal money market account at the Woodlands National Bank. Joe Turner endorsed (guaranteed?) (co-signed?) this note.

The money was then loaned to the Campaign Fund as the need dictated. When I filed the FEC report for the period January 1, 1984 through March 31, 1984 I reported this as a loan from Max as I was told it was.

During the period April 16 through May 12, 1984 Max borrowed another $50,000 from Montgomery Bank which was endorsed by others. (See following paragraph.) This money was reflected on the FEC reports as loans from Max as they were again deposited from Max's personal account as needed.

I was not aware that the funds from Max were anything but personal funds until approximately May 25th or May 28th, 1984.

I believe this was brought to our attention by the Joe Barton Campaign. They had asked Max where his money came from during a debate and he told them he borrowed at the bank, which we had not reported.

On May 29, 1984 we filed an amended FEC report for January 1 through March 31, 1984 showing the following endorsers or guarantors:

Joe Turner $45,500
(The original amount was $50,000 but only $45,500 had been put in the Campaign account at March 31, 1984.)

On May 29th we also amended the April 16th through May 12, 1984 report to reflect another $50,000 that was loaned to Max and endorsed or guaranteed by the following:

John Weisner	$2,000
Randall Woods	2,500
Navarrow Carowson	5,000
James Hasenzahl	5,000
Steven Holditch	5,000
Edward Shaman, M.D.	5,000
Thomas Cox	5,000
Joseph Turner	5,000
Maple Avery, M.D.	5,000
R. Douglas Leonhard	5,000
George Mitchell	2,500
Alf Barnes	2,500

On approximately May 30, 1984, we learned that the above loans could (or would be) construed as campaign contributions and therefore, subject to the $1,000 limitation.

On May 30th and 31st and the morning of June 1, 1984, over 100 endorsements (guarantees) were acquired from various Max Hoyt supporters to remove and replace the original guarantors (endorsers) to eliminate the possibility of having illegal campaign contributions prior to the election of June 2, 1984.

Amended reports were filed the evening of June 1, 1984 reflecting all the new guarantors (endorsers?) on the two notes to Max from Montgomery County Bank.

I believe this is a reasonable accurate approximation of what occurred.

Yours very truly,

PHELPS, ADAMS & COMPANY

Original signed by
ALAN A. PHELPS

Alan A. Phelps
Treasurer

AAP/sh

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LIMITED GUARANTY

FOR THE SUM OF ONE DOLLAR, and other valuable considerations, receipt of which is hereby acknowledged, I, we, or either of us, hereinafter called Guarantors, hereby agree, jointly and severally, to pay to MONTGOMERY COUNTY BANK, SPRING, TEXAS, hereinafter called Creditor, its successors or assigns, at its office in the City of Spring, Texas, any and all indebtedness or other liability, fixed or contingent, which Max Hoyt, hereinafter called Debtor, may now or at any time hereafter owe said Creditor, together with interest and collection costs as may be provided in any instrument evidencing said indebtedness or other liability, fixed or contingent, whether said indebtedness or other liability, fixed or contingent, arises by notes, discounts, overdrafts or in any other manner whatsoever, Guarantors expressly waive diligence on the part of the said Creditor in the collection of any and all said indebtedness or other liability, fixed or contingent, protest, notice and all extensions that may be granted to the Debtor, and said Creditor shall be under no obligation to notify us, or either of us, of its acceptance hereof, nor of any advances made or credit extended on the faith hereof, nor of the failure of said Debtor to pay said indebtedness as it matures, nor to use diligence in preserving the liability of any person on said indebtedness or other liability, fixed or contingent, or in bringing suit to enforce collection of the debt due under this guaranty; but it is understood that I, we, or either of us, shall not be required to pay hereunder more than the sum of $2,500.00 Two Thousand Five Hundred & 00/100---------- DOLLARS, together with 15% of the indebtedness additional as attorney's fees, should this contract be placed in the hands of an attorney for collection or should it be collected through any court; and when I, we, or either of us, shall have paid the said Creditor the indebtedness of said Debtor amounting to said sum, this obligation shall be thereby satisfied and discharged.

Should the status of the Debtor change, this guaranty shall continue and also cover the indebtedness of the Debtor under the new status, according to the terms hereof guaranteeing the indebtedness of the original Debtor.

This is a continuing guaranty, and shall apply to and cover all indebtedness and renewals thereof above mentioned or described. The Guarantors, or one or more of them, may give to the Creditor written notice that the Guarantor or Guarantors giving such notice will not be liable hereunder for any indebtedness created, incurred or arising after the giving of such notice; but the obligation of all Guarantors who shall not have given such notice shall, as to all indebtedness created, incurred, or arising after the giving of such notice, remain and continue as if such Guarantors had been the only Guarantors signing this instrument. The notice above provided for shall not be considered as given until actually received and acknowledged in writing by an officer of said Creditor. In the event of the death of any Guarantor hereunder, the obligation of the deceased shall continue in full force and effect against his estate as to all indebtedness which shall have been created or incurred by the Debtor prior to the time when the Creditor shall have received notice, in writing, of such death; and this guaranty shall from the date of such death as to all indebtedness created, incurred or arising after such death remain and continue in full force as a guaranty by the surviving Guarantors. All indebtedness, of whatever kind or character, created pursuant to the provisions of any loan agreement between Creditor and Debtor entered into prior to receipt by Creditor of any notice referred to herein, including notice of death of any Guarantor, shall be deemed to be indebtedness created, incurred or arisng prior to receipt of any such notice by Creditor, even though advances constituting all or a portion of such indebtedness be made subsequent to receipt of any such notice by Creditor.

The Creditor shall not be required to pursue any other remedies before invoking the benefits of this guaranty, especially it shall not be required to exhaust its remedies against endorsers, collateral and other security; and should the indebtedness of the Debtor be in excess of the amount named herein, said Creditor may apply any fund, payment, collections through any court, process of law or otherwise, or other collateral of the Debtor to the satisfaction and liquidation of said excess, without impairing the character of liability herein assumed and without in any way lessening or reducing the same in amount.

If any or all of the indebtedness hereby guaranteed be secured, the Guarantors agree that the Creditor may from time to time, at its discretion and with or without valuable consideration, allow substitution or withdrawal of collateral or may release security, and should the Debtor execute in favor of said Creditor any collateral agreement, the exercise by the Creditor of any right conferred upon it in said agreement shall be wholly discretionary with the Creditor, and such exercise of, or failure to exercise, such right shall in no wise impair or diminish the obligations of the Guarantors hereunder. Creditor may, without in any manner impairing or diminishing the obligations of the Guarantors hereunder, elect to pursue any available remedy against Debtor or against any security held by Creditor, whether or not the exercise by Creditor of any such remedy shall result in loss to Guarantors of any right of subrogation or right to proceed against Debtor for reimbursement.

In the event the Debtor is a corporation, joint stock association or partnership, or is hereafter incorporated, if the indebtedness at any time hereafter exceeds the amount permitted by law, or said Debtor is not liable because the act of creating the obligation is ultra vires, or the officers or persons creating same acted in excess of their authority, and for these reasons the indebtedness to the Creditor which I, we, or either of us, agree to pay cannot be enforced against the corporation, joint stock association or partnership, such fact shall in no manner affect my, our, or either of our liability hereunder, but I, we, or either of us shall be liable hereunder, notwithstanding said corporation, joint stock association or partnership is not liable for such indebtedness, and to the same extent as we would have been if the indebtedness of said Debtor had been enforceable against it.

In the event any payment by Debtor to Creditor is held to constitute a preference under the bankruptcy laws, or if for any other reason Creditor is required to refund such payment or pay the amount thereof to any other party, such payment by Debtor to Creditor shall not constitute a release of Guarantors from any liability hereunder, but Guarantors agree to pay such amount to Creditor upon demand.

This guaranty shall inure to the benefit of the transferee, assignee, or holder of the principal debt; however, all indebtedness to the Creditor shall first be paid in full, before the assignee of any debt guaranteed shall receive any benefit of this contract of guaranty.

Suit may be brought against the Guarantors, jointly and severally, and against any one or more of them, less than all, without impairing the rights of the Creditor, its successors or assigns, against the others of the Guarantors; and the Creditor may compound with any one of the Guarantors for such sum or sums as it may see fit and release such of the Guarantors from all further liability to the Creditor for such indebtedness without impairing the right of the Creditor to demand and collect the balance of such indebtedness from others of the Guarantors not so released; but it is agreed among the Guarantors themselves, however, that such compounding and release shall in no wise impair the rights of the Guarantors as among themselves.

I, we, or either of us, agree that this contract is performable in Montgomery County, Texas, and waive the right to be sued elsewhere.

EXECUTED, this the 1st day of May, 19 84.

George Mitchell
P. O. Box 4000
The Woodlands, Texas 77380

Limited GUARANTORS

8604061439 1

MITCHELL ENERGY & DEVELOPMENT CORP.

TO Office of General Counsel
Federal Election Commission
1325 K Street N. W.
Washington, D. C. 20463

RETURN POSTAGE GUARANTEED

CERTIFIED

P 607 710 639

MAIL

MUR 1954

85 APR 15 P1:01

David Bumgardner
Attorney-at-law
2002 Timberloch, Suite 534
The Woodlands, Texas 77380
(713) 363-5676

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
85 APR 16 A 9:32

April 12, 1985

Federal Election Commission
Washington, D. C. 20463

Attention: Mr. Eric Kleinfeld

Re: MUR 1954 George Mitchell

Gentlemen:

Enclosed is a Statement of Designation of Counsel executed by Mr. George P. Mitchell designating the undersigned to represent him in the above-referenced matter.

Your letter of March 26, 1985, was only recently referred to this office, and we have not had an opportunity to discuss this matter with Mr. Mitchell since he is out of town. He will return on Tuesday, April 16, 1985. After we have had an opportunity to review this matter with Mr. Mitchell, we will submit additional information to you at that time.

Meanwhile, we respectfully request that this matter be handled through the conciliation process prior to a finding of probable cause.

Please advise if you need any additional information at this time.

Yours very truly,

David Bumgardner
Attorney-at-law

GDB/reb/2AFedElect

8504051439 2

MUR 1954

NAME OF COUNSEL: David Bumgardner

ADDRESS: 2002 Timberloch, Suite 534

The Woodlands, Texas 77380

TELEPHONE: (713) 363-5676

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.

4-11-85
Date

Signature George P. Mitchell

RESPONDENT'S NAME: George P. Mitchell

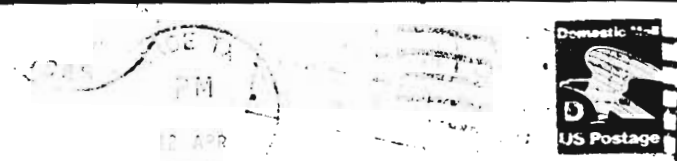
ADDRESS: P. O. Box 4000

The Woodlands, Texas 77387-4000

HOME PHONE: unlisted

BUSINESS PHONE: (713) 363-6000

8604061439 3



Federal Election Commission
Washington, D. C. 20463

Attention: Mr. Eric Kleinfeld

95 APR 15 P1:17

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	MUR 1954
Max Hoyt Congressional Committee, et. al.	)	
Alan Phelps, treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on May 28, 1985, the Commission decided by a vote of 6-0 to take the following actions in MUR 1954:

1. Approve and authorize sending the subpoenas and letters attached to the General Counsel's Report signed May 16, 1985, to the following:

   Max Hoyt Congressional Committee
   Alan Phelps, treasurer
   Max Hoyt
   Maple Avery
   Alf Barnes
   Thomas Cox
   Navarro Crowson
   James Hasenzahl
   Steven Holditch
   R. Douglas Leonhard
   George Mitchell
   Edward Shaman
   Joseph Turner
   John Weisner
   Randall Woods

(Continued)

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8604051439 6

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

Attest:

5/30/85
Date

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 5-16-85, 11:53
Circulated on 48 hour tally basis: 5-17-85, 2:00
Objection withdrawn 5-28-85, 10:06

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Don Redd, Esq.
First National Bank Building
25211 Grogans Mill Rd, Suite 375
The Woodlands, Texas 77380

Re: MUR 1954
Maple Avery, Alf Barnes, Thomas Cox, James Hasenzahl, Douglas Leonhard, Joseph Turner, John Weisner and Randall Woods

Dear Mr. Redd:

On March 26, 1985, your clients were notified that the Commission found reason to believe that they violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information is necessary from your clients. Therefore, the Commission has declined to enter into conciliation prior to a finding of probable cause at this time. However, the Office of General Counsel would still like to settle this matter prior to a finding of probable cause, after receipt of the information necessary to its investigation.

Consequently, the Federal Election Commission has issued the attached subpoena which requires your clients to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

It is required that your clients submit the information under oath and that they do so within ten days of your receipt of this subpoena.

8604061439 7

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604051.43398

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: Maple Avery
P.O. Box 1930
Conroe, Texas 77305

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604061439 9

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061.4400

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604051440 1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: Alf Barnes
58 Hampton Room
Conroe, Texas 77302

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

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8604051440 2

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

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3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061440 3

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604051.44404

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: Thomas Cox
40 Watertree Court
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604061440 5

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604051440 6

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604051144407

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: James Hasenzahl
25700 I-45 North, #101
Spring, Texas 77386

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604051440 8

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8604051440 9

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604051.4410

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: R. Douglas Leonhard
P.O. Box 7886
The Woodlands, Texas 77387

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604061441

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

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8604061441 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604051441 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Joseph Turner
25700 I-45 North, #101
Spring, Texas 77386

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604051441 4

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8604051445

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604061.4416

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: John Weisner
P.O. Drawer 2348
Conroe, Texas 77305

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604051441 7

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

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8604061441 8

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604051441 9

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Randall Woods
72 Indian Clover
The Woodlands, Texas 77381

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604061.4420

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Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061442 1

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 2nd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604061 4422

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Steven Holditch
8600 Rosewood
College Station, Texas 77840

RE: MUR 1954
Steven Holditch

Dear Mr. Holditch:

On March 26, 1985, you were notified that the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604051144423

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: Steven Holditch
5600 Rosewood
College Station, Texas 77840

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604051444424

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

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Request for Documents and Materials

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2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061442 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 9th day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604051444 26

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edward Shaman, M.D.
11702 Quail Creek Drive
Houston, Texas 77070

RE: MUR 1954
Edward Shaman, M.D.

Dear Dr. Shaman:

On March 26, 1985, you were notified that the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

R 6040614427

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Edward Shaman
11702 Quail Creek Drive
Houston, Texas 77070

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604051442 8

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4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061442 9

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604051,44430

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Bumgardner, Esq.
2002 Timberloch, Suite 534
The Woodlands, Texas 77380

Re: MUR 1954
George Mitchell

Dear Mr. Bumgardner:

On March 26, 1985, your client was notified that the Commission found reason to believe that he violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information is necessary from your client. Therefore, the Commission has declined to enter into conciliation prior to a finding of probable cause at this time. However, the Office of General Counsel would still like to settle this matter prior to a finding of probable cause, after receipt of the information necessary to its investigation.

Consequently, the Federal Election Commission has issued the attached subpoena which requires your client to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

It is required that your client submit the information under oath and that he do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604051443 1

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: George Mitchell
P.O. Box 4000
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

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8604051443 2

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

R 6 0 4 0 5 1 4 4 3 3

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604061444 34

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Peggy Somermeyer, Esq.
Schulze & Somermeyer
1717 Woodstead Court, Suite 104
The Woodlands, Texas 77380

Re: MUR 1954
Navarro Crowson

Dear Ms. Somermeyer:

On March 26, 1985, your client was notified that the Commission found reason to believe that he violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information is necessary from your client. Therefore, the Commission has declined to enter into conciliation prior to a finding of probable cause at this time. However, the Office of General Counsel would still like to settle this matter prior to a finding of probable cause, after receipt of the information necessary to its investigation.

Consequently, the Federal Election Commission has issued the attached subpoena which requires your client to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

It is required that your client submit the information under oath and that he do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604061435

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: Navarro Crowson
P.O. Box 4000
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

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2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

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WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June, 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

RE: MUR 1954
Max Hoyt Congressional Committee
and Alan Phelps, treasurer

Dear Mr. Hoyt:

On March 26, 1985, your committee was notified that the Commission found reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604061439

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

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2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both their present and original forms.

4. The terms "guarantors or endorsers" refer to any and all persons who guaranteed or endorsed any portion of the loans from the Montgomery County Bank at any time, as reflected in the 1984 April Quarterly, amended April Quarterly, 12 Day Run-off and amended 12 Day Run-off Reports filed with the Federal Election Commission by the Max Hoyt Congressional Committee, whether the guarantees or endorsements are currently in effect or not, and specifically refer to, among others, the following persons:

Maple Avery	R. Douglas Leonhard
Alf Barnes	George Mitchell
Navarro Crowson	Edward Shaman
Thomas Cox	Joseph Turner
James Hasenzahl	John Weisner
Steven Holditch	Randall Woods

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to the terms of the loans, including but not limited to copies of the current and any former notes on the loans;

2. Copies of all documents and materials which relate, refer or pertain to the current or any former collateral or security pledged on the loans;

3. Copies of all documents and materials which relate, refer or pertain to the guarantees or endorsements of the loans and the identification of the guarantors or endorsers of the loans, including but not limited to any and all copies of guarantees or endorsements submitted to the guarantors or endorsers at any time, whether currently in effect or not;

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4. Copies of all documents and materials received by Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf or otherwise obtained by the Committee from any of the guarantors or endorsers or any person acting on their behalf which relate, refer or pertain to any guarantee or endorsement on the loans, whether currently in effect or not;

5. Copies of all documents and materials submitted by Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf to the Montgomery County Bank which relate, refer or pertain to the guarantees or endorsements on the loans and the identification of the guarantors or endorsers, including but not limited to any and all copies of guarantees or endorsements submitted, whether currently in effect or not; and

6. Copies of all documents and materials which relate, refer or pertain to repayment of the loans to Montgomery County Bank.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. ~~within ten (10)~~ days of your receipt of this Subpoena. Legible copies which, where applicable, show both sides of documents, may be substituted for originals.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

8604051444 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 10, 1985

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alan Phelps, treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, Texas 77380

RE: MUR 1954
Max Hoyt Congressional Committee
and Alan Phelps, treasurer

Dear Mr. Phelps:

On March 26, 1985, you were notified that the Commission found reason to believe that the Max Hoyt Congressional Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subppena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604051444 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Alan Phelps, treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you and the Max Hoyt Congressional Committee to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

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2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both their present and original forms.

4. The terms "guarantors or endorsers" refer to any and all persons who guaranteed or endorsed any portion of the loans from the Montgomery County Bank at any time, as reflected in the 1984 April Quarterly, amended April Quarterly, 12 Day Run-off and amended 12 Day Run-off Reports filed with the Federal Election Commission by the Max Hoyt Congressional Committee, whether the guarantees or endorsements are currently in effect or not, and specifically refer to, among others, the following persons:

Maple Avery	R. Douglas Leonhard
Alf Barnes	George Mitchell
Navarro Crowson	Edward Shaman
Thomas Cox	Joseph Turner
James Hasenzahl	John Weisner
Steven Holditch	Randall Woods

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to the terms of the loans, including but not limited to copies of the current and any former notes on the loans;

2. Copies of all documents and materials which relate, refer or pertain to the current or any former collateral or security pledged on the loans;

3. Copies of all documents and materials which relate, refer or pertain to the guarantees or endorsements of the loans and the identification of the guarantors or endorsers of the loans, including but not limited to any and all copies of guarantees or endorsements submitted to the guarantors or endorsers at any time, whether currently in effect or not;

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4. Copies of all documents and materials received by Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf or otherwise obtained by the Committee from any of the guarantors or endorsers or any person acting on their behalf which relate, refer or pertain to any guarantee or endorsement on the loans, whether currently in effect or not;

5. Copies of all documents and materials submitted by Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf to the Montgomery County Bank which relate, refer or pertain to the guarantees or endorsements on the loans and the identification of the guarantors or endorsers, including but not limited to any and all copies of guarantees or endorsements submitted, whether currently in effect or not; and

6. Copies of all documents and materials which relate, refer or pertain to repayment of the loans to Montgomery County Bank.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which, where applicable, show both sides of documents, may be substituted for originals.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this 3rd day of June 1985.

John Warren McGarry
Chairman

ATTEST:

Marjorie W. Emmons
Secretary to the Commission

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: CHARLES N. STEELE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/JODY C. RANSOM JCR

DATE: JUNE 4, 1985

SUBJECT: SUBPOENAS IN MUR 1954

The attached subpoenas, which were Commission approved on May 28, 1985 by a vote of 6-0, were signed and sealed on June 3, 1985.

Attachments

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alan Phelps, treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, Texas 77380

EK 5/30

RE: MUR 1954
Max Hoyt Congressional Committee
and Alan Phelps, treasurer

Dear Mr. Phelps:

On March 26, 1985, you were notified that the Commission found reason to believe that the Max Hoyt Congressional Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

RE: MUR 1954 EK 5/30
Max Hoyt Congressional Committee
and Alan Phelps, treasurer

Dear Mr. Hoyt:

On March 26, 1985, your committee was notified that the Commission found reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Peggy Somermeyer, Esq.
Schulze & Somermeyer
1717 Woodstead Court, Suite 104
The Woodlands, Texas 77380

GK 5/30

Re: MUR 1954
Navarro Crowson

Dear Ms. Somermeyer:

On March 26, 1985, your client was notified that the Commission found reason to believe that he violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information is necessary from your client. Therefore, the Commission has declined to enter into conciliation prior to a finding of probable cause at this time. However, the Office of General Counsel would still like to settle this matter prior to a finding of probable cause, after receipt of the information necessary to its investigation.

Consequently, the Federal Election Commission has issued the attached subpoena which requires your client to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

It is required that your client submit the information under oath and that he do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

R5040514450

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Bumgardner, Esq.
2002 Timberloch, Suite 534
The Woodlands, Texas 77380

Re: MUR 1954 GKS/30
George Mitchell

Dear Mr. Bumgardner:

On March 26, 1985, your client was notified that the Commission found reason to believe that he violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information is necessary from your client. Therefore, the Commission has declined to enter into conciliation prior to a finding of probable cause at this time. However, the Office of General Counsel would still like to settle this matter prior to a finding of probable cause, after receipt of the information necessary to its investigation.

Consequently, the Federal Election Commission has issued the attached subpoena which requires your client to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

It is required that your client submit the information under oath and that he do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edward Shaman, M.D.
11702 Quail Creek Drive
Houston, Texas 77070

RE: MUR 1954 EXS/30
Edward Shaman, M.D.

Dear Dr. Shaman:

On March 26, 1985, you were notified that the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Steven Holditch
8600 Rosewood
College Station, Texas 77840

RE: MUR 1954 GK 5/30
Steven Holditch

Dear Mr. Holditch:

On March 26, 1985, you were notified that the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Don Redd, Esq.
First National Bank Building
25211 Grogans Mill Rd, Suite 375
The Woodlands, Texas 77380

Re: MUR 1954
Maple Avery, Alf Barnes, Thomas Cox, James Hasenzahl, Douglas Leonhard, Joseph Turner, John Weisner and Randall Woods

Dear Mr. Redd:

On March 26, 1985, your clients were notified that the Commission found reason to believe that they violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information is necessary from your clients. Therefore, the Commission has declined to enter into conciliation prior to a finding of probable cause at this time. However, the Office of General Counsel would still like to settle this matter prior to a finding of probable cause, after receipt of the information necessary to its investigation.

Consequently, the Federal Election Commission has issued the attached subpoena which requires your clients to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

It is required that your clients submit the information under oath and that they do so within ten days of your receipt of this subpoena.

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If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

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SENSITIVE

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee, et al.)
Alan Phelps, treasurer)

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GENERAL COUNSEL'S REPORT

I. BACKGROUND

On March 20, 1985, the Federal Election Commission ("Commission") determined that there is reason to believe that the Max Hoyt Congressional Committee ("Committee") and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions in the form of loan guarantees from twelve (12) individuals. The Commission further determined on March 20, 1985 that there is reason to believe that the 12 individual guarantors, Maple Avery, Alf Barnes, Thomas Cox, Navarro Crowson, James Hasenzahl, Steven Holditch, R. Douglas Leonhard, George Mitchell, Edward Shaman, Joseph Turner, John Weisner and Randall Woods, violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions in the form of loan guarantees.

Reason to believe notification letters were mailed to respondents on March 26, 1985. As of the date of this report, ten of the individual guarantors have responded through counsel. The committee and two of the guarantors have failed to respond.

II. LEGAL ANALYSIS

The responses received by the Office of General Counsel have raised certain questions which need to be investigated to enable the General Counsel to make future dispositive recommendations on

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the factual and legal issues of the case to the Commission. These questions include among others, whether the individual respondents ever executed the guarantees in writing, whether such guarantees were delivered to the Committee, and whether such guarantees were delivered to the bank. Because this information is necessary for a complete investigation of this matter, the Office General Counsel recommends that the Commission approve the attached subpoenas.

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The Office of General Counsel recommends that the Commission:

1. Approve and authorize sending the attached Subpoenas and letters to :

   Max Hoyt Congressional Committee
   Alan Phelps, treasurer
   Max Hoyt
   Maple Avery
   Alf Barnes
   Thomas Cox

Navarro Crowson
James Hasenzahl
Steven Holditch
R. Douglas Leonhard
George Mitchell
Edward Shaman
Joseph Turner
John Weisner
Randall Woods

8604061144458

May 16, 1985
Date

Charles N. Steele
General Counsel

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

Attachments
1. Subpoenas (14)
2. Letters (7)

ATTACHMENT 1 ①

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Alan Phelps, treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you and the Max Hoyt Congressional Committee to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604061445 9

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both their present and original forms.

4. The terms "guarantors or endorsers" refer to any and all persons who guaranteed or endorsed any portion of the loans from the Montgomery County Bank at any time, as reflected in the 1984 April Quarterly, amended April Quarterly, 12 Day Run-off and amended 12 Day Run-off Reports filed with the Federal Election Commission by the Max Hoyt Congressional Committee, whether the guarantees or endorsements are currently in effect or not, and specifically refer to, among others, the following persons:

Maple Avery	R. Douglas Leonhard
Alf Barnes	George Mitchell
Navarro Crowson	Edward Shaman
Thomas Cox	Joseph Turner
James Hasenzahl	John Weisner
Steven Holditch	Randall Woods

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to the terms of the loans, including but not limited to copies of the current and any former notes on the loans;

2. Copies of all documents and materials which relate, refer or pertain to the current or any former collateral or security pledged on the loans;

3. Copies of all documents and materials which relate, refer or pertain to the guarantees or endorsements of the loans and the identification of the guarantors or endorsers of the loans, including but not limited to any and all copies of guarantees or endorsements submitted to the guarantors or endorsers at any time, whether currently in effect or not;

R6040514460

4. Copies of all documents and materials received by Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf or otherwise obtained by the Committee from any of the guarantors or endorsers or any person acting on their behalf which relate, refer or pertain to any guarantee or endorsement on the loans, whether currently in effect or not;

5. Copies of all documents and materials submitted by Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf to the Montgomery County Bank which relate, refer or pertain to the guarantees or endorsements on the loans and the identification of the guarantors or endorsers, including but not limited to any and all copies of guarantees or endorsements submitted, whether currently in effect or not; and

6. Copies of all documents and materials which relate, refer or pertain to repayment of the loans to Montgomery County Bank.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which, where applicable, show both sides of documents, may be substituted for originals.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061-4461

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604051446 2

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both their present and original forms.

4. The terms "guarantors or endorsers" refer to any and all persons who guaranteed or endorsed any portion of the loans from the Montgomery County Bank at any time, as reflected in the 1984 April Quarterly, amended April Quarterly, 12 Day Run-off and amended 12 Day Run-off Reports filed with the Federal Election Commission by the Max Hoyt Congressional Committee, whether the guarantees or endorsements are currently in effect or not, and specifically refer to, among others, the following persons:

Maple Avery	R. Douglas Leonhard
Alf Barnes	George Mitchell
Navarro Crowson	Edward Shaman
Thomas Cox	Joseph Turner
James Hasenzahl	John Weisner
Steven Holditch	Randall Woods

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to the terms of the loans, including but not limited to copies of the current and any former notes on the loans;

2. Copies of all documents and materials which relate, refer or pertain to the current or any former collateral or security pledged on the loans;

3. Copies of all documents and materials which relate, refer or pertain to the guarantees or endorsements of the loans and the identification of the guarantors or endorsers of the loans, including but not limited to any and all copies of guarantees or endorsements submitted to the guarantors or endorsers at any time, whether currently in effect or not;

R6040514463

4. Copies of all documents and materials received by Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf or otherwise obtained by the Committee from any of the guarantors or endorsers or any person acting on their behalf which relate, refer or pertain to any guarantee or endorsement on the loans, whether currently in effect or not;

5. Copies of all documents and materials submitted by Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf to the Montgomery County Bank which relate, refer or pertain to the guarantees or endorsements on the loans and the identification of the guarantors or endorsers, including but not limited to any and all copies of guarantees or endorsements submitted, whether currently in effect or not; and

6. Copies of all documents and materials which relate, refer or pertain to repayment of the loans to Montgomery County Bank.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which, where applicable, show both sides of documents, may be substituted for originals.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061144464

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: Maple Avery
P.O. Box 1930
Conroe, Texas 77305

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604051446 5

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

R 6 0 4 0 5 1 4 4 6 6

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

R 6040614467

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: Alf Barnes
58 Hampton Room
Conroe, Texas 77302

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

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2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061469

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061447 0

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Thomas Cox
40 Watertree Court
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604061447

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061447 2

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061447 3

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Navarro Crowson
P.O. Box 4000
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

R6040514474

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061447 5

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604051447 6

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: James Hasenzahl
25700 I-45 North, #101
Spring, Texas 77386

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604051447 7

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061447 8

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061447 9

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee, Alan Phelps, treasurer	)	MUR 1954

SUBPOENA TO PRODUCE DOCUMENTS

TO: Steven Holditch
5600 Rosewood
College Station, Texas 77840

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

R6040514480

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061448 1

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061448 2

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: R. Douglas Leonhard
P.O. Box 7886
The Woodlands, Texas 77387

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

9604514483

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

Request for Documents and Materials

The Commission requests that you produce the following documents and materials:

1. Copies of all documents and materials which relate, refer or pertain to loans obtained on behalf of the Max Hoyt Congressional Committee from the Montgomery County Bank.

2. Copies of all documents and materials which relate, refer or pertain to the guarantee or endorsement of the loans, including but not limited to any and all copies of guarantee agreements, whether currently in effect or not.

3. Copies of all documents and materials received by you from Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

4. Copies of all documents and materials submitted by you to Max Hoyt or the Max Hoyt Congressional Committee or any person acting on its behalf which relate, refer or pertain to the guarantee or endorsement of the loans.

Notice is given that the materials subpoenaed must be submitted to the Office of General Counsel, Federal Election Commission, 1325 K Street, N.W., Washington, D.C. within ten (10) days of your receipt of this Subpoena. Legible copies which where applicable, show both sides of documents, may be substituted for originals.

8604061448 4

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061448 85

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: George Mitchell
P.O. Box 4000
The Woodlands, Texas 77380

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

1. The term "documents and materials" shall mean all copies, and drafts of writings of any kind, printed, visual, or electronic materials to be produced with respect to each of the requests enumerated herein. In particular, without limiting the generality of the foregoing, "documents and materials" include correspondence, memoranda, reports, minutes, pamphlets, notes, letters, discs, cassettes, telegrams, messages (including reports, notes, and memoranda of telephone conversations and conferences), calendar and diary entries, contracts, data, agendas, articles, visual aids, account statements, billing forms, receipts, checks, money orders, bank deposit slips, receipt ledgers, account ledgers, bank withdrawal slips, loan agreement papers, records and compilations. Designated "documents and materials" are to be taken as including all attachments, enclosures and other documents that are attached to, relate to, or refer to such designated "documents and materials."

8604051446

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

3. The term "loans" refers to the two loans obtained by Max Hoyt from the Montgomery County Bank in amounts of $50,000 each and incurred on or about February 22, 1984 and April 30, 1984, respectively, and refers to those loans in both the present and original forms.

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8604051447

(30)

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061448

(3)

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Edward Shaman
11702 Quail Creek Drive
Houston, Texas 77070

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

As used in this subpoena and order, the terms listed below are defined as follows:

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R6040514489

(32)

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8604051490

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

R 6040614491

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Max Hoyt Congressional) MUR 1954
Committee,)
Alan Phelps, treasurer)

SUBPOENA TO PRODUCE DOCUMENTS

TO: Joseph Turner
25700 I-45 North, #101
Spring, Texas 77386

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

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8604061449 2

2. The terms "and" and "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of this request any answers or documents which may be otherwise construed to be out of its scope.

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8604061449 3

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061144 94

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: John Weisner
P.O. Drawer 2348
Conroe, Texas 77305

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

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8604061 4495

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R 6040614496

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061447

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	
Max Hoyt Congressional Committee,	)	MUR 1954
	)	
Alan Phelps, treasurer	)	

SUBPOENA TO PRODUCE DOCUMENTS

TO: Randall Woods
72 Indian Clover
The Woodlands, Texas 77381

PURSUANT to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-styled matter, the Federal Election Commission hereby subpoenas you to produce requested documents.

Definitions and Requests

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8604061-4498

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8604061-4499

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand in Washington, D.C. on this _____ day of _____, 1985.

_____
John Warren McGarry
Chairman

ATTEST:

_____
Marjorie W. Emmons
Secretary to the Commission

8604061145 00

ATTACHMENT 2 (45)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Alan Phelps, treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, Texas 77380

RE: MUR 1954
Max Hoyt Congressional Committee
and Alan Phelps, treasurer

Dear Mr. Phelps:

On March 26, 1985, you were notified that the Commission found reason to believe that the Max Hoyt Congressional Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

2604061450 1

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

RE: MUR 1954
Max Hoyt Congressional Committee
and Alan Phelps, treasurer

Dear Mr. Hoyt:

On March 26, 1985, your committee was notified that the Commission found reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604061450 2

8604061450 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Don Redd, Esq.
First National Bank Building
25211 Grogans Mill Rd, Suite 375
The Woodlands, Texas 77380

Re: MUR 1954
Maple Avery, Alf Barnes, Thomas Cox, James Hasenzahl, Douglas Leonhard, Joseph Turner, John Weisner and Randall Woods

Dear Mr. Redd:

On March 26, 1985, your clients were notified that the Commission found reason to believe that they violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information is necessary from your clients. Therefore, the Commission has declined to enter into conciliation prior to a finding of probable cause at this time. However, the Office of General Counsel would still like to settle this matter prior to a finding of probable cause, after receipt of the information necessary to its investigation.

Consequently, the Federal Election Commission has issued the attached subpoena which requires your clients to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

It is required that your clients submit the information under oath and that they do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604061450 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Peggy Somermeyer, Esq.
Schulze & Somermeyer
1717 Woodstead Court, Suite 104
The Woodlands, Texas 77380

Re: MUR 1954
Navarro Crowson

Dear Ms. Somermeyer:

On March 26, 1985, your client was notified that the Commission found reason to believe that he violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information is necessary from your client. Therefore, the Commission has declined to enter into conciliation prior to a finding of probable cause at this time. However, the Office of General Counsel would still like to settle this matter prior to a finding of probable cause, after receipt of the information necessary to its investigation.

Consequently, the Federal Election Commission has issued the attached subpoena which requires your client to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

It is required that your client submit the information under oath and that he do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604061505

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

David Bumgardner, Esq.
2002 Timberloch, Suite 534
The Woodlands, Texas 77380

Re: MUR 1954
George Mitchell

Dear Mr. Bumgardner:

On March 26, 1985, your client was notified that the Commission found reason to believe that he violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information is necessary from your client. Therefore, the Commission has declined to enter into conciliation prior to a finding of probable cause at this time. However, the Office of General Counsel would still like to settle this matter prior to a finding of probable cause, after receipt of the information necessary to its investigation.

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It is required that your client submit the information under oath and that he do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

8604061450 6

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Edward Shaman, M.D.
11702 Quail Creek Drive
Houston, Texas 77070

RE: MUR 1954
Edward Shaman, M.D.

Dear Dr. Shaman:

On March 26, 1985, you were notified that the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

You may consult with an attorney and have an attorney assist you in the preparation of your response to this subpoena. However, it is required that you submit the information under oath and that you do so within ten days of your receipt of this subpoena.

If you have any questions, please direct them to Eric Kleinfeld, the attorney handling this matter, at (202) 523-4000.

Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

R 6040514507

R6040614508

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Steven Holditch
8600 Rosewood
College Station, Texas 77840

RE: MUR 1954
Steven Holditch

Dear Mr. Holditch:

On March 26, 1985, you were notified that the Commission found reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended. An investigation of this matter is being conducted and it has been determined that additional information from you is necessary.

Consequently, the Federal Election Commission has issued the attached subpoena which requires you to provide information which will assist the Commission in carrying out its statutory duty of supervising compliance with the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, U.S. Code.

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Sincerely,

Charles N. Steele
General Counsel

By: Kenneth A. Gross
Associate General Counsel

Enclosure
Subpoena

GCC#7232

JOE BARTON
6TH DISTRICT, TEXAS

COMMITTEE ON
SCIENCE AND TECHNOLOGY
SUBCOMMITTEES:
ENERGY DEVELOPMENT AND APPLICATIONS
ENERGY RESEARCH AND PRODUCTION
SPACE SCIENCE AND APPLICATIONS

1017 Longworth Building
Washington, DC 20515
(202) 225-2002

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
SUBCOMMITTEES:
WATER AND POWER RESOURCES
ENERGY AND THE ENVIRONMENT

Congress of the United States
House of Representatives
Washington, DC 20515

'85 APR 18 P4:0[illegible]

Kleinfeld

April 11, 1985

RECEIVED
FEC MAIL ROOM
'85 APR 18 P4:0[illegible]
OFFICE OF THE
GENERAL COUNSEL

Mr. John Warren McGarry, Chairman
Federal Election Commission
1325 K Street N.W.
Washington, D.C. 20463

RE: Max Hoyt Investigation
Case # MUR 1954

Dear Mr. McGarry,

It has been brought to my attention that the Federal Election Commission is investigating several loans made by the Max Hoyt For Congress Committee in the Republican Primary and Runoff elections in the Sixth Congressional District of Texas for the 1984 election cycle. I was a candidate in both elections, and am now the Congressman for that district.

It is my understanding that the loans in question may have violated several campaign election regulations. If so, I would ask that no penalties be imposed on the individuals involved. I believe that the individuals involved in Mr. Hoyt's campaign were acting in good faith. Almost all were involved in a federal election for the first time and did not have a clear understanding of the regulations regarding loan limitations.

I, or my campaign staff, am available to furnish additional information if requested.

Sincerely,

Joe Barton

Joe Barton
Member of Congress

JB/ab

8604061450 9

BRYAN OFFICE:
P.O. Box 4902
Bryan, TX 77805
(409) 846-1985

CONROE OFFICE:
[illegible]

[illegible] OFFICE:
[illegible]

FORT WORTH OFFICE:
3900 Hulen #110
Fort Worth, TX 76107
(817) 737-7737

gress of the United States
House of Representatives
Washington, DC 20515

OFFICIAL BUSINESS

Joe Boxton
M.C.

Mr. John Warren McGarry
Chairman
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
85 APR 23 AM 8:56

David Baumgardner
Attorney-at-Law
2002 Timberloch Place
The Woodlands, Texas 77380
(713) 363-5676

April 18, 1985

Federal Election Commission
Washington, D. C. 20463

Attention: Mr. Eric Kleinfeld

Re: MUR 1954 George Mitchell

Gentlemen:

In furtherance of our letter to you of April 12, 1985, we submit the following:

(1) Mr. George Mitchell was asked by the Max Hoyt Congressional Committee ("Committee") to guarantee $2,500.00 of a loan for the purpose of assisting Mr. Hoyt in his campaign and agreed to do so, unaware that such a guarantee could violate the provisions of the Federal Elections Campaign Act.

(2) Mr. Mitchell does not personally recall executing such a guarantee; however, members of the Committee have informed us that such a guarantee was executed and delivered to the Committee.

(3) The Committee, after determining that a guarantee in this amount could constitute a violation of the Federal Elections Campaign Act, obtained guarantees of this same loan from other individuals, each such guarantee totalling not more than $1,000.00. These latter guarantees were substituted in place and in lieu of the prior guarantees, so that Mr. Mitchell's guarantee was no longer effective.

We respectfully submit that if any violation did occur, it was inadvertent and was corrected as soon as the error was realized.

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If you need any additional information regarding this matter, please let us know.

Yours very truly,

David Gumgardner
Attorney-at-Law

GDB/csc/2AMUR

8604061451 2

Mr. David Bumgardner
Attorney-at-Law
2002 Timberloch, Suite 534
The Woodlands, Texas 77380

Federal Election Commission
Washintgon, D. C. 20463

Attention: Mr. Eric Kleinfeld

GCH 716?
Kleinfeld

LAW OFFICE OF DON R. REDD
The First National Bank Building
25214 Grogans Mill Road, Suite 375
The Woodlands, Texas 77380
(713) 367-1330

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY

85 APR 15 P4:41

April 12, 1985

RECEIVED
FEDERAL ELECTION COMMISSION
GENERAL COUNSEL
85 APR 16 A9:29

Mr. John Warren McGarry
Chairman
Federal Election Commission
1325 K. Street, N.W.
Washington, D. C. 20463

Re: MUR 1954
Joseph Turner, Maple L. Avery, John Wiesner, Thomas Cox, James Hasenzahl, Randall Woods, Douglas Leonhard, and Alf Barnes

Dear Mr. McGarry;

I have been retained to represent the above-referenced individuals in the Matter Under Review number 1954. Enclosed please find statements of designation of counsel for each of these respondents.

Also enclosed is a statement of facts and legal analysis which we believe will be relevant to the Commission's consideration of this matter, along with a copy of a letter from the opposing candidate stating his position.

We would request that no further action be taken and, alternatively, that we proceed with conciliation.

Very truly yours,

Don R. Redd

DRR/br
Enclosures: 3

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MUR 1954

Factual and legal analysis for respondents Joseph Turner, Maple L. Avery, John Wiesner, Thomas Cox, James Hasenzahl, Randall Woods, Douglas Leonhard, and Alf Barnes.

STATEMENT OF FACTS

In January of 1984, Congressional candidate Max Hoyt borrowed $5#,###.## from Montgomery County Bank. Joseph Turner either co-signed or guaranteed the note. This was a personal loan to Max Hoyt. The proceeds were to first be used for his personal living expenses, and then, if necessary, later contributed to his political campaign.

On April 3#, 1984, Max Hoyt again executed a note at Montgomery County Bank for $5#,###.##. This note was supposed to have been guaranteed by nine individuals in the amount of $5,###.## each. The loan proceeds were dispersed to Max Hoyt prior to any of the guarantee agreements being signed. The guarantees were in the form of separate instruments which were to have been executed by each guarantor. Three of the prospective guarantors were unwilling to guarantee the sum of $5,###.##, but instead agreed to guarantee $2,5##.##. Three additional guarantors were then located who agreed to guarantee $2,5##.## each. The process of delivering the guarantee agreements to each of the guarantors, locating additional guarantors, and collecting the signed agreements was still in process when it was discovered that the guarantees would be considered campaign contributions and, thus, subject to the limitation of $1,###.##. It is not certain at this time what happened to the guarantee agreements, however they were not delivered to the bank, nor was the note

8604061451 5

over redrawn to reflect the change in the number of guarantors or the amount to be guaranteed by each.

As soon as it was learned that the guarantees were subject to a $1,000.00 limitation, a new note was executed at Montgomery County Bank in the sum of $100,000.00 to replace the previous two $50,000.00 notes. Over one hundred guarantee agreements were secured from Max Hoyt supporters to remove and replace the original guarantors in order to bring the campaign into compliance with federal election laws.

Prior to the discovery that the loan guarantees were excessive, an amended report of receipts and disbursements had been filed with the F.E.C. which listed the respondents as guarantors of the $50,000.00 notes. Subsequently, an amended report was filed which correctly reported the $100,000.00 note as replacing the two $50,000.00.

The respondents are not persons who customarily engage in influencing elections for federal office, but rather are friends, neighbors, and associates of Max Hoyt who agreed to guarantee the notes out of a sense of loyalty and obligation to their community. Respondents were not aware that a guarantee was considered a campaign contribution, nor were they aware that a personal loan to the candidate was subject to the same limitations as a loan to the campaign. There was no intent on the part of any of these respondents to violate the election laws or subvert the electoral process.

As of this date, all payments on the note have been made by Max Hoyt or his campaign committee and none of the guarantors have been called upon to honor their guarantee agreements.

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LEGAL ANALYSIS AND POSITION

It is the position of respondents that there was no knowing and willful violation of the Federal Election Campaign Act of 1971.

It is the further position of respondents that the guarantee agreements for the $50,000.00 note executed in April of 1964 did not constitute contributions for the reason that they were never delivered to the Montgomery County Bank, and thus, pursuant to Article 26.01 of the Texas Business and Commerce Code, never became legally operative.

It is finally the position of respondents that the Federal Election Campaign Act was substantially complied with when the final amended report was filed reflecting no contributions in excess of $1,000.00.

2604051457

JOE BARTON
8TH DISTRICT, TEXAS

COMMITTEE ON
SCIENCE AND TECHNOLOGY
SUBCOMMITTEES:
ENERGY DEVELOPMENT AND APPLICATIONS
ENERGY RESEARCH AND PRODUCTION
SPACE SCIENCE AND APPLICATIONS

Kleinfeld
FEC #7

1017 LONGWORTH BUILDING
WASHINGTON, DC 20515
(202) 225-2002

COMMITTEE ON
INTERIOR AND INSULAR AFFAIRS
SUBCOMMITTEES:
WATER AND POWER RESOURCES
ENERGY AND THE ENVIRONMENT

Congress of the United States
House of Representatives
Washington, DC 20515

COPY

April 11, 1985

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
85 APR 17 P2:14

Mr. John Warren McGarry, Chairman,
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

RE: Max Hoyt Investigation,
Case # MUR 1954

Dear Mr. McGarry:

It has been brought to my attention that the Federal Election Commission is investigating several loans made by the Max Hoyt For Congress Committee in the Republican Primary and Runoff election in the 6th Congressional District of Texas for the 1984 election cycle. I was a candidate in both elections, and am now the Congressman for that district.

It is my understanding that the loans in question may have violated several campaign election regulations. If so, I would ask that no penalties be imposed on the individuals involved. I believe that the individuals involved in Mr. Hoyt's campaign were acting in good faith. Almost all were involved in a federal election for the first time and did not have a clear understanding of the regulations regarding loan limitations.

I, or my campaign staff, am available to furnish additional information if requested.

Sincerely,

Joe Barton
Member of Congress

JB/ab

BRYAN OFFICE:
P.O. Box 4802
Bryan, TX 77805
(409) 846-1985

CONROE OFFICE:
InterFirst Tower, Suite 507
300 West Davis
Conroe, TX 77301
(409) 760-2291

ENNIS OFFICE:
InterFirst Bank, Suite 101
303 West Knox
Ennis, TX 75119
(214) 875-5488

FORT WORTH OFFICE:
3609 Hulen #110
Fort Worth, TX 76107
(817) 737-7737

9604061451518

FOR 1954

NAME OF COUNSEL: Don R. Redd

ADDRESS: 25211 Grogans Mill Road #375
The Woodlands, Texas 77380

TELEPHONE: 713-367-1330

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.

4-11-85
Date.

Signature

RESPONDENT'S NAME: Joseph Turner

ADDRESS: 25700 I-45 North
Suite 101
Spring, Texas 77386

HOME PHONE: 713-367-6375

BUSINESS PHONE: 713-367-3794

R604514519

MUR 1954

NAME OF COUNSEL: Don R. Redd

ADDRESS: 25211 Grogans Mill Road
Suite 375
The Woodlands, Texas 77380

TELEPHONE: 713-367-1330

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.

4-11-85
Date

Randall L Woods
Signature

RESPONDENT'S NAME: Randall C. Woods

ADDRESS: 72 Indian Clover
The Woodlands, Texas 77381

HOME PHONE: 363-1712

BUSINESS PHONE: 313-6817

8604051452 0

HUR 1954

NAME OF COUNSEL: Don R. Redd

ADDRESS: 25211 Grogan's Mill Rd.
Suite 375
The Woodlands, Texas 77380

TELEPHONE: 713-367-1330

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.

4-8-85
Date

Thomas D. Cox
Signature

RESPONDENT'S NAME: THOMAS D. COX

ADDRESS: 40 Waterfence Ct.
Woodlands, TX 77380

HOME PHONE: 367-3278

BUSINESS PHONE: 367-5904

8604051452 1

MUR 1954

NAME OF COUNSEL: Dan R. Redd

ADDRESS: 25211 Grogans Mill Rd
Suite 375
The Woodlands, Texas 77380

TELEPHONE: 713-367-1330

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.

4/10/85
Date

Signature

RESPONDENT'S NAME: JAMES D. HASENZAHL

ADDRESS: 29 CEDARWILD LN
THE WOODLANDS TX
77380

HOME PHONE: 713-367-9034

BUSINESS PHONE: 713-820-9491

8604051452 2

MUR 1954

NAME OF COUNSEL: Don Redd

ADDRESS: 25211 Grogans Mill Rd
Suite 375
The Woodlands, Texas 77380

TELEPHONE: 713-367-1330

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.

4-3-85
Date

John W. Wiesner
Signature

RESPONDENT'S NAME: John W. Wiesner

ADDRESS: P.O. Drawer 2345
Conroe, Texas 77305

HOME PHONE: 409-588-1889

BUSINESS PHONE: 409-756-8161

8604061455 23

DESIGNATION OF COUNSEL

MUR 1954

NAME OF COUNSEL: DON REDD
Attorney at Law

ADDRESS: First National Bank Building
25211 Grogan's Mill Road, Suite 375
The Woodlands, Texas 77380

TELEPHONE: 713-367-1330

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.

4/8/85
Date

Signature

RESPONDENT'S NAME: Maple L. Avery, M.D.

ADDRESS: 333 N. Rivershire Dr, Suite 160
Conroe, Texas 77304

HOME PHONE: 409-273-1262

BUSINESS PHONE: 409-756-1139

8604051452 4

MUR 1954

NAME OF COUNSEL: Don R. Redd

ADDRESS: Suite 375
25211 Grogan's Mill Rd.
The Woodlands, Texas 77380

TELEPHONE: 713/367-1330

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.

4/3/85
Date

R. Douglas Leonhard
Signature

RESPONDENT'S NAME: R. D. Leonhard

ADDRESS: 10710 E. Timberwagon Circle
The Woodlands, Texas 77380

HOME PHONE: 713/367-1784

BUSINESS PHONE: 713/363-6139

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mailed to: Eric Klinefelt
Federal Election Commission
Washington, D.C. 20463
4/3/85

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Domestic Mail US Postage

CONROE, TX 773 12 APR 1985 PM

CONROE, TX 773 12 APR 1985 PM

CONROE, TX 773 12 APR 1985 PM

Mr. John Warren McGarry, Chairman,
Federal Election Commission
1325 K Street, N.W.
Washington, D.C. 20463

85 APR 15 PM 2:11

MUR 1954

NAME OF COUNSEL: Don R. Redd

ADDRESS: Suite 375
25211 Grogan's Mill Rd.
The Woodlands, Texas 77380

TELEPHONE: 713/367-1330

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
85 APR 11 AM 11:01

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.

4/3/85
Date

R. Douglas Leonhard
Signature

RESPONDENT'S NAME: R. D. Leonhard

ADDRESS: 10710 E. Timberwagon Circle
The Woodlands, Texas 77380

HOME PHONE: 713/367-1784

BUSINESS PHONE: 713/363-6139

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MUR # 1954
Kleinfeld

SCHULZE & SOMERMEYER
ATTORNEYS
1717 WOODSTEAD COURT, SUITE 104
THE WOODLANDS, TEXAS 77380
(713) 292-4823
(713) 363-2934

E.M. SCHULZE, JR.
PEGGY SOMERMEYER

RECEIVED
OFFICE OF THE FEC
SECRETARY

85 APR 15 P4:41

85 APR 16 A9:

FEDERAL ELECTION COMMISSION

April 10, 1985

Mr. John Warren McGarry
Federal Election Commission
Washington, DC 20463

Certified Mail No. P607 858 065
Return Receipt Requested

Re: MUR 1954
Navarro Crowson

Dear Mr. McGarry:

In response to your letter of March 26, 1985, Mr. Crowson believes that no action should be taken against him by the Federal Election Commission for the following reasons:

1. Any alleged endorsement by Mr. Crowson of the $50,000.00 loan dated April 30, 1984, made to the candidate by Montgomery County Bank, N.A., was made orally, which, under Texas law, is not binding on the endorser or guarantor. Mr. Crowson recalls speaking to the candidate or staff members of the campaign committee about guaranteeing $5,000.00 of a larger loan, but has no recollection of signing a loan guaranty or other instrument binding him in any amount on the $50,000.00 April 30, 1984, loan. He has been unable to obtain any copies of such alleged guaranty or endorsement from Montgomery County Bank, which has informed him that they have no records indicating or showing his guaranty or endorsement. Section 26.01 of the Texas Business and Commerce Code provides that "a promise by one person to answer for the debt . . . of another person" is not enforceable "unless the promise or agreement, or a memorandum of it, is (1) in writing; and (2) signed by the person to be charged with the promise or agreement or by someone lawfully authorized to sign for him." Since there is no written guaranty or endorsement by Mr. Crowson, he is not legally bound to pay $5,000.00 or any other amount on the loan in question, and therefore no contribution was made by him, and certainly not one in excess of the applicable limits. Since no excessive contribution was made, no action against Mr. Crowson by the Federal Election Commission would be appropriate.

2. The alleged $5,000.00 endorsement by Mr. Crowson of a loan to the candidate was specifically solicited by the candidate and/or staff members of his campaign committee. Mr. Crowson is not, nor has he ever been active in the political arena, and is unfamiliar with technical regulations regarding campaign contributions. In connection with the alleged endorsement, Mr. Crowson did not seek independent legal or other advice or counsel, nor did he have access to applicable statutes on the subject of

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campaign contributions, but instead relied solely on the judgment and advice of the candidate and/or staff members of the campaign committee. Mr. Crowson's alleged excessive contribution was neither knowingly nor willfully made nor was there any intent on his part to violate 2 U.S.C. § 441a or any other provision of the Federal Election Campaign Act of 1971, as amended, or any other applicable statute, rule or regulation. He was not aware of the dollar limit applicable to contributions or of the fact that a loan guarantee or endorsement would be considered a contribution. Any excessive contribution, if made, was made in good faith and without knowledge that it violated any laws. Therefore Mr. Crowson believes that there is no cause for any action against him by the Federal Election Commission.

3. The second amendment to the 12 Day Run-off Report, which lists 51 endorsers on the loan in question for amounts of $1,000.00 or less, corrects and supersedes the 1st amendment which listed Mr. Crowson as an endorser in the amount of $5,000.00. This demonstrates that the campaign committee realized that the solicitation of Mr. Crowson's oral $5,000.00 endorsement was erroneous, and they did not proceed to obtain his written endorsement or guaranty, but instead timely obtained endorsements within the legal limits. Therefore Mr. Crowson has not made an excessive contribution and no action should be taken against him by the Federal Election Commission.

Mr. Crowson requests that he be furnished copies of any documents your office has on which the charge against him is based, in particular, but not limited to, copies of the $5,000.00 loan endorsement or guaranty allegedly signed by him.

If you do not agree with Mr. Crowson's position that no action should be taken against him, we request initiation of conciliation to settle this matter.

Enclosed is statement signed by Mr. Crowson appointing this firm as his legal counsel on the above matter, and authorizing us to receive any

8604051 4529

notifications and communications from the Commission.

Very truly yours,

Peggy Somermeyer

Peggy Somermeyer

PS:rw
cc: Mr. Eric Kleinfeld
Federal Election Commission
Washington, DC 20463

Certified Mail No. P607 858 066
Return Receipt Requested

Mr. Navarro Crowson

Mr. Max Hoyt

8604061453O

CHULZE & SOMERMEYER
TORNEYS
17 WOODSTEAD COURT, SUITE 104
HE WOODLANDS, TEXAS 77380

CERTIFIED

P 607 858 065

MAIL

RETURN RECEIPT REQUESTED

Mr. John Warren McGarry
Federal Election Commission
Washington, DC 20463

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Joseph Turner
25700 I-45 North, #101
Spring, Texas 77386

RE: MUR
Joseph Turner

Dear Mr. Turner:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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GK 3/22

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

Enclosures
General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

8604061453 3

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

Joseph Turner
25700 I-45 North, #101
Spring, Texas 77386

RE: MUR 1954
Joseph Turner

Dear Mr. Turner:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

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8604061453 4

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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

Enclosures
General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

8604061 4535

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Joseph Turner MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD").

The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

1. Primary election loan.

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the 1984 primary election from Montgomery County Bank, incurred on February 22, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt, and its sole endorser was Joseph B. Turner, who guaranteed the entire amount of the loan. Additionally, the committee's April Quarterly Report disclosed a $500 contribution from Joseph B. Turner designated for the primary election.

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The chart below lists the excessive amounts received by the committee for the 1984 primary election:

ENDORSER	AMOUNT GUARANTEED	AMOUNT CONTRIBUTED	EXCESSIVE AMOUNT
Joseph B. Turner	$50,000	$500	$49,500

2. Run-off election loan.

The committee's 1984 amended 12 Day Run-off Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2000-5000 each, with a total excessive contribution of $37,500. The chart below lists the excessive amount for the run-off election:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Joseph B. Turner	5,000	4,000

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.*/

---

*/ Joseph V. Turner appears as a new endorser, guaranteeing $1,000 of the $50,000 loan. Joseph B. Turner and Joseph V. Turner are listed at different addresses; however, aggregate year-to-date information suggests they may be one person. Joseph Turner's address at 25700 I-45 North, #101, appears to be a business address. Joseph Turner is listed as President of Turner-Hazenzahl. James Hazenzahl's address is also listed at 25700 I-45 North, #101.

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According to the committee's July Quarterly and October Quarterly Reports, six of the fifty-one substituted endorsers had also made direct contributions totalling $905 to the committee for the Run-off election. The chart below lists the excessive amounts:

ENDORSER	AMOUNT GUARANTEED	AMOUNT CONTRIBUTED	EXCESSIVE AMOUNT
Joseph B. Turner	$1,000	$500	$500

3. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

One individual, Joseph Turner, made excessive contributions to the Committee for both the 1984 primary election and 1984 run-off election, by guaranteeing a $50,000 loan for the former

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and guaranteeing $5,000 of the latter loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A), by making excessive contributions to the Max Hoyt Congressional Committee.

R60406145539

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

Alan Phelps, Treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, Texas 77380

RE: MUR 1954
Max Hoyt Congressional Committee
and Alan Phelps, treasurer

8604061545 40

Dear Mr. Phelps:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that the Max Hoyt Congressional Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

Enclosures
General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

8604051541

8604061454 2

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Max Hoyt Congressional Committee MUR NO 1954
Alan Phelps, as treasurer

SUMMARY OF ALLEGATIONS

The Max Hoyt Congressional Committee ("the Committee") was referred to this Office by the Reports Analysis Division ("RAD") for receiving excessive contributions from individual contributors.

The committee received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

1. Primary election loan.

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the 1984 primary election from Montgomery County Bank, incurred on February 22, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt, and its sole endorser was Joseph B. Turner, who guaranteed the entire amount of the loan. Additionally, the committee's April Quarterly Report disclosed a $500 contribution from Joseph B. Turner designated for the primary election.

On June 4, 1984, a second amended April Quarterly Report was received from the committee, on which was listed fifty-one (51) individuals as replacement endorsers of the primary loan. 1/ Of the fifty-one, forty-eight (48) had each guaranteed $1000 of the loan, two had guaranteed $900 each, and one individual guaranteed $200.

According to the April Quarterly Report, three of the replacement endorsers had also made direct contributions totalling $80 to the committee for the primary election. The chart below lists the excessive amounts received by the committee for the 1984 primary election:

ENDORSER	AMOUNT GUARANTEED	AMOUNT CONTRIBUTED	EXCESSIVE AMOUNT
Turner, Joseph B.	$50,000	$500	$49,500
Amato, Delores	1,000	10	10
Davis, Frank	1,000	20	20
Wambaugh, Elizabeth	1,000	50	50
			$49,580 Total

2. Run-off election loan.

The committee's 1984 amended 12 Day Run-off Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2000-5000 each, with a total excessive contribution of $37,500:

1/ These individuals became the new endorsers on June 1, 1984. Joseph B. Turner was not listed as one of the new endorsers.

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ENDORSER	AMOUNT GUARANTEED 2/	EXCESSIVE AMOUNT
1. Avery, Maple, M.D.	$5,000	$4,000
2. Barnes, Alf	2,500	1,500
3. Carowson, Navarro	5,000	4,000
4. Cox, Thomas	5,000	4,000
5. Hasenzahl, James	5,000	4,000
6. Holditch, Steven	5,000	4,000
7. Leonhard, R. Douglas	5,000	4,000
8. Mitchell, George	2,500	1,500
9. Shaman, Edward, M.D.	5,000	4,000
10. Turner Joseph B.	5,000	4,000
11. Weisner, John	2,000	1,000
12. Woods, Randall	2,500	1,500
		$37,500

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. 3/ Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers. 4/

According to the committee's July Quarterly and October Quarterly Reports, six of the fifty-one substituted endorsers had also made direct contributions totalling $905

2/ The sum of the amount guaranteed totalled only $49,500.

3/ These individuals became endorsers on June 1, 1984.

4/ Joseph V. Turner appears as a new endorser, guaranteeing $1,000 of the $50,000 loan. Joseph B. Turner and Joseph V. Turner are listed at different addresses; however, aggregate year-to-date information suggests they may be one person. Joseph Turner's address at 25700 I-45 North, #101, appears to be a business address. Joseph Turner is listed as President of Turner-Hazenzahl. James Hazenzahl's address is also listed at 25700 I-45 North, #101.

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to the committee for the Run-off election. The chart below lists these excessive amounts:

ENDORSER	AMOUNT GUARANTEED	AMOUNT CONTRIBUTED	EXCESSIVE AMOUNT
1. Buxton, Bill	$1,000	$100	$100
2. Ewing, Lee	1,000	100	100
3. Turner, Joe	1,000	500	500
4. Wambaugh, Bill	1,000	100	100
5. Wylie, Russ	1,000	100	100
6. Yount, DiAnn	1,000	5	5
			$905

3. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

The Max Hoyt Congressional Committee received $49,580 in excessive contributions for the primary election and $38,405 for the run-off election, for a total of $87,985 in excessive contributions. Accordingly, the Office of General

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Counsel recommends that the Federal Election Commission ("Commission") find reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions.

8604061145546

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Maple Avery, M.D.
P.O. Box 1930
Conroe, Texas 77305

RE: MUR
Maple Avery, M.D.

Dear Dr. Avery:

On , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

EK 3/22

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The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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General Counsel's Factual and Legal Analysis
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Designation of Counsel Statement

8604061548

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

Maple Avery, M.D.
P.O. Box 1930
Conroe, Texas 77305

RE: MUR 1954
Maple Avery, M.D.

Dear Dr. Avery:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Maple Avery, M.D. MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Maple Avery, M.D.	5,000	4,000

8604061455 1

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Maple Avery, M.D. violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

8604514552

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Alf Barnes
58 Hampton Road
Conroe, Texas 77302

RE: MUR
Alf Barnes

Dear Mr. Barnes:

On , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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EK 3/22

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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Designation of Counsel Statement

8604061454

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

Alf Barnes
58 Hampton Road
Conroe, Texas 77302

RE: MUR 1954
Alf Barnes

Dear Mr. Barnes:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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8604061456

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Alf Barnes MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent S 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Alf Barnes	$2,500	1,500

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $1,500 to the Committee, by guaranteeing $2,500 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Alf Barnes violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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DESCRIPTION OF PRELIMINARY PROCEDURES FOR PROCESSING POSSIBLE VIOLATIONS DISCOVERED BY THE FEDERAL ELECTION COMMISSION

Possible violations discovered during the normal course of the Commission's supervisory responsibilities shall be referred to the Enforcement Division of the Office of General Counsel where they are assigned a MUR (Matter Under Review) number, and assigned to a staff member.

Following review of the information which generated the MUR, a recommendation on how to proceed on the matter, which shall include preliminary legal and factual analysis, and any information compiled from materials available to the Commission shall be submitted to the Commission. This initial report shall recommend either: (a) that the Commission find reason to believe that a possible violation of the Federal Election Campaign Act (FECA) may have occurred or is about to occur and that the Commission conduct an investigation of the matter; or (b) that the Commission find no reason to believe that a possible violation of the FECA has occurred and that the Commission close the file on the matter.

Thereafter, if the Commission decides by an affirmative vote of four (4) Commissioners that there is reason to believe that a violation of the Federal Election Campaign Act (FECA) has been committed or is about to be committed, the Office of the General Counsel shall open an investigation into the matter. Upon notification of the Commission's finding(s), within 15 days a respondent(s) may submit any factual or legal materials relevant to the allegations. During the investigation, the Commission shall have the power to subpoena documents, to subpoena individuals to appear for depositions, and to order answers to interrogatories. The respondent(s) may be contacted more than once by the Commission in its investigation.

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MUR _____

NAME OF COUNSEL: _____

ADDRESS: _____

_____

_____

TELEPHONE: _____

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.

_____ _____

Date Signature

RESPONDENT'S NAME: _____

ADDRESS: _____

_____

_____

HOME PHONE: _____

BUSINESS PHONE: _____

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Navarro Carowson
P.O. Box 4000
The Woodlands, Texas 77380

RE: MUR
Navarro Carowson

Dear Mr. Carowson:

On , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

EK 3/22

R 6040614561

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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8604061456 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

Navarro Carowson
P.O. Box 4000
The Woodlands, Texas 77380

RE: MUR 1954
Navarro Carowson

Dear Mr. Carowson:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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8604061 45564

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Navarro Carowson MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Navarro Carowson	$5,000	4,000

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Navarro Carowson violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

8604051456

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas Cox
40 Watertree Court
The Woodlands, Texas 73380

RE: MUR
Thomas Cox

Dear Mr. Cox:

On , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

CK 3/22

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The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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8604061145568

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

Thomas Cox
40 Watertree Court
The Woodlands, Texas 73380

RE: MUR 1954
Thomas Cox

Dear Mr. Cox:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

8604051145569

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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8604061 4570

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Thomas Cox MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Thomas Cox	$5,000	4,000

8604061 4571

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Thomas Cox violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

8604051457 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James Hasenzahl
25700 I-45 North #101
Spring, Texas 77386

RE: MUR
James Hasenzahl

Dear Mr. Hasenzahl:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

EK3/22

R 6040614573

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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8604051574

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

James Hasenzahl
25700 I-45 North #101
Spring, Texas 77386

RE: MUR 1954
James Hasenzahl

Dear Mr. Hasenzahl:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT James Hasenzahl MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
James Hasenzahl	$5,000	4,000

8604051457 7

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that James Hasenzahl violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

8604061457 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

George Mitchell
P.O. Box 4000
The Woodlands, Texas 77380

RE: MUR
George Mitchell

Dear Mr. Mitchell:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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EK 3/22

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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8604061458O

FEDERAL ELECTION COMMISSION
WASHINGTON,D.C. 20463

March 26, 1985

George Mitchell
P.O. Box 4000
The Woodlands, Texas 77380

RE: MUR 1954
George Mitchell

Dear Mr. Mitchell:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT George Mitchell MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
George Mitchell	$2,500	$1,500

8504051458 3

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $1,500 to the Committee, by guaranteeing $2,500 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that George Mitchell violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

8604061458 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Steven Holditch
8600 Rosewood
College Station, Texas 77840

RE: MUR
Steven Holditch

Dear Mr. Holditch:

On , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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EGK 3/22

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

Steven Holditch
8600 Rosewood
College Station, Texas 77840

RE: MUR 1954
Steven Holditch

Dear Mr. Holditch:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

R 6040614587

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Steven Holditch MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Steven Holditch	$5,000	4,000

R 6040 5 1 4 5 8 9

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Steven Holditch violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

8604514590

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

R. Douglas Leonhard
P.O. Box 7886
The Woodlands, Texas 77387

RE: MUR
R. Douglas Leonhard

Dear Mr. Leonhard:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

EK 3/22

R 6040614591

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

R. Douglas Leonhard
P.O. Box 7886
The Woodlands, Texas 77387

RE: MUR 1954
R. Douglas Leonhard

Dear Mr. Leonhard:

On March 20, 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT R. Douglas Leonhard MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on A 984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
R. Douglas Leonhard	$5,000	4,000

8604514595

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 44la(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 44la(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 44la(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that R. Douglas Leonhard violated 2 U.S.C. § 44la(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

8604061 4596

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Edward Shaman, M.D.
11702 Quail Creek Drive
Houston, Texas 77070

RE: MUR
Edward Shaman, M.D.

Dear Dr. Shaman:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

a60406145597

EK 3/22

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

Edward Shaman, M.D.
11702 Quail Creek Drive
Houston, Texas 77070

RE: MUR 1954
Edward Shaman, M.D.

Dear Dr. Shaman:

On March 20, 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

8604061459

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

Enclosures
General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

8604061460 0

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Edward Shaman, M.D. MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Edward Shaman, M.D.	$5,000	$4,000

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Edward Shaman, M.D. violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

8604061460 2

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John Weisner
P.O. Drawer 2348
Conroe, Texas 77305

RE: MUR
John Weisner

Dear Mr. Weisner:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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EK 3/22

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

Enclosures
General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

8604051460 4

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

John Weisner
P.O. Drawer 2348
Conroe, Texas 77305

RE: MUR 1954
John Weisner

Dear Mr. Weisner:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

R 6040614605

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

Enclosures
General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT John Weisner MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
John Weisner	$2,000	$1,000

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $1,000 to the Committee, by guaranteeing $2,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that John Weisner violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

8604061460 8

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Randall Woods
72 Indian Clover
The Woodland, Texas 77381

RE: MUR
Randall Woods

Dear Mr. Woods:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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EK 3/22

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

Enclosures
General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

8604051461 0

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

March 26, 1985

Randall Woods
72 Indian Clover
The Woodland, Texas 77381

RE: MUR 1954
Randall Woods

Dear Mr. Woods:

On March 20 , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against you, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

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.

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The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry

John Warren McGarry
Chairman

Enclosures
General Counsel's Factual and Legal Analysis
Procedures
Designation of Counsel Statement

8604061462

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Randall Woods MUR NO 1954

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Randall Woods	$2,500	$1,500

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $1,500 to the Committee, by guaranteeing $2,500 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Randall Woods violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of	)	
	)	RAD Referral 84L-35
Max Hoyt Congressional Committee, et. al.	)	
Alan Phelps, as treasurer	)	

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 20, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 84L-35:

1. Open a MUR.

2. Find reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f).

3. Find reason to believe that the following individuals violated 2 U.S.C. § 441a(a)(1)(A):

   Maple Avery, M.D.
   Alf Barnes
   Navarro Carowson
   Thomas Cox
   James Hasenzahl
   Steven Holditch
   R. Douglas Leonhard
   George Mitchell
   Edward Shaman, M.D.
   Joseph Turner
   John Weisner
   Randall Woods

(Continued)

8604061461 5

4. Approve letters and General Counsel's Legal and Factual Analysis attached to the First General Counsel's Report Signed March 15, 1985.

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

Attest:

3-21-85
Date

Marjorie W. Emmons
Secretary of the Commission

Received in Office of Commission Secretary: 3-18-85, 9:58
Circulated on 48 hour tally basis: 3-18-85, 4:00

8604061461 6

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) RAD Referral 84L-35
Max Hoyt Congressional)
Committee, et. al.)
Alan Phelps, as treasurer)

SENSITIVE

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on March 20, 1985, the Commission decided by a vote of 6-0 to take the following actions in RAD Referral 84L-35:

1. Open a MUR.

2. Find reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f).

3. Find reason to believe that the following individuals violated 2 U.S.C. § 441a(a)(1)(A):

Maple Avery, M.D.
Alf Barnes
Navarro Carowson
Thomas Cox
James Hasenzahl
Steven Holditch
R. Douglas Leonhard
George Mitchell
Edward Shaman, M.D.
Joseph Turner
John Weisner
Randall Woods

(Continued)

8604061461 7

4. Approve letters and General Counsel's Legal and Factual Analysis attached to the First General Counsel's Report Signed March 15, 1985.

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

Attest:

3-21-85
Date

Marjorie W. Emmons
Secretary of the Commission

8604051461 8

Received in Office of Commission Secretary: 3-18-85, 9:58
Circulated on 48 hour tally basis: 3-18-85, 4:00

RECEIVED
OFFICE OF THE FEC
COMMISSION SECRETARY
'85 MAR 18 A9:58

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

FIRST GENERAL COUNSEL'S REPORT

DATE AND TIME OF TRANSMITTAL BY OGC TO THE COMMISSION 3/18/85-9:55
RAD REFFERAL 84L-35
STAFF MEMBER ERIC KLEINFELD

SOURCE OF MUR: I N T E R N A L L Y G E N E R A T E D

RESPONDENTS NAMES: Max Hoyt Congressional Committee, et al.
Alan Phelps, as treasurer

RELEVANT STATUTES: 2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441a(f)

INTERNAL REPORTS CHECKED: Committee Reports

FEDERAL AGENCIES CHECKED: None

SENSITIVE

GENERATION OF MATTER

The Max Hoyt Congressional Committee ("the Committee") was referred to this Office by the Reports Analysis Division ("RAD") for receiving excessive contributions from individual contributors.

SUMMARY OF ALLEGATIONS

The committee received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

8604061-46-19

FACTUAL AND LEGAL ANALYSIS

1. Primary election loan.

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the 1984 primary election from Montgomery County Bank, incurred on February 22, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt, and its sole endorser was Joseph B. Turner, who guaranteed the entire amount of the loan. Additionally, the committee's April Quarterly Report disclosed a $500 contribution from Joseph B. Turner designated for the primary election.

On June 4, 1984, a second amended April Quarterly Report was received from the committee, on which was listed fifty-one (51) individuals as replacement endorsers of the primary loan. 1/ Of the fifty-one, forty-eight (48) had each guaranteed $1000 of the loan, two had guaranteed $900 each, and one individual guaranteed $200.

According to the April Quarterly Report, three of the replacement endorsers had also made direct contributions totalling $80 to the committee for the primary election. The chart below lists the excessive amounts received by the committee for the 1984 primary election:

1/ These individuals became the new endorsers on June 1, 1984. Joseph B. Turner was not listed as one of the new endorsers.

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ENDORSER	AMOUNT GUARANTEED	AMOUNT CONTRIBUTED	EXCESSIVE AMOUNT
Turner, Joseph B.	$50,000	$500	$49,500
Amato, Delores	1,000	10	10
Davis, Frank	1,000	20	20
Wambaugh, Elizabeth	1,000	50	50
			$49,580 Total

2. Run-off election loan.

The committee's 1984 amended 12 Day Run-off Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2000-5000 each, with a total excessive contribution of $37,500:

ENDORSER	AMOUNT GUARANTEED 2/	EXCESSIVE AMOUNT
1. Avery, Maple, M.D.	$5,000	$4,000
2. Barnes, Alf	2,500	1,500
3. Carowson, Navarro	5,000	4,000
4. Cox, Thomas	5,000	4,000
5. Hasenzahl, James	5,000	4,000
6. Holditch, Steven	5,000	4,000
7. Leonhard, R. Douglas	5,000	4,000
8. Mitchell, George	2,500	1,500
9. Shaman, Edward, M.D.	5,000	4,000
10. Joseph B. Turner	5,000	4,000
11. Weisner, John	2,000	1,000
12. Woods, Randall	2,500	1,500
		$37,500

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. 3/

2/ The sum of the amount guaranteed totalled only $49,500.

3/ These individuals became endorsers on June 1, 1984.

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Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers. 4/

According to the committee's July Quarterly and October Quarterly Reports, six of the fifty-one substituted endorsers had also made direct contributions totalling $905 to the committee for the Run-off election. The chart below lists these excessive amounts:

ENDORSER	AMOUNT GUARANTEED	AMOUNT CONTRIBUTED	EXCESSIVE AMOUNT
1. Buxton, Bill	$1,000	$100	$100
2. Ewing, Lee	1,000	100	100
3. Turner, Joe	1,000	500	500
4. Wambaugh, Bill	1,000	100	100
5. Wylie, Russ	1,000	100	100
6. Yount, DiAnn	1,000	5	5
			$905

3. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

4/ Joseph V. Turner appears as a new endorser, guaranteeing $1,000 of the $50,000 loan. Joseph B. Turner and Joseph V. Turner are listed at different addresses; however, aggregate year-to-date information suggests they may be one person. Joseph Turner's address at 25700 I-45 North, #101, appears to be a business address. Joseph Turner is listed as President of Turner-Hazenzahl. James Hazenzahl's address is also listed at 25700 I-45 North, #101. See RAD Referral attachments 10a and 10b.

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2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

The Max Hoyt Congressional Committee received $49,580 in excessive contributions for the primary election and $38,405 for the run-off election, for a total of $87,985 in excessive contributions. Accordingly, the Office of General Counsel recommends that the Federal Election Commission ("Commission") find reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions.

Additionally, one individual, Joseph Turner, made excessive contributions to the Committee for both the 1984 primary election and 1984 run-off election, by guaranteeing a $50,000 loan for the former and guaranteeing $5,000 of the latter loan. Accordingly, the Office of General Counsel recommends that the Commission find reaason to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A), by making excessive contributions to the Max Hoyt Congressional Committee.

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Eleven other individuals made excessive contributions to the Committee by guaranteeing portions of the run-off loan in amounts ranging from $2,000 - $5,000 each. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that these eleven guarantors, Maple Avery, M.D., Alf Barnes, Navarro Carowson, Thomas Cox, James Hasenzahl, Steven Holditch, R. Douglas Leonhard, George Mitchell, Edward Shaman, M.D., John Weisner and Randall Woods violated 2 U.S.C. § 441a(a)(1)(A) by making excessive contributions to the Max Hoyt Congressional Committee.

As to the remaining endorsers, whose excessive contributions ranged from $5-$100 each, the Office of General Counsel is not seeking reason to believe determinations in this matter, due to the relatively low amounts of excessive contributions made by each person.

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RECOMMENDATIONS

1. Open a MUR.

2. Find reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f).

3. Find reason to believe that the following individuals violated 2 U.S.C. § 441a(a)(1)(A).

Maple Avery, M.D.
Alf Barnes
Navarro Carowson
Thomas Cox
James Hasenzahl
Steven Holditch
R. Douglas Leonhard
George Mitchell
Edward Shaman, M.D.
Joseph Turner
John Weisner
Randall Woods

5. Approve attached letters and General Counsel's Legal and Factual Analyses.

Charles N. Steele
General Counsel

March 15, 1985
Date

By: Kenneth A. Gross
Associate General Counsel

Attachments

1. Referral Materials
2. Letters to Respondents
3. Factual and Legal Analyses

8604061462 5

ATTACHMENT 1
(1)

8604051462 6

(2)

REPORTS ANALYSIS REFERRAL

TO

OFFICE OF GENERAL COUNSEL

DATE: November 30, 1984

ANALYST: Linda Tangney

I. COMMITTEE: Max Hoyt Congressional Committee (C00174656)
Alan Phelps, Treasurer
10716 Whisper Willow Place
The Woodlands, TX 77380

II. RELEVANT STATUTE: 2 U.S.C. §441a(f)

III. BACKGROUND:

Receipt of Excessive Contributions from Individuals - 2 U.S.C. §441a(f)

The Max Hoyt Congressional Committee ("the Committee"), received two loans totalling $100,000. The Committee's 1984 April Quarterly and 12 Day Run-Off Amended Reports disclosed apparent 441a violations in the form of loan endorsements. In addition, the Committee's 1984 July Quarterly and October Quarterly Reports disclosed apparent 441a violations in the form of excessive contributions.

First Loan

Schedule C of the Committee's 1984 April Quarterly Report disclosed a $49,886 loan from the candidate incurred on January 15, 1984 (Attachment 2). A Request for Additional Information ("RFAI") was mailed to the Committee on May 30, 1984. The RFAI requested the original source of the $49,886 loan (Attachment 3).

On June 1, 1984, an amendment to the April Quarterly Report was received from the Committee. Schedule C of the April Quarterly Amended Report disclosed a $50,000 loan incurred on February 22, 1984 with Montgomery County Bank as the source, and Joseph B. Turner as the endorser. A footnote on Schedule C explained that the $50,000 loan was a personal loan to the candidate, and as of March 31, 1984, only $45,500 had been deposited into the campaign (Attachment 4a). On June 1, 1984, an amendment to the 1984 12 Day Run-Off Report was received, which disclosed the additional $4,500 of the loan incurred on February 22, 1984

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and endorsed by Joseph B. Turner (Attachment 4b). The April Quarterly Report also disclosed a $500 contribution designated for the primary election from Joseph B. Turner (Attachment 4c). The loan endorsement and the contribution by Joseph B. Turner resulted in an excessive contribution in the amount of $49,500.

On June 4, 1984, a second amendment to the April Quarterly Report was received from the Committee. Schedule C of this amended April Quarterly Report listed fifty-one (51) individuals as the new endorsers of the $50,000 loan. A footnote on Schedule C explained that the individuals became the new endorsers on June 1, 1984, and these endorsements were to be attributed to the primary election (Attachment 5a). Schedule A of the amended report disclosed that three (3) individuals had endorsed the loan on May 31, 1984 (Attachment 5b).

On the 1984 April Quarterly Report, three (3) of the fifty-one (51) endorsers also contributed a total of $80 which was designated for the primary election (see list below and Attachment 5c).

ENDORSER	AMOUNT GUARANTEED	AMOUNT & DATE CONTRIBUTED	EXCESSIVE AMOUNT
Amato, Delores	$1,000	$10 (1/84)	$10
Davis, Frank	$1,000	$20 (1/84)	$20
Wambaugh, Elizabeth	$1,000	$50 (2/84)	$50

On July 3, 1984, a letter was sent to the Committee acknowledging the redesignation of the excessive contributions to the new endorsers (Attachment 6).

Second Loan

Schedule C of the Committee's 1984 12 Day Run-Off Report disclosed a $56,000 loan from the candidate with an incurred date of "various" (Attachment 7). On June 1, 1984, an amendment to the 12 Day Run-Off Report was received from the Committee. Schedule C of the 12 Day Run-Off amended report disclosed a $50,000 loan incurred on April 30, 1984 with Montgomery County Bank as the source, and twelve (12) individuals as endorsers. A footnote on Schedule C explained that this was a personal loan to the candidate from Montgomery County Bank, with the twelve (12) endorsers guaranteeing the $50,000 loan (Attachment 8). The loan endorsements by the twelve (12) individuals resulted in excessive contributions totalling $37,500 (see list below.)1/

Endorser	Amount Guaranteed	Excessive Amount
1. Avery, Maple	$5,000	$4,000
2. Barnes, Alf	$2,500	$1,500

1/ The sum of the amount guaranteed totaled only $49,500.

3. Carowson, Navarro	$5,000	$4,000
4. Cox, Thomas	$5,000	$4,000
5. Hasenzahl, James	$5,000	$4,000
6. Holditch, Steven	$5,000	$4,000
7. Leonhard, Douglas R.	$5,000	$4,000
8. Mitchell, George	$2,500	$1,500
9. Shaman, Edward, M.D.	$5,000	$4,000
10. Turner, Joseph B.	$5,000	$4,000
11. Weisner, John	$2,000	$1,000
12. Woods, Randall	$2,500	$1,500

On June 4, 1984, a second amendment to the 12 Day Run-Off Report was received from the Committee. Schedule C of the 12 Day Run-Off Amended Report, disclosed fifty-one (51) individuals as the new endorsers of the $50,000 loan. A footnote on Schedule C explained that the individuals became the new endorsers on June 1, 1984, and the endorsements were to be attributed for the run-off election (Attachment 9).2/ Schedule A of the amended report disclosed that all the individuals endorsed the loan May 31, 1984 (see example Attachment 10a, page 4).

On July 3, 1984, a letter was sent to the Committee acknowledging the redesignation of excessive contributions to the new endorsers (Attachment 11).

The July Quarterly and October Quarterly Reports disclosed additional contributions from six (6) of the fifty-one (51) individuals that endorsed the second loan. The six (6) individuals appear to have excessively contributed a total of $905 (see list below and Attachment 12).

ENDORSER	AMOUNT GUARANTEED	AMOUNT & DATE CONTRIBUTED	EXCESSIVE AMOUNT
1. Buxton, Bill	$1,000	$100 (9/11/84)	$100
2. Ewing, Lee	$1,000	$100 (6/12/84)	$100
3. Turner, Joe	$1,000	$500 (5/27/84)	$500
4. Wambaugh, Bill	$1,000	$100 (9/11/84)	$100
5. Wylie, Russ	$1,000	$100 (9/11/84)	$100
6. Yount, DiAnn	$1,000	$5 (5/27/84)	$5

2/ Joseph V. Turner appears as a new endorser on June 1, 1984, guaranteeing $1,000 of the $50,000 loan. Both Joseph B. Turner and Joseph V. Turner are listed at different addresses; however, aggregate year-to-date information found on Schedule A suggests they may be one person (Attachment 10a). Joseph Turner's address at 25700 I-45 North, #101, appears to be a business address. Joseph Turner is listed as President of Turner-Hasenzahl. James Hasenzahl's address on Schedule C is also listed at 25700 I-45, #100 (Attachment 10b).

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On November 2, 1984, a letter was sent to the Committee informing them of the apparent excessive contributions disclosed on their July Quarterly and October Quarterly Reports (Attachment 13). To date, no response has been received.

IV. OTHER PENDING MATTERS INITIATED BY RAD:

None

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FEDERAL ELECTION COMMISSION DATE 28NOV84
1983-1984
CANDIDATE INDEX OF SUPPORTING DOCUMENTS - (E) PAGE 1

CANDIDATE/COMMITTEE/DOCUMENT	OFFICE SOUGHT/	PARTY	RECEIPTS PRIMARY	RECEIPTS GENERAL	DISBURSEMENTS PRIMARY	DISBURSEMENTS GENERAL	COVERAGE DATES	# OF PAGES	MICROFILM LOCATION
							TYPE OF FILER		
HOYT, MAX R	HOUSE 06	REPUBLICAN PARTY				TEXAS	1984 ELECTION	ID# H4TX06141	
1. STATEMENT OF CANDIDATE									
1984 STATEMENT OF CANDIDATE							6JAN84	1	84HSE/251/0117
2. CANDIDATE REPORTS OF RECEIPTS & EXPENDITURES									
3. PRINCIPAL CAMPAIGN COMMITTEE									
MAX HOYT CONGRESSIONAL COMMITTEE							ID# C00174656	HOUSE	
1984 STATEMENT OF ORGANIZATION							6JAN84	1	84HSE/251/0120
48 HOUR CONTRIBUTION NOTICE							4MAY84	2	84HSE/260/0403
48 HOUR CONTRIBUTION NOTICE							4JUN84	1	84HSE/261/2702
APRIL QUARTERLY			74,441		71,024		1JAN84 -31MAR84	44	84HSE/260/0397
APRIL QUARTERLY		- AMENDMENT	74,441		71,024		1JAN84 -31MAR84	3	84HSE/261/2611
APRIL QUARTERLY		- AMENDMENT	74,441		71,024		1JAN84 -31MAR84	21	84HSE/261/2536
APRIL QUARTERLY		- AMENDMENT	-		-		1JAN84 -31MAR84	2	84HSE/264/0047
APRIL QUARTERLY		- AMENDMENT	-		-		1JAN84 -31MAR84	2	84HSE/268/0097
REQUEST FOR ADDITIONAL INFORMATION							1JAN84 -31MAR84	2	84FEC/315/0003
REQUEST FOR ADDITIONAL INFORMATION 2ND							1JAN84 -31MAR84	1	84FEC/317/4709
REQUEST FOR ADDITIONAL INFORMATION							1JAN84 -31MAR84	14	84FEC/318/3038
PRE-PRIMARY			4,865		8,213		1APR84 -15APR84	13	84HSE/259/2650
NOTICE OF FAILURE TO FILE							1APR84 -15APR84	1	84FEC/312/2102
REQUEST FOR ADDITIONAL INFORMATION							1APR84 -15APR84	1	84FEC/318/3205
PRE-RUN-OFF			61,929		59,130		16APR84 -12MAY84	17	84HSE/260/0431
PRE-RUN-OFF		- AMENDMENT	61,929		59,130		16APR84 -12MAY84	6	84HSE/261/26
PRE-RUN-OFF		- AMENDMENT	61,929		59,130		16APR84 -12MAY84	20	84HSE/261/2
REQUEST FOR ADDITIONAL INFORMATION							16APR84 -12MAY84	18	84FEC/318/30
REQUEST FOR ADDITIONAL INFORMATION 2ND							16APR84 -12MAY84	1	84FEC/324/37
NOTICE OF FAILURE TO FILE							16APR84 -12MAY84	1	84FEC/315/3141
JULY QUARTERLY			40,489		42,477		13MAY84 -30JUN84	68	84HSE/262/2951
1'ST LETTER INFORMATIONAL NOTICE							13MAY84 -30JUN84	18	84FEC/348/0131
OCTOBER QUARTERLY		- AMENDMENT	8,041		8,700		1JUL84 -30SEP84	49	84HSE/273/3658
1'ST LETTER INFORMATIONAL NOTICE							1JUL84 -30SEP84	1	84FEC/348/0700
TOTAL			189,765	0	189,344	0		301	TOTAL PAGES
4. AUTHORIZED COMMITTEES									
4B. TRANSFERS IN FROM JOINT FUNDRAISING COMMITTEES									

All Reports except October Quarterly have been reviewed.

Ending Cash as of 9/30/84: $219

Outstanding Debts owed by the Committee: $126,886

ATTACHMENT 1

ATTACHMENT 2 (7)

SCHEDULE C
Revised 2/83

LOANS 1984 April Quarterly Report

Name of Committee (In Full)
MAX HOYT CONGRESSIONAL COMMITTEE

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Unpaid Balance as of This Period	Balance Outstanding as of This Period
Max T. Hoyt 10716 Whisper Willow Place The Woodlands, Texas 77380	$49,886.28	-0-	$49,886.28

Election: ☐ Primary ☐ General ☐ Other (specify):
Terms: Date Incurred 7/15/84 Date Due 12/31/84 Interest Rate 0 % Secured ☐ Unsecured

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Unpaid Balance as of This Period	Balance Outstanding as of This Period

Election: ☐ Primary ☐ General ☐ Other (specify):
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % ☐ Secured ☐ Unsecured

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $

SUBTOTALS This Period This Page (optional)	
TOTALS This Period (last page in this line only)	

Carry outstanding balances only to LINE 8, Schedule B, for this line. If no Schedule B, carry forward to appropriate line.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2
May 30, 1984

Alan A. Phelps, Treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, TX 77380

Identification Number: C00174656

Reference: April Quarterly Report (1/1/84-3/31/84)

Dear Mr. Phelps:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-For future reports, please be advised that contributions from individuals which, in the aggregate, do not exceed $200 need not be itemized on Schedule A. The total amount of the unitemized contributions should be included on the memo entry line and in the total of contributions received on Line 11(a) of the Detailed Summary Page. If you choose to itemize the contributions less than $200, please do so on a separate Schedule A.

-On Schedule A of this report, you have not itemized all of the necessary contributor information. You must provide the full dates for each itemized receipt.

-Please provide a Schedule B to support the $500 in-kind contribution from Candy Witzig, reported on Schedule A. All in-kind contributions from individuals, which in the aggregate exceed $200, should be itemized on Schedule A and Schedule B.

-When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used his/her personal funds or borrowed the money from a lending institution or other source. If the candidate borrowed funds from a lending institution or any other source, please provide the name of the lending institution and the complete terms

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of the loan. If the loan(s) was from personal funds, please acknowledge that fact in an amendment to this report. Further, it is important to note that "personal funds" is strictly defined by Commission regulations and may be found in 11 CFR 110.10. (11 CFR 100.7(a)(1) and 104.3(d))

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Linda Tangney

Linda Tangney
Reports Analyst
Reports Analysis Division

R60405146634

SCHEDULE C
(Revised 2/83)

LOANS

June 14, 1984 April Quarterly Report
Amended

(10)

Name of Committee (In Full)
Max Hoyt Congressional Committee

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
Max B. Hoyt 10716 Whisper Willow Place The Woodlands, Texas 77380 Election ☒Primary ☐General ☐Other (specify)	50,000.00	-0-	45,500.00*

Terms: Date Incurred 2/22/84 Date Due 5/23/84 Interest Rate 13 % ☐Secured

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Amount Guaranteed Outstanding
ORIGINAL SOURCE Montgomery County Bank I-45 at Rayford Road Spring, Texas 77386	$
2. Full Name, Mailing Address and ZIP Code Joseph B. Turner 25700 I-45 North, #101 Spring, Texas 77386	Name of Employer: Turner-Hasenzahl Occupation: President $
3. Full Name, Mailing Address and ZIP Code *NOTE - This is a personal loan from Montgomery County Bank to Max Hoyt endorsed by Joseph B. Turner. The original amount was $50,000 but at March 31, 1984 only $45,500 had been deposited in the campaign.	Name of Employer / Occupation / Amount Guaranteed Outstanding $

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
Max B. Hoyt 10716 Whisper Willow Place The Woodlands, Texas 77380 Election ☐Primary ☐General ☐Other (specify)	4,386.28		4,386.28

Terms: Date Incurred 1/15/84 Date Due 12/31/84 Interest Rate 0 % ☐Secured

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Amount Guaranteed Outstanding
	$
2. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Amount Guaranteed Outstanding $
3. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Amount Guaranteed Outstanding $

SUBTOTALS This Period This Page (optional)	
TOTALS This Period (last page in this line only)	49,886.28

Carry outstanding balances only to LINE 2, Schedule D. For lines 3 on Schedule D, carry forward the appropriate loan of Borrowers.

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(Revised 3/80)

LOANS

June 1, 1984 Amended 12 Day Pre Run-Off Report

Name of Committee (in Full)
Max Hoyt Congressional Campaign

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding as of This Period
Max B. Hoyt 10716 Whisper Willow Place The Woodlands, Texas 77380 Election: ☐Primary ☐General ☐Other (specify).	50,000.00		4,500.00*
Terms: Date Incurred 2/22/84 Date Due 5/23/84 Interest Rate 13 %/Year ☐ Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code ORIGINAL SOURCE Montgomery County Bank I-45 at Rayford Road Spring, Texas 77386	Name of Employer Occupation Amount Guaranteed Outstanding $		
2. Full Name, Mailing Address and ZIP Code Joseph B. Turner 25700 I-45 North, #101 Spring, Texas 77386	Name of Employer Turner-Hasenzahl Occupation Construction Amount Guaranteed Outstanding $		
3. Full Name, Mailing Address and ZIP Code *NOTE - This is the remainder of a $50,000 loan from Montgomery County Bank to Max Hoyt listed in the 3/31/84 F.E.C. Report	Name of Employer Occupation Amount Guaranteed Outstanding $		

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding as of This Period
Election: ☐Primary ☐General ☐Other (specify)			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ %/Year ☐ Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $		
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $		
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $		
SUBTOTALS This Period This Page (optional)			4,500.00
TOTALS This Period (last page in this line only)			54,500.00

Carry outstanding balances only to Line 2, Schedule D, for this line. From Schedule D, carry forward to appropriate line of Summary.

R60042463619

SCHEDULE A — ITEMIZED RECEIPTS

1984 April Quarterly

(12)

Any information copied from such Reports or Statements may 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.

Name of Committee (In Full)
Max Hoyt Congressional Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Huey Treat P. O. Box 143 College Station, Tx. 77840		3/84	$10.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date $10.00		
B. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Joe Turner 25700 I-45 North #101 Spring, Texas 77386	self employed	2/84	$500.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation contractor		
	Aggregate Year-to-Date $500.00		
C. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
James A Ulrich 237 Tallahassee Conroe, Texas 77302	self employed	1/84 2/84 3/84	$100.00 $125.00 $500.00 (in kind)
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation tax attorney		
	Aggregate Year-to-Date $725.00		
D. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Keith Valigura 103 Kirkwood Conroe, Texas 77304		1/84	$10.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date $10.00		
E. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
C A. Veltman 7100 Thompson Rd. Willis, Texas 77378		1/84	$10.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date $10.00		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Libby Wambaugh 155 Towering Pines The Woodlands, Texas 77381		2/84	$50.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date $ 50.00		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
F. R. Warren 4 Winged Foot Dr. Conroe, Texas 77304		3/84	$50.00
Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date $ 50.00		
SUBTOTAL of Receipts This Page (optional)			1,355.00
TOTAL This Period (last page this line number only)			

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(13)

June 4, 1984 April Quarterly
Amended report

Max Hoyt Congressional Committee

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

50,000.00 -0- 45,500.00*

Date received 2/22/84 Date due 5/25/84 Report No. 13 April

OPTIGINAL SOURCE
Montgomery County Bank
I-45 at Rayford Road
Spring, TX 77373

*NOTE - This is a personal loan from Montgomery County Bank to Max Hoyt. The original amount was $50,000, but at March 31, 1984 only $45,500 had been deposited in the campaign. Following are the guarantors of the note. These are new endorsers effective June 1, 1984. They are to be counted as primary contributions. Schedule A's are also attached for

are not reflected on Line 11(A) as instructed by F.E.C. via telephone.

SUBTOTALS This Period This Page (optional): 45504

TOTALS This Period (last page of this line only)

Carry outstanding balance only to LINE 3 Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

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Schedule A (Form 3L)

LOANS

Name of Committee (in Full)
Max Hoyt Congressional Committee

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
Max Hoyt 10716 Whisper Willow Drive The Woodlands, Texas 77380 Election ☐Primary ☐General ☐Other (specify)	CONTINUED		
Terms: Date Incurred _____ Due Date _____ Interest Rate _____% ☐ Secured			
List All Endorsers or Guarantors (if any) to Item A			
1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $		
2. Full Name, Mailing Address and ZIP Code Linda Holt 404 E. Sixth Dallas, TX 75203	Name of Employer Self-employed Occupation Political Pub. Rel. Amount Guaranteed Outstanding $ 1,000.00		
3. Full Name, Mailing Address and ZIP Code Andrew Hrycushko 13 Woodlot Ct. The Woodlands, TX 77380	Name of Employer Mitchell Energy Occupation Engineer Amount Guaranteed Outstanding $ 1,000.00		

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payment To Date	Balance Outstanding at Close of This Period
CONTINUED Election ☐Primary ☐General ☐Other (specify)			
Terms: Date Incurred _____ Due Date _____ Interest Rate _____% ☐ Secured			
List All Endorsers or Guarantors (if any) to Item B			
1. Full Name, Mailing Address and ZIP Code H. Mack Brown 5 Terravace Ct. The Woodlands, TX 77381	Name of Employer Mitchell Energy Occupation Engineer Amount Guaranteed Outstanding $ 1,000.00		
2. Full Name, Mailing Address and ZIP Code James C. Anderson 54 Indian Clover The Woodlands, TX 77381	Name of Employer Mitchell Energy Occupation Prod. Manager Amount Guaranteed Outstanding $ 1,000.00		
3. Full Name, Mailing Address and ZIP Code Althea Hartsfield 44 Sc. High Oaks Cir. The Woodlands, TX 77381	Name of Employer Mitchell Energy Occupation Eng. Technician Amount Guaranteed Outstanding $ 1,000.00		
SUBTOTALS This Period (This Page Aggregate)			
TOTALS This Period (last page in this item only)			

Carry subtotals and totals only to Line 2, Schedule B, for this Item B and Schedule B, carry forward to appropriate line of Summary.

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Max Hoyt Congressional Committee

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

Continued

1 Linda E. Digilormo
1011 E. Red Cedar Cir.
The Woodlands, TX 77381
Mitchell Energy
Supervisor
$ 1,000.00

2 Joe R. Anderson
72 Old Stream Ct.
The Woodlands, TX 77381
Max Hoyt
Congressional Campaign
Campaign Mgr.
$ 900.00

3 Delores R. Amato
1 Wind Poppy
The Woodlands, TX 77381
Self-employed
Author
$ 1,000.00

CONTINUED

1 Ann S. Friend
1915 Nursery Rd.
The Woodlands, TX 77381
Self-employed
Business Owner
$ 1,000.00

2 Kathryn Blood
3104 Crystal Creek Forest
Conroe, TX 77303
Roetschke Plumbing
Secretary
$ 1,000.00

3 T J Roetschke
P.O. Box 218
Conroe, TX 77305
Plumbing bus. Owner
Self-employed
Business owner
$ 1,000.00

SUBTOTALS This Page (optional)

TOTALS This Period (last page only)

Carry outstanding balance only to LINE 3, Schedule D, for the line if no Schedule D, carry forward to appropriate line of Summary.

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Max Hoyt Congressional Committee

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

Continued

Doris Phelps 1664 McCaet Estates Conroe, TX 77304	Housewife	$ 1,000.00
Robert Baxter 20 Little John Lane Conroe, TX 77301	Self-employed Hardware Salesman	$ 1,000.00
E. J. Franklin 1610 N. Sixth Street Conroe, TX 77301	Koetschke Plumbing Vice President	$ 1,000.00

CONTINUED

Dan Adams 6 Mallard Glen The Woodlands, TX 77381	Phelps & Adams CPA	$ 1,000.00
E. Keith Claghorn 14 Leverwood Ct. The Woodlands, TX 77380	Mitchell Energy Petroleum Engineer	$ 1,000.00
Bobbie Jean Holiway 41 Ravensworth Conroe, TX 77302	Housewife	$ 1,000.00

SUBTOTALS This Page (Optional)

TOTALS This Page (last page in this box only)

Carry outstanding balances only to LINE 3, Schedule D, for this box. If no Schedule D, carry forward to appropriate line of Summary.

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Max Hoyt Congressional Committee

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

-CONTINUED-

John M. Weekley 2505 McKinney Dallas, TX 75201	Weekley/Gray/McKinney Public Relations	$ 1,000.00
David A. Overbeck 27 E. Bigelow Oak Ct. The Woodlands, TX 77380	Max Hoyt Congressional Campaign Admin. Aide	$ 1,000.00
Karen L. Lee 4237 Cole Ave. #111 Dallas, TX 75205	Weekley/Gray/McKinney Public Relations	$ 1,000.00

CONTINUED

Ken Walker 2 N. Pineplank Ct. The Woodlands, TX 77381	Phelps & Adams Accountant	$ 1,000.00
R. Gary Montgomery 2505 E. Wildwind Cir. The Woodlands, TX 77380	Montgomery Engineering Engineer	$ 900.00
Peggy Turner 27 Grogans Pt. Ct. The Woodlands, TX 77380	Homemaker	$ 1,000.00

SUBTOTALS This Page (Optional)

TOTALS This Period (last page only)

Carry outstanding balances only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

FEC 8 8 0 0 2 8 1 4 3 4 2 2

Max Hoyt Congressional Committee

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

4,386.28 | 4,386.28

Type: Check | Date Received 1/15/88 | Date Due 12/31/88 | Interest Rate 0 | Secured

Loan Guarantors or Endorsers (Complete items A, B, and C for each)

(Continuation of A 50,000.00)

1. John H. Joyce Jr
36 Greenbrough Ct
The Woodlands, Texas 77386
Turner/Hasenzahl
Proj Manager
$ 1000.00

2. Cathy Thornton
27 Grogan's Point
The Woodlands, Texas 77386
Turner-Hasenzahl
Bookkeeper
$ 1000.00

3. Matin W. Rogers, Jr.
2301 S. Millbend #907
The Woodlands, Texas 77380
Turner-Hasenzahl
Proj Manager
$ 1000.00

Continued 50,000

Type: | Date Received | Due Date | Interest Rate | Secured

Loan Guarantors or Endorsers (Complete items A, B, and C for each)

1. Emily Hasenzahl
29 Cedarwing Lane
The Woodlands, Texas 77380
None
Housewife
$ 1000.00

2. C.R. Reed
406 Spring Pines
Spring, Texas 77386
Mitchell Energy
Commercial Leasing
$ 1000.00

3. David A. Vogt
1544 Sawdust Road #180
The Woodlands, Texas 77380
Vogt Engineering
Engineer
$ 1000.00

SUBTOTALS This Page (optional) 43826.28

TOTALS This Page (last page on this line only)

Carry outstanding balance only to Line 2, Schedule B, for the last (if any) Schedule B, carry forward to appropriate line of Summary.

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(17)

Mak Hoyt Congressional Committee

Max Hoyt
20716 Whisper Willow Drive
The Woodlands, Texas 77380

$ 50,000 Continued

Melvin DuPaulx 2 Sweetbeth Ct. The Woodlands, TX 77380	Mitchell Energy Marketing	$ 1,000.00
George C. Lake 2201 Timberloch Pl. The Woodlands, TX 77380	Mitchell Energy Accountant	$ 1,000.00

CONTINUED $ 50,000

Richard A. Brown P.O. Box 7505 The Woodlands, TX 77380	Woodlands Corp. V.P.	$ 1,000.00
Maurice E. Paradis 22 Huntsman's Horn The Woodlands, TX 77381	M.K. Tool President	$ 1,000.00
Mrs. John Wiesner P.O. Drawer 2348 Conroe, TX 77305	Housewife	$ 1,000.00

SUBTOTALS This Period This Page (optional)

TOTALS This Period (last page only)

Carry outstanding balances only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

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Max Hoyt Congressional Committee

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

$50,000 Continued

Frances A. Saxer Rt. 2, Box 3742 Richards, TX 77873	Retired	$ 1,000.00
Alan A. Phelps 1664 Meade Estates Conroe, TX 77304	Phelps & Adams CPA	$ 250.00
Richard E. Jewett 10600 Six Pines Dr. #312 The Woodlands, TX 77380	Retired	$ 1,000.00

CONTINUED

David Slavin 2369 W. Settler's Way The Woodlands, TX 77380	Woodlands Villager Newspaper Publisher	$ 1,000.00
Thomas D. Cox 40 Watertree The Woodlands, TX 77380	C & C Investments Developer	$ 1,000.00
Londa May 3011 Palmer Way The Woodlands, TX 77381	Housewife	$ 1,000.00

SUBTOTALS This Page (Optional)

TOTALS This Page (last page in this filing period)

Carry outstanding balance only to LINE 3, Schedule D, for this line. If no Schedule B, carry forward to appropriate line of Summary.

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(21)

Max Hoyt Congressional Committee

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

$50,000 Continued

William Scott Jones 71 Cascade Springs The Woodlands, TX 77381	C & C Dev. Real Estate Developer	$ 1,000.00
Ann Jewitt 10600 Six Pines Dr. #312 The Woodlands, TX 77380	Housewife	$ 1,000.00
Jennifer L. Hoyt 10716 Whisper Willow The Woodlands, TX 77380	Pizza Hut Waitress	$ 1,000.00

CONTINUED

Jim Galloway 29211 Stapleford Spring, TX 77386	Turner-Hasenzahl Corp. Accountant	$ 1,000.00
Lisa Mann 10716 Whisper Willow The Woodlands, TX 77381	Self-employed Artist	$ 1,000.00
Jonathan Jewitt 10600 Six Pines Dr. #312D The Woodlands, TX 77380	Student	$ 1,000.00

SUBTOTALS This Page (optional)

TOTALS This Page (for page in this box only)

Carry subtotal (if any) to LINE 3, Schedule D. If this is the last page, carry forward to appropriate line of Summary.

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(22)

Max Hoyt Congressional Committee

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

$ 50,000 Contributed

Shelley Murphy
2714 Echo
The Woodlands, TX 77380

Student

$ 1,000.00

Elizabeth Wambaugh
155 Towering Pines Dr.
The Woodlands, TX 77381

Housewife

$ 1,000.00

Roy Sanchez
P.O. Box 2[illegible]
[illegible], Texas 7737[illegible]

Continental Airlines

$ 1,000

Continued

Frank E. Davis
60 Villare Hill Lane
Conroe, Texas 7730[illegible]

Self Employed
Owner
File:

$ 1,000

SUBTOTALS This Period This Page (optional)

TOTALS This Period (last page of this line only)

Carry outstanding balance only to Line 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

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MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTEE

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

$50,000 Continued

Michael R. Cotter
Rt 7 Box 536
Conroe, Texas

Turner Rosenzahl
Sept.
$ 100.00

84904206124-36248

ATTACHMENT 6b 5 of 24

June 4, 1984 April Quarterly Amended Report

Name of Committee (in full)
Max Hoyt Congressional Campaign

A. Full Name, Mailing Address and ZIP Code Shelley Murphy 2714 Echo The Woodlands, TX 77380	Name of Employer	Date (month, day, year)	Amount of Each Receipt this Period
	Occupation Student	6/1/84	1,000.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Aggregate Year-to-Date		
B. Full Name, Mailing Address and ZIP Code Elizabeth Vanbaugh 155 Towering Pines Dr. The Woodlands, TX 77381	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
	Occupation Homemaker	6/1/84	1,000.00
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Aggregate Year-to-Date		
C. Full Name, Mailing Address and ZIP Code Michael E. Cotter Rt. 7, Box 536 Conroe, Texas	Name of Employer Turner Rosenzahl	Date (month, day, year) 5/31/84	Amount of Each Receipt This Period 1,000.00
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation Sal.		
	Aggregate Year-to-Date		
D. Full Name, Mailing Address and ZIP Code Frank E. Davis 60 Village Hill Lane Conroe, Texas 77304	Name of Employer Pan American	Date (month, day, year) 5/31/84	Amount of Each Receipt This Period $1000.00
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation Pilot		
	Aggregate Year-to-Date		
E. Full Name, Mailing Address and ZIP Code Ray Sanchez Rt 2 Box 904-D Willis, Texas 77378	Name of Employer Continental Airlines	Date (month, day, year) 5/31/84	Amount of Each Receipt This Period $1000.00
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation Pilot		
	Aggregate Year-to-Date		
F. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date		
G. Full Name, Mailing Address and ZIP Code	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
Receipt For ☐ Primary ☐ General ☐ Other (specify):	Occupation		
	Aggregate Year-to-Date		
SUBTOTAL of Receipts This Page (optional)			5000.00
TOTAL This Period (last page only)			5000.00

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SCHEDULE A — 1984 APRIL QUARTERLY ITEMIZED RECEIPTS REPORT

(Contributions from persons other than political comm)

(25)

Any information copied from such Reports or Statements may 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.

Name of Committee (in Full)
Max Hoyt Congressional Committee

	Name of Employer	Date (month, day, year)	Amount of Each Receipt This Period
A. Full Name, Mailing Address and ZIP Code John Y. Allen, Jr. 11418 Tieberwild The Woodlands, Texas 77380 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	San Jacinto Savings Occupation Aggregate Year-to-Date-$ 25.00	1/84	$75.00
B. Full Name, Mailing Address and ZIP Code John Anderson 2011 Long Straw The Woodlands, Texas 77380 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date-$ 25.00	2/84	$75.00
C. Full Name, Mailing Address and ZIP Code Delores Reato 1 Wind Poppy Ct The Woodlands, Texas 77381 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer Occupation Aggregate Year-to-Date-$	1/84	$10.00
D. Full Name, Mailing Address and ZIP Code John R. Atkins 27245 Paula Ln. Conroe, Texas 77385 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer Self Employed Occupation Commercial Diver Aggregate Year-to-Date-$ 120.00	1/84 3/84	$20.00 $100.00
E. Full Name, Mailing Address and ZIP Code Maple Avery P. O. Box 1930 Conroe, Texas 77301 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer Self Employed Occupation eye doctor Aggregate Year-to-Date-$100.00	1/84	$100.00
F. Full Name, Mailing Address and ZIP Code Alf W. Barnes 58 Hampton Rd. Conroe, Texas 77302 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer Self employed Occupation Contractor Aggregate Year-to-Date-$1000.00	1/84	$1000.00
G. Full Name, Mailing Address and ZIP Code Thomas Barnes P. O. Box 25025 The Woodlands, Texas 77380 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer Montgomery County Band Occupation controller Aggregate Year-to-Date-$ 100.00	2/84	$100.00
SUBTOTAL of Receipts This Page (optional)			1,380.00
TOTAL This Period (last page this line number only)			

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Max Hoyt Congressional Committee

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

Corrected

Linda B. Digilormo 1011 E. Red Cedar Cir. The Woodlands, TX 77381	Mitchell Energy Supervisor	$ 1,000.00
Joe R. Anderson 72 Old Stream Ct. The Woodlands, TX 77351	Max Hoyt Congressional Campaign Campaign Mgr.	$ 500.00
Delores B. Amato 1 Wind Poppy The Woodlands, TX 77381	Self-employed Author	$ 1,000.00

C O N T I N U E D

Ann S. Friend 1915 Nursery Rd. The Woodlands, TX 77381	Self-employed Business Owner	$ 1,000.00
Kathryn Blood 3104 Crystal Creek Forest Conroe, TX 77303	Bostschke Plumbing Secretary	$ 1,000.00
T J Bostschke P.O. Box 218 Conroe, TX 77305	Plumbing Bus. Owner Self-employed Business owner	$ 1,000.00

SUBTOTALS This Page (optional)

TOTALS This Period (last page only)

(Copy subtotals/totals only to LINE 3, Schedule B for the type of Schedule B used) Itemized Receipts of Contributions

1984 APRIL QUARTERLY REPORT

SCHEDULE A — ITEMIZED RECEIPTS

Name of Committee (in Full)
Max Hoyt Congressional Committee

A. Full Name, Mailing Address and ZIP Code C L Crowl, Jr 700 Galveston Conroe, Texas 77301 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date $ 20.00	Date (month, day, year) 1/84	Amount of Each Receipt This Period $20.00
B. Full Name, Mailing Address and ZIP Code Navarro Crowson P. O. Box 4000 The Woodlands, Texas 77380 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Mitchell Energy & Development Occupation Vice President Aggregate Year-to-Date $ 850.00	Date (month, day, year) 1/84	Amount of Each Receipt This Period $850.00
C. Full Name, Mailing Address and ZIP Code Frank Davis 60 Village Hill Lane Conroe, Texas 77304 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date $ 20.00	Date (month, day, year) 1/84	Amount of Each Receipt This Period $20.00
D. Full Name, Mailing Address and ZIP Code David Dollahite 9 Willowherb The Woodlands, Texas 77380 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Telemetrics International Occupation Aggregate Year-to-Date $ 50.00	Date (month, day, year) 1/84	Amount of Each Receipt This Period $50.00
E. Full Name, Mailing Address and ZIP Code Roy Duran P. O. Box 2101 Conroe, Texas 77301 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Occupation Aggregate Year-to-Date $ 20.00	Date (month, day, year) 1/84	Amount of Each Receipt This Period $20.00
F. Full Name, Mailing Address and ZIP Code Granville Dutton Sabine Corp 1200 Mercantile Dallas, Texas 75201 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Sabine Corp. Occupation V.P.-Production Aggregate Year-to-Date $ 100.00	Date (month, day, year) 2/84	Amount of Each Receipt This Period $100.00
G. Full Name, Mailing Address and ZIP Code Lynn Elliot Rt. 4, Box 400 College Station, Texas 77840 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Self employed Occupation Petroleum Landman Aggregate Year-to-Date $ 144.00	Date (month, day, year) 3/84	Amount of Each Receipt This Period $144.00
SUBTOTAL of Receipts This Page (optional)			1,154.00
TOTAL This Period (last page this line number only)			

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1984 APRIL QUARTERLY REPORT

SCHEDULE A — ITEMIZED RECEIPTS

(28)

Any information copied from such Reports or Statements may 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.

Name of Committee (If Filed): Max Hoyt Congressional Committee

Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation	Date (mo., day, year)	Amount of Each Receipt This Period
A. Mary Treat P. O. Box 143 College Station, Tx. 77840 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Occupation	3/84	$10.00
	Aggregate Year-to-Date: $10.00		
B. Joe Turner 2500 I-45 North #101 Conroe, Texas 77306 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer: self employed Occupation: contractor	2/84	$500.00
	Aggregate Year-to-Date: $500.00		
C. Full Name, Mailing Address and ZIP Code: James A. Ullrich 237 Tallahassee Conroe, Texas 77302 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer: self employed Occupation: tax attorney	1/84 2/84 3/84	$100.00 $125.00 $500.00 (in kind)
	Aggregate Year-to-Date: $725.00		
D. Full Name, Mailing Address and ZIP Code: Keith Valigura 139 Kirkwood Conroe, Texas 773[illegible] Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer / Occupation	2/84	$10.00
	Aggregate Year-to-Date: $10.00		
E. Full Name, Mailing Address and ZIP Code: C. A. Veltman 7109 Thompson Rd. Willis, Texas 77378 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer / Occupation	1/84	$10.00
	Aggregate Year-to-Date: $[illegible]		
F. Full Name, Mailing Address and ZIP Code: Libby Wambaugh 155 Towering Pines The Woodlands, Texas 77381 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer / Occupation	2/84	$50.00
	Aggregate Year-to-Date: $50.00		
G. Full Name, Mailing Address and ZIP Code: P. R. Warren 4 Winged Foot Dr. Conroe, Texas 77304 Receipt For: ☒ Primary ☐ General ☐ Other (specify)	Name of Employer / Occupation	3/84	$50.00
	Aggregate Year-to-Date: $50.00		
SUBTOTAL of Receipts This Page (optional)			1,355.00
TOTAL This Period (last page this line number only)			

Max Hoyt Congressional Committee

Max Hoyt
10716 Whisper Willow Drive
The Woodlands, Texas 77380

$ 50,000 Continued

Shelley Murphy
2710 Echo
The Woodlands, TX 77380

Retired
$ 1,000.00

Elizabeth Vanbeuge
155 Towering Pine Dr.
The Woodlands, TX 77381

housewife
$ 1,000.00

Roy Sanchez
Rt. 2 Box 23
Hillis, Texas

Continued

Frank F. Davis
60 Village Hill Dr.
Conroe, Texas

Pilot
$ 1,000.00

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TOTALS This Period (for each column)

(30)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

JUL 3 1984

Alan Phelps, Treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, TX 77380

Identification Number: C00174656

Reference: April Quarterly Amended Reports (1/1/84-3/31/84)

Dear Mr. Phelps:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule C of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual or a political committee other than a multicandidate committee may not make contributions to a candidate for Federal office in excess of $1,000 per election. (2 U.S.C. 441a(a) and (f))

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.

The Commission notes your redesignation of the excessive contribution(s) to new endorsers. Although the Commission may take further legal steps concerning the acceptance of an excessive contribution, your action in redesignating the excessive amount(s) will be taken into consideration.

-When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used his/her personal funds or borrowed the money from a lending institution, or any other source. If the $4,386 loan was from personal funds, please acknowledge that fact in an amendment to this report.

86040614655

(31)

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Linda Tangney

Linda Tangney
Reports Analyst
Reports Analysis Division

86040514656

ATTACHMENT 7
1984 12 DAY Run-off report
32

SCHEDULE C
(Revised 3/83)

LOANS

Name of Committee (in Full)
Kay Hoyt Congressional Committee

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
Kay F. Hoyt 10716 Whisper Willow Place The Woodlands, Tx. 77380	56,000.00	0	56,000.00

Election: ☐Primary ☐General ☐Other (specify) _____

Terms: Date Incurred 1983 Date Due _____ Interest Rate _____ % (apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period

Election: ☐Primary ☐General ☐Other (specify) _____

Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (apr) ☐ Secured

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $	

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SCHEDULE C
(Revised 2/80)

LOANS

AMENDED

12 Day Run-off report (June 1, 1984)

(33)

Name of Committee (in Full)
Max Hoyt Congressional Committee

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding as of End of This Period
Max E. Hoyt 10716 Whisper Willow Place The Woodlands, Texas 77380	50,000.00	-0-	50,000.00

Election ☐Primary ☐General ☐Other (specify)
Terms: Date Incurred 4/30/84 Date Due 1/30/85 Interest Rate 13 ☐Unsecured ☐Secured
List All Endorsers or Guarantors (if any) on Item A

1. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Amount Guaranteed Outstanding
ORIGINAL SOURCE Montgomery County Bank I-45 at Rayford Road Spring, Texas 77386	$
2. Full Name, Mailing Address and ZIP Code: John Weisner P.O. Drawer 2348 Conroe, Texas 77305	Name of Employer: Weisner Buick Occupation: Car Dealer Amount Guaranteed Outstanding: $ 2,000.00
3. Full Name, Mailing Address and ZIP Code: Randall Woods 72 Indian Clover The Woodlands, Texas 77381	Name of Employer: The Woodlands Golf Occupation: Vice President Amount Guaranteed Outstanding: $ 2,500.00

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding as of End of This Period
CONTINUED			

Election ☐Primary ☐General ☐Other (specify)
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ ☐Unsecured ☐Secured
List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Amount Guaranteed Outstanding
Navarro Carowsos P.O. Box 4000 The Woodlands, Texas 77380	Name of Employer: Mitchell Energy Occupation: Vice President Amount Guaranteed Outstanding: $ 5,000.00
2. Full Name, Mailing Address and ZIP Code James Rasenzahl 25700 I-45 North, #101 Spring, Texas 77386	Name of Employer: Turner Rasenzahl Occupation: Vice President Amount Guaranteed Outstanding: $ 5,000.00
3. Full Name, Mailing Address and ZIP Code Steven Holditch 8500 Rosewood College Station, Texas 77840	Name of Employer: Self-employed Occupation: Petroleum Engineer Amount Guaranteed Outstanding: $ 5,000.00

SUBTOTALS This Period This Page (optional)	
TOTALS This Period (last page in this line only)	50,000.00

Carry certain totals forward only to LINE 3, Schedule D, for this line. If any Schedule D, Line 3 forward to previous line of Summary

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LOANS

Name of Committee (In Full)
May Hoyt Congressional Campaign

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
CONTINUED			

Election: ☐Primary ☐General ☐Other (specify)
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ Secured? _____

List All Endorsers or Guarantors (if any) on Item A

1. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Amount Guaranteed Outstanding
Edward Shearer, M.D. 11702 Quail Creek Drive Houston, Texas 77070	Self-employed Physician $ 5,000.00
2. Full Name, Mailing Address and ZIP Code Thomas Cox 40 Watertree Court The Woodlands, Texas 77380	Self-employed Builder/Developer $ 5,000.00
3. Full Name, Mailing Address and ZIP Code Joseph B. Turner 25700 I-45 North, #101 Spring, Texas 77386	Turner-Hasenmahl President $ 5,000.00

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
CONTINUED			

Election: ☐Primary ☐General ☐Other (specify)
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ Secured? _____

List All Endorsers or Guarantors (if any) on Item B

1. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Amount Guaranteed Outstanding
Maple Avery, M.D. P.O. Box 1930 Conroe, Texas 77305	Self-employed Physician $ 5,000.00
2. Full Name, Mailing Address and ZIP Code R. Douglas Leonhard P.O. Box 7566 The Woodlands, Texas 77387	Woodlands Development Corp. Vice President $ 5,000.00
3. Full Name, Mailing Address and ZIP Code George Mitchell P.O. Box 4000 The Woodlands, Texas 77380	Mitchell Energy C.E.O. $ 2,500.00

SUBTOTALS This Period and This Page (optional)

TOTALS This Period (last page in this case only)

Carry outstanding balances only to LINE 3, Schedule D, for the last (if no Schedule D, carry forward to appropriate line of Summary).

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(35)

SCHEDULE C
(Revised 2/88)

LOANS

Name of Committee (In Full)
Max Hoyt Congressional Campaign

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
CONTINUED			
Election: ☐Primary ☐General ☐Other (specify):			
Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % (Also) ☐ Secured			
List All Endorsers or Guarantors (If any) to Item A			
1. Full Name, Mailing Address and ZIP Code: Alf Barnes, 58 Hampton Road, Conroe, Texas 77302	Name of Employer: Self-employed; Occupation: Contractor; Amount Guaranteed Outstanding: $ 2,500.00		
2. Full Name, Mailing Address and ZIP Code: *NOTE - This is a personal loan from Montgomery County Bank to Max Hoyt guaranteed by the above-listed guarantors.	Name of Employer; Occupation; Amount Guaranteed Outstanding: $		
3. Full Name, Mailing Address and ZIP Code	Name of Employer; Occupation; Amount Guaranteed Outstanding: $		
B. Full Name, Mailing Address and ZIP Code of Loan Source: Max B. Hoyt, 10716 Whisper Willow Place, The Woodlands, Texas 77380	1,500.00	-	1,500.00
Election: ☐Primary ☐General ☐Other (specify):			
Terms: Date Incurred 9/18/84 Date Due 12/31/84 Interest Rate 0 % (Also) ☐ Secured			
List All Endorsers or Guarantors (If any) to Item B			
1. Full Name, Mailing Address and ZIP Code	Name of Employer; Occupation; Amount Guaranteed Outstanding: $		
2. Full Name, Mailing Address and ZIP Code	Name of Employer; Occupation; Amount Guaranteed Outstanding: $		
3. Full Name, Mailing Address and ZIP Code	Name of Employer; Occupation; Amount Guaranteed Outstanding: $		
SUBTOTALS This Period This Page (Optional)			1,500.00
TOTALS This Period (Last page in this Report only)			

Carry outstanding balance only to LINE 3, Schedule D, for this loan. If no Schedule D, carry forward to appropriate line of Summary.

ATTACHMENT 9
age 1 of 10

(36)

12 Day Run-off report (June 4, 19
AMENDED

Max Hoyt Congressional (

Max B. Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

50,000.00 -0- 50,000.00*

Terms: Date Received 4/30/84 Date Due 7/30/84 Interest Rate 13

ORIGINAL SOURCE
Montgomery County Bank
I-45 at Rayford Road
Spring, Texas 77356

*NOTE - This is a personal loan from Montgomery County Bank to Max Hoyt. Following are new endorsers effective June 1, 1984. They are to be counted as run-off contributions. Schedule A's are also attached for the guarantors, but the Schedule A's are not reflected on Line 11(A) as instructed by F.E.C. via telephone.

Max B. Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

50,000.00 4,500.00*

Terms: Loan Received 2/22/84 Date Due 5/23/84 Interest Rate 13

ORIGINAL SOURCE
Montgomery County Bank
I-45 at Rayford Road
Spring, Texas 77366

*This is the remainder of $50,000 loan from Montgomery County Bank to Max Hoyt listed on the second amended 3/31/84 F.E.C. report -- see that report for Schedule A and B.

SUBTOTALS This Period This Page (Optional)

TOTALS This Period (last page in this line only)

Carry outstanding balances only to Line 3, Schedule D. For this line, on Schedule D, carry forward to appropriate line of Summary.

8361041 0 5 1 4 6 6 1

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTEE

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

$ 50,000 Committed
4 Yrs

Bernadette C. Fitzgerald Rt #13 Box 1654 Conroe, Texas 77392	Roetschke Plumbing Secretary	$1000.00
F. Vernon Robbins 2913 Laurel Cherry Way The Woodlands, Texas 77380	Self Employed Consultant	$1000.00
Russell Wylie 10 Greenridge Forest Drive The Woodlands, Texas 77381	Mitchell Development Management	$1000.00

Continued

Jerry L. Overbeck 27 E. Bigelow Oak Ct The Woodlands, Texas 77380	Kroger Pharmacist	$1000.00
W. Douglas Lernhand 10710 E. Timbervagon Circle The Woodlands, Texas 77380	Mitchell Development Management	$ 900.00
James D. Hasenzahl 29 Cedarwing Lane The Woodlands, Texas 77380	Turner/Hasenzahl Owner	$ 1000.00

SUBTOTALS This Page (optional)

TOTALS This Page (last page in this box only)

Copy totals to the Detailed Summary Page (Line 3, Schedule B) for this box. If you are itemizing Schedule B, carry forward to appropriate line of Summary.

FEC 6042146 83

(38)

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTEE

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

4/1/84
$50,000 Contract

J.R. Moore, Jr. 26440 I 45 Spring, Texas	Fitch Hardware Owner	$1000.00
Joseph V. Turner 27 Grogan's Point The Woodlands, Texas 77380	Turner, Hasenzahl Owner	$1000.00
Lee M. Ewing 12 N. Timber Top Drive Spring, Texas 77380	Little River Steak Owner	$1000.00
Continued		
Joseph Frank Holmes 7833E McDonald Road Spring, Texas 77380	Self Employed Dentist	$1000.00
William C. Wambaugh 155 Towering Pines The Woodlands, Texas 77381	Self Employed Dentist	$1000.00
Dillan L. Yount 6 Penguin Court The Woodlands, Texas 77380	Mitchell Developement Techn. Clerk	$1000.00
SUBTOTAL This Page (optional)		
TOTAL This Period (last page only)		

Carry outstanding balance only to LINE 8, Schedule B, for this line. Then Schedule B, carry forward to appropriate line of Summary.

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(39)

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTEE

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

$ 50,000 4/30/82
CONTINUED

Mildred M. Montgomery 82 April Wind South Montgomery, Texas 77456	None Housewife	$ 1000.00
Paul C. Hughes 18 E. Woodtimber Court The Woodlands, Texas 77381	H & R Block District Manager	$ 1000.00
Sally B. Naugle 58 Savannah Park Conroe, Texas 77302	Scott's Card and Party Shop	$ 1000.00

Continued

Howell Weisner P.O. Drawer 2348 Conroe, Texas 77305	~~Weisner-Buick~~ Auto Salesman	$ 1000.00
John M. Weekely 2506 McKinney Ave Suite A Dallas, Texas 75201	Weekley/Gray/McKinney Consultant	$ 1000.00
Maple A. Avery Box 2648 Conroe, Texas 77305	Self Employed Optometrist	$ 1000.00

SUBTOTALS This Period

TOTALS This Period (for calendar year to date only)

Carry outstanding balances only to Line 7, Schedule D. For this line and Schedule D, carry forward to appropriate line of Summary.

FEC 6:(1) 4! 0: 5: 1 4 6 6 4

(40)

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTEE

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

$ 50,000 4/18/95
Continued

Jay S. Rankin 72 Old Stream Court The Woodlands, Texas 77381	Mitchell Energy Engnr. Techn. $1000.00	
Bobby M. Rickman 2301 S. Millband #1016 The Woodlands, Texas 77380	Mitchell Energy Engineer $1000.00	
Linda L. Holt 404 E. Sixth Street Dallas, Texas 75203	Keeley/Gray/McKinney Admin Assistant $ 100.00	

Continued

Mrs. Joan H. Barnes 58 Hampton Road Conroe, Texas 77302	None Housewife $ 1000.00	
Mr. Fred Pearce 339 South Rivershire Conroe, Texas 77304	Pan Am Pilot $1000.00	
Mr. John J. Naugle 58 Savannah Place Conroe, Texas 77302	Retired $ 1000.00	

SUBTOTALS This Period This Page (optional)

TOTALS This Period (last page in the case only)

Carry outstanding balances only to Line 3, Schedule D, for this form. If no Schedule D, carry forward the appropriate line of Summary.

8/61/04 05:11 4/6/95

(41)

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTEE

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

$ 50.000 4/30/94
Continued

Mr. Gary W. Collier 2002 Cherry Laurel Spring, Texas 77386	Montgomery County J.P. Precinct #3 $ 900.00	
Joe R. Anderson 72 Old Stream Court The Woodlands, Texas 77381	Max Hoyt Cong. Cpn Campaign Manager $ 900.00	
John W. Weisner P.O. Drawer 2348 Conroe, Texas 77305	Weisner Buick Owner $ 1000.00	
Continued		
Jan Pearce 339 South Rivershire Conroe, Texas 77304	Self Employed Interior Consultant $ 1000.00	
May S. Stephens 42 Stone Mountain Conroe, Texas 77302	None Housewife $ 1000.00	
Janet A. Ullrich 1512 W. I 45 Conroe, Texas 77301	Self Employed Attorney $ 900.00	
SUBTOTALS This Period (This Page Continued)		
TOTALS This Period (last page in this line only)		

Carry outstanding balances only to LINE 3, Schedule D, for the first filing. For each succeeding report carry forward to appropriate line of Summary.

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MAY HOYT CONGRESSIONAL CAMPAIGN COMMITTEE

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

$ 50,000 4/30/96
CONTINUED

Doris Phelps 1664 McDade Est Conroe, Texas 77304	None Housewife	$ 1000.00
Myrta Kaye Applewhite P.O. Box 169 Magnolia, Texas 77355	Mitchell Energy Attorney	$ 1000.00
Winn Sharp 1 Pine Ash Court The Woodlands, Texas 77380	Chamber of Commerce Exec V.P.	$ 1000.00

Continued

Edwin E. Jones, Jr. 39 Terravale Court The Woodlands, Texas 77381	Woodlands Ntl Bank Vice President	$ 1000.00
Ron May 3011 Palmer Way The Woodlands, Texas 77380	Self Employed Attorney	$ 1000.00
Edgar P. Bates 82 Lazy Lane The Woodlands, Texas 77380	The Woodlands Corp Realtor	$ 1000.00

SUBTOTALS This Period This Page (optional)

TOTALS This Period (last page in this item only)

Carry outstanding balances only to Line 3, Schedule D, for this item. If no Schedule D, carry forward to appropriate line of Summary.

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(43)

RAY HYTT CONGRESSIONAL CAMPAIGN COMMITTEE

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

$50.00 4/30/96
Contributed

Don Buckaley P.O. Drawer 2627 Conroe, Texas 77305	Buckaley Chev Owner	$ 900.00
M.W. Everett Jr. 105 S. Broadway St Conroe, Texas 77301	Everett's Hardware Owner	$ 1000.00
W.J. Buxton 103 April Wind North Montgomery, Texas 77350	Retired	$100C.00

Continued

Janice Darden 9302 Goodmeadows Drive Housotn, Texas 77064	Kodak Cust. Support Rep.	$ 1000.00
Leslie Woods 2607 Hollymist Houston, Texas 77084	Kodak Cust. Support Rep.	$ 100C.00
Mary Louise Holmes 26338 McDonald Road Spring, Texas 77380	None Housewife	$ 100C.00

SUBTOTALS This Page (optional)

TOTALS This Period (last page only)

Enter outstanding balances only on LINE 2, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

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(44)

MAX HEYT CONGRESSIONAL CAMPAIGN COMMITTEE

Max Heyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

$500 OR $1000 (Ref)
CONTINUED

Schedule A

William A. Mann 10716 Whisper Willow Place The Woodlands , Texas 77380	Self-Employed Student-Cabinet Mak. $ 1000.00	
Tom O Miessler Sr 435 Rayford Road Spring, Texas 77386	Self Employed Veternarian $ 1000.00	
Glenn Hall 27121 Wells Conroe, Texas 77385	Hall and Hall Pharm. Owner-Pharmacist $ 1000.00	

Continued

Schedule A

Glen Jasper 105 Carriage Lane Conroe, Texas 77385	Spring Creek Pharm Owner-Pharmacist $ 1000.00	
W. Robert Eissler 79 Woodhaven Wood Drive The Woodlands, Texas 77380	Self Employed Personnel Recruiter $ 100.00	
Mike Tusing 25306 Spring Ridge Spring, Texas 77386	Self Employed Real Estate Appraiser $ 100.00	

SUBTOTALS This Period This Page (optional):

TOTALS This Period (last page in this line only)

Carry outstanding balance only to Line 3, Schedule D, for this line. If no Schedule C, leave forward to appropriate line of Summary.

C00404514669

Name of Committee (or Filer)
MAX HOYT CONGRESSIONAL CAMPAIGK COMMITTEE

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
Max Hoyt 10716 Whisper Willow Place The Woodlands, Texas 77380 Election ☐Primary ☐General ☐Other (specify):	$ 50,000	$ 1/30/84 CONTINUED	

Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % Secured ☐ Unsecured ☐

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Amount Guaranteed Outstanding
Carrie Thornton 27 Grogans Point Court The Woodlands, Texas 77380	None Student $ 1000.00
2. Full Name, Mailing Address and ZIP Code Michael R. Cotter Rt 7 Box 536 Conroe, Texas	Name of Employer: Turner/Hasenzahl Occupation: Supt. Amount Guaranteed Outstanding: $ 1000.00
3. Full Name, Mailing Address and ZIP Code Dan Adams 6 Mallard Glen The Woodlands, Texas	Name of Employer: Phelps Adams CPA Occupation: CPA-co-owner Amount Guaranteed Outstanding: $ 1000.00

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding at Close of This Period
Election ☐Primary ☐General ☐Other (specify):			

Terms: Date Incurred _____ Date Due _____ Interest Rate _____ % Secured ☐ Unsecured ☐

List All Endorsers or Guarantors (if any) to Item B

1. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Amount Guaranteed Outstanding
	Name of Employer Occupation Amount Guaranteed Outstanding: $
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding: $

SUBTOTALS This Period This Page (optional)	
TOTALS This Period (last page in this line only)	

Carry outstanding balances only to LINE 3, Schedule D, for this line. If no Schedule D, carry forward to appropriate line of Summary.

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SUMMARY FOR ATTACHMENT 10a

Joseph B. Turner
25700 I-45 North, #101
Spring, TX 77386

Joseph V. Turner
27 Grogan's Point
The Woodlands, TX 77380

Joseph B. Turner - contributed $500 for the primary election in February 1984, aggregate year-to-date listed: $500.

Joseph B. Turner - endorsed $50,000 for the primary election on February 22, 1984, aggregate year-to-date listed: None. (Removed as endorser on June 1, 1984.)

Joseph B. Turner - endorsed $5,000 for the run-off election on April 30, 1984, aggregate year-to-date listed: $5,000. (Removed as endorser on June 1, 1984.)

Joseph V. Turner - endorsed $1,000 for the run-off election on June 1, 1984, aggregate year-to-date listed: $1,500. (Schedule A lists the aggregate year-to-date as $1,500; however, Schedule C lists the aggregate year-to-date as $1,000.)

Joseph B. Turner - contributed $500 for the run-off election on May 27, 1984, aggregate year-to-date listed: $2,000.

86040614671

SCHEDULE A — ITEMIZED RECEIPTS

ATTACHMENT D a
Page 1 of 6
(47)

1984 April Quarterly report

Any information copied from such Reports or Statements may 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.

Name of Committee (in Full)
Max Hoyt Congressional Committee

	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt This Period
A. Full Name, Mailing Address and ZIP Code Huey Trout P. O. Box 143 College Station, Tx. 77840 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation	3/84	$10.00
	Aggregate Year-to-Date $ 10.00		
B. Full Name, Mailing Address and ZIP Code Joe Turner 25700 I-45 North #101 Spring, Texas 77386 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer: self employed Occupation: contractor	2/84	$500.00
	Aggregate Year-to-Date $ 500.00		
C. Full Name, Mailing Address and ZIP Code James A Ulirich 237 Tallahassee Conroe, Texas 77302 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer: self employed Occupation: tax attorney	1/84 2/84 3/84	$100.00 $125.00 $500.00 (in kind)
	Aggregate Year-to-Date $ 725.00		
D. Full Name, Mailing Address and ZIP Code Keith Valigura 103 Kirkwood Conroe, Texas 77304 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation	1/84	$10.00
	Aggregate Year-to-Date $ 10.00		
E. Full Name, Mailing Address and ZIP Code C A. Veltman 7100 Thompson Rd. Willis, Texas 77378 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation	1/84	$10.00
	Aggregate Year-to-Date $ 10.00		
F. Full Name, Mailing Address and ZIP Code Libby Wambaugh 155 Towering Pines The Woodlands, Texas 77381 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation	2/84	$50.00
	Aggregate Year-to-Date $ 50.00		
G. Full Name, Mailing Address and ZIP Code F. R. Warren 4 Winged Foot Dr. Conroe, Texas 77304 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Occupation	3/84	$50.00
	Aggregate Year-to-Date $ 50.00		
SUBTOTAL of Receipts This Page (optional)			1,355.00
TOTAL This Period (last page this line number only)			

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SCHEDULE C
(Revised 2/88)

LOANS
June 1, 1984

ATTACHMENT 1.0

Name of Committee (In Full)
Max Hoyt Congressional Committee

12 Day Run-off Amended report

A. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding as of This Period
Max B. Hoyt 10716 Whisper Willow Place The Woodlands, Texas 77380 Election ☐Primary ☐General ☐Other (specify)	$50,000.00	-0-	$45,500.00*
Terms: Date Incurred 2/22/84 Date Due 5/23/84 Interest Rate 13 % ☐Secured			

List All Endorsers or Guarantors (If any) to Item A

1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding
ORIGINAL SOURCE Montgomery County Bank I-45 at Rayford Road Spring, Texas 77386	$
2. Full Name, Mailing Address and ZIP Code Joseph B. Turner 25700 I-45 North, #101 Spring, Texas 77386	Name of Employer Turner-Rosenzahl Occupation President Amount Guaranteed Outstanding $
3. Full Name, Mailing Address and ZIP Code *NOTE - This is a personal loan from Montgomery County Bank to Max Hoyt endorsed by Joseph B. Turner. The original amount was $50,000 but as of March 31, 1984 only $45,500 had been deposited in the campaign.	Name of Employer Occupation Amount Guaranteed Outstanding $

B. Full Name, Mailing Address and ZIP Code of Loan Source	Original Amount of Loan	Cumulative Payments To Date	Balance Outstanding as of This Period
Max B. Hoyt 10716 Whisper Willow Place The Woodlands, Texas 77380 Election ☐Primary ☐General ☐Other (specify)	4,386.28		4,386.28
Terms: Date Incurred 1/15/84 Date Due 12/31/84 Interest Rate 0 % ☐Secured			

List All Endorsers or Guarantors (If any) to Item B

1. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $
2. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $
3. Full Name, Mailing Address and ZIP Code	Name of Employer Occupation Amount Guaranteed Outstanding $

SUBTOTALS This Period This Page (Optional)	
TOTALS This Period (last page in this line only)	49,886.28

Carry endorsing/guaranteeing information only to LINE 2, Schedule B, for this Item. If no Schedule B, carry forward to appropriate Item of Receipts.

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SCHEDULE C
(Revised 2/88)

June 1, 1984
12 Day Run-off Amended Report
(Loans)

ATTACHMENT 1.0 a
Page ___ of ___ Pages
(Use separate sheet(s) for each applicable item)

(49)

Name of Committee (in Full)
Max Hoyt Congressional Campaign

A. Full Name, Mailing Address and ZIP Code of Lender Shown

CONTINUED

Election (Primary, General, Other (specify))
Terms (Date Incurred / Date Due / Interest Rate / Secured)

Last All Endorsers or Guarantors of any note in Item A

1. Full Name, Mailing Address and ZIP Code
Edward Shannon, M.D.
11702 Quail Creek Drive
Houston, Texas 77070

Name of Employer
Self-employed
Occupation
Physician
Amount Endorsed/Guaranteed Outstanding
$ 5,000.00

2. Full Name, Mailing Address and ZIP Code
Thomas Cox
40 Waterfree Court
The Woodlands, Texas 77380

Name of Employer
Self-employed
Occupation
Builder/Developer
Amount Endorsed/Guaranteed Outstanding
$ 5,000.00

3. Full Name, Mailing Address and ZIP Code
Joseph B. Turner
25700 I-45 North, #101
Spring, Texas 77386

Name of Employer
Turner Enterprises
Occupation
President
Amount Endorsed/Guaranteed Outstanding
$ 5,000.00

lt

B. Full Name, Mailing Address and ZIP Code of Lender Shown | Original Amount of Loan | Cumulative Payments To Date | Balance Outstanding as of This Period

CONTINUED

Election (Primary, General, Other (specify))
Terms (Date Incurred / Date Due / Interest Rate / Secured)

Last All Endorsers or Guarantors of any note in Item B

1. Full Name, Mailing Address and ZIP Code
Maple Avery, M.D.
P.O. Box 1930
Conroe, Texas 77305

Name of Employer
Self-employed
Occupation
Physician
Amount Endorsed/Guaranteed Outstanding
$ 5,000.00

2. Full Name, Mailing Address and ZIP Code
R. Douglas Leonhard
P.O. Box 7886
The Woodlands, Texas 77387

Name of Employer
Woodlands Development Corp.
Occupation
Vice President
Amount Endorsed/Guaranteed Outstanding
$ 5,000.00

3. Full Name, Mailing Address and ZIP Code
George Mitchell
P.O. Box 4000
The Woodlands, Texas 77380

Name of Employer
Mitchell Energy
Occupation
C.E.O.
Amount Endorsed/Guaranteed Outstanding
$ 5,000.00

SUBTOTALS This Period This Page (optional)

TOTALS This Period (last page in this category)

Carry outstanding balances only to LINE 3, Schedule B, for this Item. If no Schedule B, carry forward to appropriate line of Summary.

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SCHEDULE A — ITEMIZED RECEIPTS — ATTACHMENT 1-Oa

Page 4 of 6

June 4, 1984 12 Day Run-off amended report

(50)

Name of Committee (in Full)
Max Hoyt Congressional Campaign Committee

A. Full Name, Mailing Address and ZIP Code Joseph V. Turner 27 Gregan's Point The Woodlands, Texas 77380 Receipt For: ☒ Primary ☐ General ☐ Other (specify):	Name of Employer Turner/Ravenscht Construction Occupation Owner Aggregate Year-to-Date $ 1,500.00	Date (month, day, year) 5/31/84	Amount of Each Receipt This Period $1000.00
B. Full Name, Mailing Address and ZIP Code Lee W. Ewing 12 N. Timber Top Drive The Woodlands, Texas 77380 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Little River Stock House Occupation Owner Aggregate Year-to-Date $ 1,000.00	Date (month, day, year) 5/31/84	Amount of Each Receipt This Period $1000.00
C. Full Name, Mailing Address and ZIP Code Joseph Frank Bolasso 76338 Mc Donald Road Spring, Texas 77380 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Self-Employed Occupation Dentist Aggregate Year-to-Date $ 1,000.00	Date (month, day, year) 5/31/84	Amount of Each Receipt This Period $1000.00
D. Full Name, Mailing Address and ZIP Code William C. Wambaugh 155 Towering Pines The Woodlands Texas 77381 Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Self-employed Occupation Dentist Aggregate Year-to-Date $ 1,000.00	Date (month, day, year) 5/31/84	Amount of Each Receipt This Period $1000.00
E. Full Name, Mailing Address and ZIP Code DiAnn L. Yount 6 Penguin Court The Woodlands, Texas 77380 Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Mitchell Energy Occupation Technical Clerk Aggregate Year-to-Date $ 1,500.00	Date (month, day, year) 5/31/84	Amount of Each Receipt This Period $1000.00
F. Full Name, Mailing Address and ZIP Code Mildred M. Montgomery 82 April Wind South Montgomery, Texas 77456 Receipt For ☐ Primary ☐ General ☐ Other (specify):	Name of Employer none Occupation Housewife Aggregate Year-to-Date $ 1,000.00	Date (month, day, year) 5/31/84	Amount of Each Receipt This Period $1000.00
G. Full Name, Mailing Address and ZIP Code Paul C. Hughes 18 E. Woodtimber Court The Woodlands, Texas 77381 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer H&R Block Occupation District Manager Aggregate Year-to-Date $ 1,025.00	Date (month, day, year) 5/31/84	Amount of Each Receipt This Period $1000.00
SUBTOTAL of Receipts This Page (optional)			7000.00
TOTAL This Period (last page this line number only)			

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June 4, 1984 12 Day Run-off amended repo

MAX HOYT CONGRESSIONAL CAMPAIGN COMMITTEE

Max Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

4/30/84
$50,000 Contract

J.R. Moore, Jr. 26440 I 45 Spring, Texas	Pitch Hardware Owner	$1000.00
Joseph V. Turner 27 Grogan's Point The Woodlands, Texas 77380	Turner/Hasenzahl Owner	$1000.00
Lee W. Ewing 12 N. Timber Top Drive Spring, Texas 77380	Little River Steak Owner	$1000.00

Continued

Joseph Frank Holmes 76238 McDonald Road Spring, Texas 77380	Self Employed Dentist	$1000.00
William C. Wambaugh 155 Towering Pines The Woodlands, Texas 77381	Self Employed Dentist	$1000.00
DiAnn L. Yount 6 Penguin Court The Woodlands, Texas 77380	Mitchell Development Techn. Clerk	$1000.00

SUBTOTALS This Period This Page (optional)

TOTALS This Period (last page in this line item)

Carry outstanding balances only to Line 9, Schedule B, for this line. If no Schedule D, carry forward to appropriate line of Summary.

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SCHEDULE A — ITEMIZED RECEIPTS

Name of Committee (in Full)
Max Hoyt for Congress

A. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date	Date (month, day, year)	Amount of Each Receipt This Period
John T. Bailey P. O. Box 9450 Ft. Worth, Texas 76107		6/19/84	100.00
Receipt For: ☐ Primary ☐ General ☐ Other (specify): run off	Aggregate Year-to-Date $ 100.00		
B. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date	Date (month, day, year)	Amount of Each Receipt This Period
I. B. Chapman II P. O. Box 12077 Ft. Worth, Texas 76116		6/19/84	50.00
Receipt For ☐ Primary ☐ General ☐ Other (specify): run off	Aggregate Year-to-Date $ 50.00		
C. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date	Date (month, day, year)	Amount of Each Receipt This Period
Frank Ostrander 188 Timber Hill ST. The Woodlands, Tx. 77380	Woodlands National Bank Vice President	6/20/84	50.00
Receipt For ☐ Primary ☐ General ☐ Other (specify): run off	Aggregate Year-to-Date $ 70.00		
D. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date	Date (month, day, year)	Amount of Each Receipt This Period
Sandra Vogt 302 Hickory Ridge Spring, Tx. 77381	self - Vogt Ventures owner	6/20/84	100.00
Receipt For ☐ Primary ☐ General ☐ Other (specify): run off	Aggregate Year-to-Date $ 100.00		
E. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date	Date (month, day, year)	Amount of Each Receipt This Period
Londa May 1733 Woodstead Ct. The Woodlands, Tx. 77380	housewife	6/20/84	500.00
Receipt For ☐ Primary ☐ General ☐ Other (specify): runoff	Aggregate Year-to-Date $ 1500.00		
F. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date	Date (month, day, year)	Amount of Each Receipt This Period
W. J. Mardaga 1440 Sawdust The Woodlands, Tx. 77380	self dentist	6/20/84	100.00
Receipt For ☐ Primary ☐ General ☐ Other (specify): run off	Aggregate Year-to-Date $ 100.00		
G. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date	Date (month, day, year)	Amount of Each Receipt This Period
Joe Turner 25700 I-45 N. Spring, Tx. 77386	self contractor	5/27/84	$500.00 - in kind reception in hom
Receipt For: ☐ Primary ☐ General ☐ Other (specify): run off	Aggregate Year-to-Date $ 2,000.00		
SUBTOTAL of Receipts This Page (optional)			1400
TOTAL This Period (last page only)			

SCHEDULE C
(Revised 2/83)

LOANS

AMENDED

12 Day Run-off report (June 1, 1984)

53

Name of Committee (In Full)
Max Hoyt Congressional Committee

A. Full Name, Mailing Address and ZIP Code of Loan Source
Max B. Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

Original Amount of Loan: 50,000.00
Cumulative Payments To Date: -0-
Balance Outstanding As Close of This Period: 50,000.00

Election: ☐Primary ☐General ☐Other (specify)
Terms: Date Incurred 5/30/84 Due Date 7/15/85 Interest Rate 13 % ☐Secured

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code
ORIGINAL SOURCE
Montgomery County Bank
I-45 at Rayford Road
Spring, Texas 77386

Name of Employer
Occupation
Amount Endorsed or Guaranteed Outstanding: $

2. Full Name, Mailing Address and ZIP Code
John Weisner
P.O. Drawer 2348
Conroe, Texas 77305

Name of Employer: Weisner Buick
Occupation: Car Dealer
Amount Endorsed or Guaranteed Outstanding: $ 2,000.00

3. Full Name, Mailing Address and ZIP Code
Randall Woods
72 Indian Clover
The Woodlands, Texas 77381

Name of Employer: The Woodlands Golf
Occupation: Vice President
Amount Endorsed or Guaranteed Outstanding: $ 2,500.00

A. Full Name, Mailing Address and ZIP Code of Loan Source
CONTINUED

Original Amount of Loan:
Cumulative Payments To Date:
Balance Outstanding as Close of This Period:

Election: ☐Primary ☐General ☐Other (specify)
Terms: Date Incurred _____ Due Date _____ Interest Rate _____ % ☐Secured

List All Endorsers or Guarantors (if any) to Item A

1. Full Name, Mailing Address and ZIP Code
Navarro Carowson
P.O. Box 4000
The Woodlands, Texas 77380

Name of Employer: Mitchell Energy
Occupation: Vice President
Amount Endorsed or Guaranteed Outstanding: $ 5,000.00

2. Full Name, Mailing Address and ZIP Code
James Hasenzahl
25700 I-45 North, #101
Spring, Texas 77386

Name of Employer: Turner Hasenzahl
Occupation: Vice President
Amount Endorsed or Guaranteed Outstanding: $ 5,000.00

3. Full Name, Mailing Address and ZIP Code
Steven Holditch
8500 Rosewood
College Station, Texas 77840

Name of Employer: Self-employed
Occupation: Petroleum Engineer
Amount Endorsed or Guaranteed Outstanding: $ 5,000.00

SUBTOTALS This Period This Page (optional)

TOTALS This Period (Sum pages in this item only) 50,000.00

Carry continuation, additional entries only to a new Schedule C, for this item. If an Schedule D, for this item, is used to report loan of $100 or more, complete all applicable items.

8604614678181

(54)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

JUL 3 1984

Alan Phelps, Treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, TX 77380

Identification Number: C00174656

Reference: 12 Day Run-Off and Amended Reports (4/16/84-5/12/84)

Dear Mr. Phelps:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedule C of your report (pertinent portion attached) discloses a contribution(s) which appears to exceed the limits set forth in the Act. An individual or a political committee other than a multicandidate committee may not make contributions to a candidate for Federal office in excess of $1,000 per election. (2 U.S.C. 441a(a) and (f))

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.

The Commission notes your redesignation of the excessive contribution(s) to new endorsers. Although the Commission may take further legal steps concerning the acceptance of an excessive contribution, your action in redesignating the excessive amount(s) will be taken into consideration.

-Schedule C of your report notes that the previous balance of $50,000 has a remaining balance of $4,500. If the loans were partially repaid, you should provide a Schedule B and itemize each payment, and Line 19(a) of the Detailed Summary Page should reflect this as well. Also, Line 10 of the Summary Page should reflect the remaining amount of outstanding debts and loans. Please amend your report as necessary.

R 6040514679

-Line 13(a) of the Detailed Summary Page discloses $56,000. Schedule C discloses only a $50,000 bank loan and a $1,500 candidate loan for this reporting period. Please explain this discrepancy and amend your report accordingly.

-When a committee reports receiving a loan from the candidate, it is necessary to clarify whether or not the candidate used his/her personal funds or borrowed the money from a lending institution, or any other source. If the $1,500 loan was from personal funds, please acknowledge that fact in an amendment to this report.

An amendment to your original report(s) correcting the above problem(s) should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515 within fifteen (15) days of the date of this letter. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4048.

Sincerely,

Linda Tangney

Linda Tangney
Reports Analyst
Reports Analysis Division

86040614680

SCHEDULE A

1984 OCTOBER QUARTERLY REPORT ATTACHMENT Page 1 of 9

(56)

Any information copied from such Reports or Statements may 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.

Name of Committee (In Full)
Rex Hoyt Congressional Committee

A. Full Name, Mailing Address and ZIP Code Richard Browne P. O. Box 7505 The Woodlands, Tx. 77380 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer The Woodlands Corp. Occupation vice president Aggregate Year-to-Date $100.00	Date (month, day, year) 9/11/84	Amount of Each Receipt this Period 100.00
B. Full Name, Mailing Address and ZIP Code Michael Richmond 2821 Logrun Cir. The Woodlands, Tx. 77380 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer The Woodlands Corp. Occupation vice president Aggregate Year-to-Date $ 100.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
C. Full Name, Mailing Address and ZIP Code Carolyn Shelton 166 Brandon Road Conroe, Texas 77302 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Montgomery County Occupation comaissioner Aggregate Year-to-Date $ 120.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
D. Full Name, Mailing Address and ZIP Code Gary Lee 201 Woodlands Dr. Conroe, Tx. 77301 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer Montgomery County Occupation administrative asst. Aggregate Year-to-Date $ 100.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
E. Full Name, Mailing Address and ZIP Code Roy Sanches Rt. 2, Box 904 B Willis, Tx. 77378 Receipt For: ☐ Primary ☒ General ☐ Other (specify):	Name of Employer self Occupation Aggregate Year-to-Date $ 1,100.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
F. Full Name, Mailing Address and ZIP Code Bill Burton 103 April Sound N. Montgomery, Tx. 77356 Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer retired Occupation Aggregate Year-to-Date $ 1,370.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
G. Full Name, Mailing Address and ZIP Code Larry D. Jones 5200 Mitchelldale No. 723 Houston, Texas Receipt For: ☐ Primary ☐ General ☐ Other (specify):	Name of Employer self Occupation contractor Aggregate Year-to-Date $ 200.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 200.00
SUBTOTAL of Receipts This Page (optional)			$ 600.00
TOTAL This Period (last page this line number only)			

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12 DAY RUN-OFF REPORT

(57)

Mat Hoyt
10716 Whisper Willow Place
The Woodlands, Texas 77380

Don Buckaloo
P.O. Drawer 2627
Conroe, Texas 77305

Owner

H.W. Everett Jr.
105 S. Woodway W
Conroe, Texas 77301

Everett's Hardware

Owner

W.J. Burden
103 April Wind North
Montgomery, Texas 77350

Retired

Continued

Janice Burden
9302 Goodmeadows Drive
Houston, Texas 77064

Kodak

Cust. Support Rep.

$ 1003.00

Leslie Woods
2607 Hollyviet
Houston, Texas 77084

Kodak

Cust. Support Rep.

$ 1003.00

Mary Louise Holmes
26335 McDonald Road
Spring, Texas 77380

SUBTOTALS This Period This Page (Continued)

TOTALS This Period (last page in this item only)

58

ITEMIZED RECEIPTS

1984 QUARTERLY REPORT

Commissioner Committee

Perach Huntsman Horn Woodlands, Tx. 77380 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	Name of Employer M & K Tool, Spring, TX Occupation President Aggregate Year-to-Date $ 1100.00	Date (month, day, year) 6/12/84	Amount of Each Receipt This Period 100.00
Lee Ewing 1139 Rayford Rd. Spring, Tx. 77386 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	Name of Employer self Occupation restaurant owner Aggregate Year-to-Date $ 200.00	Date (month, day, year) 6/12/84	Amount of Each Receipt This Period 100.00
	Name of Employer Occupation Aggregate Year-to-Date $	Date (month, day, year)	Amount of Each Receipt This Period
Blanche Davis 307 Prince of Wales Conroe, Texas 77304 Receipt For ☐ Primary ☐ General ☐ Other (specify) run off	Name of Employer self Occupation retail sales Aggregate Year-to-Date $ 100.00	Date (month, day, year) 6/12/84	Amount of Each Receipt This Period 100.00
Mr. Bellamy 10714 Whisper Willow The Woodlands, Tx. 77380 Receipt For ☐ Primary ☐ General ☐ Other (specify) run off	Name of Employer self Occupation restaurant owner Aggregate Year-to-Date $ 250.00	Date (month, day, year) 6/6/84	Amount of Each Receipt This Period 250.00
Mrs. Bill Buxton 103 April Wind K. Montgomery, Tx. 77356 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	Name of Employer housewife Occupation Aggregate Year-to-Date $ 50.00	Date (month, day, year) 6/19/84	Amount of Each Receipt This Period 50.00
Cran Jolley 26 Splitrock The Woodlands, Texas 77381 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	Name of Employer Self-employed Occupation Realtor Aggregate Year-to-Date $ 50.00	Date (month, day, year) 6/19/84	Amount of Each Receipt This Period 50.00
SUBTOTAL of Receipts This Page (optional)			650.00
TOTAL This Period (last page this line number only)			

SCHEDULE A — ITEMIZED RECEIPTS
1984 JULY QUARTERLY REPORT — ATTACHMENT 12 — Page 4 of 9

(57)

Name of Committee (in Full)
Max Hoyt for Congress

A. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation / Aggregate Year-to-Date	Date Received (Mo., Day, Yr.)	Amount of Each Receipt This Period
John T. Bailey P. O. Box 9450 Ft. Worth, Texas 76107 Receipt For: C Primary C General C Other (specify) run off	Aggregate Year-to-Date $ 100.00	6/19/84	100.00
B. Full Name, Mailing Address and ZIP Code I. B. Chapman II P. O. Box 12077 Ft. Worth, Texas 76116 Receipt For: C Primary C General C Other (specify) run off	Aggregate Year-to-Date $ 50.00	6/19/84	50.00
C. Full Name, Mailing Address and ZIP Code Frank Ostrander 188 Timber Mill ST. The Woodlands, Tx. 77380 Receipt For: C Primary C General C Other (specify) run off	Name of Employer: Woodlands National Bank Occupation: Vice President Aggregate Year-to-Date $ 70.00	6/20/84	50.00
D. Full Name, Mailing Address and ZIP Code Sandra Vogt 302 Hickory Ridge Spring, Tx. 77381 Receipt For: C Primary C General C Other (specify) run off	Name of Employer: self - Vogt Ventures Occupation: owner Aggregate Year-to-Date $ 100.00	6/20/84	100.00
E. Full Name, Mailing Address and ZIP Code Londa May 1733 Woodstead Ct. The Woodlands, Tx. 77380 Receipt For: C Primary C General C Other (specify) runoff	Name of Employer: houswife Occupation: Aggregate Year-to-Date $ 1500.00	6/20/84	500.00
F. Full Name, Mailing Address and ZIP Code W. J. Mardaga 1440 Sawdust The Woodlands, Tx. 77380 Receipt For: C Primary C General C Other (specify) run off	Name of Employer: self Occupation: dentist Aggregate Year-to-Date $ 100.00	6/20/84	100.00
G. Full Name, Mailing Address and ZIP Code Joe Turner 25700 I-45 N. Spring, Tx. 77386 Receipt For: C Primary C General C Other (specify) run off	Name of Employer: self Occupation: Contractor Aggregate Year-to-Date $ 2,000.00	5/27/84	$500.00 - in kind reception in hi[illegible]
SUBTOTAL of Receipts This Page (optional)			1400
TOTAL This Period (last page this line number only)			

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(60)

Name of Committee (in Full)
Max Hoyt Congressional Committee

A. Full Name, Mailing Address and ZIP Code David S. Dollahite 9 Willowherb Ct. The Woodlands, Tx. 77380 Receipt For: ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Telesattrics Occupation Manager Aggregate Year-to-Date $ 450.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 300.00
B. Full Name, Mailing Address and ZIP Code Willian Wenbaugh 155 Towering Pines The Woodlands, Tx. 77380 Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer self Occupation dentist Aggregate Year-to-Date $ 1,150.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
C. Full Name, Mailing Address and ZIP Code Cecil E. Brandon 6 Dunloggin The Woodlands, Tx. 77380 Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Mitchell Energy Occupation Geologist Aggregate Year-to-Date $ 200.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
D. Full Name, Mailing Address and ZIP Code Ed Lee P. O. Box 7281 The Woodlands, Tx. 77380 Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer The Woodlands Corp. Occupation President Aggregate Year-to-Date $ 570.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
E. Full Name, Mailing Address and ZIP Code James Pitchford 210 Baywood Spring, Texas 77386 Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Retired Occupation Aggregate Year-to-Date $ 200.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
F. Full Name, Mailing Address and ZIP Code Emil Ogden 2804 Brothers Blvd. College Station, Tx. Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer Chapperrel Energy Occupation President Aggregate Year-to-Date $ 100.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
G. Full Name, Mailing Address and ZIP Code John Carrabba P. O. Box 664 Bryan, Texas 77806 Receipt For ☐ Primary ☐ General ☐ Other (specify)	Name of Employer self Occupation real estate Aggregate Year-to-Date $ 100.00	Date (month, day, year) 9/11/84	Amount of Each Receipt This Period 100.00
SUBTOTAL of Receipts This Page (optional)			900.00
TOTAL This Period (last page this line number only)			

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SCHEDULE A — ITEMIZED RECEIPTS — ATTACHMENT 12

1984 JULY QUARTERLY REPORT

Any information copied from such Reports or Statements may 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.

Name of Committee (In Full)
Max Hoyt Congressional Committee

A. Full Name, Mailing Address & ZIP Code	Name of Employer / Occupation	Date Received (Mo., Day, Year)	Amount of Each Receipt This Period
Geoffrey P. Jones 25211 Grogan's Mill Rd. The Woodlands, Texas 77380 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	self employed real estate developer Aggregate Year-to-Date $ 200.00	5/27/84	100.00
B. Full Name, Mailing Address and ZIP Code J. F. Nieto 13414 Stallones #13 Tomball, Tx. 77375 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	self employed medical doctor Aggregate Year-to-Date $ 500.00	5/27/84	500.00
C. Full Name, Mailing Address and ZIP Code Fran Saxer RT. 2, Box 3741 Richards, Tx. 77873 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	housewife Aggregate Year-to-Date $ 1050.00	5/27/84	50.00
D. Full Name, Mailing Address and ZIP Code Di'Ann Yount 6 Penguin Ct. The Woodlands, Texas 77380 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	Mitchell Energy Occupation Secretary Aggregate Year-to-Date $ 1505.00	5/27/84	5.00
E. Full Name, Mailing Address and ZIP Code Carolyn Bauerlein Rt. 5, Box 484 Conroe, Texas 77304 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	housewife Aggregate Year-to-Date $ 25.00	5/27/84	25.00
F. Full Name, Mailing Address and ZIP Code Paul J. McEwen 112 Clear Springs Montgomery, Texas 77356 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	Occupation Aggregate Year-to-Date $ 25.00	5/27/84	25.00
G. Full Name, Mailing Address and ZIP Code Bruce Withers 2915 Summersweet Place The Woodlands, Texas 77380 Receipt For: ☐ Primary ☐ General ☐ Other (specify) run off	Mitchell Energy Occupation vice president Aggregate Year-to-Date $ 500.00	5/27/84	250.00
SUBTOTAL of Receipts This Page (optional)			935.00
TOTAL This Period (last page this line number only)			

1984 12 DAY RUN-OFF REPORT

62

Mike Hoyt 10716 Wilde Prairie The Woodlands, Texas 77380		$150.00	Committee
J.R. Moore, Jr. 26440 I 45 Spring, Texas	Pitch Hardware	$1000.00	
Joseph V. Turner 27 Oregon's Point The Woodlands, Texas 77380	Turner/Hanemahl Owner	$1000.00	
Lee W. Boring 12 N. Timber Top Drive Spring, Texas 77380	Little River Steak Owner	$1000.00	

Continued

Joseph Frank Holmes 76338 McDonald Road Spring, Texas 77380	Self Employed Dentist	$1000.00	
William C. Hamburgh 155 Towering Pines The Woodlands, Texas 77381	Self Employed Dentist	$ 250.00	
Elton L. Tuttle 6 Penguin Court The Woodlands, Texas 77380	Mitchell Development Tech. Clerk	$ 100.00	

SUBTOTAL This Page This Column

TOTAL This Column (carry to 5th line total)

Carry outstanding balances only to Line 2, Schedule B, for the first 8 on Schedule B, every Second in appropriate line of Summary

SCHEDULE A — ITEMIZED RECEIPTS — ATTACHMENT

1984 OCTOBER QUARTERLY REPORT

(23)

Name of Committee (in Full)

Max Hext Congressional Committee

A. Full Name, Mailing Address and ZIP Code	Name of Employer / Occupation	Date (month, day, year)	Amount of Each Receipt This Period
Coulson Tough 2201 Timberloch The Woodlands, Tx. 77380 Receipt For: C Primary D General E Other (specify)	The Woodlands Corp vice president Aggregate Year-to-Date: 300.00	9/11/84	100.00
B. Full Name, Mailing Address and ZIP Code Russ Wylie #10 Greenridge Forest The Woodlands, Tx. 77381 Receipt For: C Primary D General E Other (specify)	The Woodlands Corp. Dir., Public Relations Aggregate Year-to-Date: 520.00	9/11/84	100.00
C. Full Name, Mailing Address and ZIP Code Gerald Jamial Receipt For: C Primary D General E Other (specify)	self owner, grocery Aggregate Year-to-Date: 1,400.00	9/11/84	1,000.00
D. Full Name, Mailing Address and ZIP Code Receipt For: C Primary D General E Other (specify)	Name of Employer / Occupation Aggregate Year-to-Date:	Date (month, day, year)	Amount of Each Receipt This Period
E. Full Name, Mailing Address and ZIP Code Receipt For: C Primary D General E Other (specify)	Name of Employer / Occupation Aggregate Year-to-Date:	Date (month, day, year)	Amount of Each Receipt This Period
F. Full Name, Mailing Address and ZIP Code Receipt For: C Primary D General E Other (specify)	Name of Employer / Occupation Aggregate Year-to-Date:	Date (month, day, year)	Amount of Each Receipt This Period
G. Full Name, Mailing Address and ZIP Code Receipt For: C Primary D General E Other (specify)	Name of Employer / Occupation Aggregate Year-to-Date:	Date (month, day, year)	Amount of Each Receipt This Period
SUBTOTAL of Receipts This Page (optional)			2200.00
TOTAL This Period (last page this line number only)			1225.00

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(64)

A. Max Hoyt 10716 Whisper Willow Place The Woodlands, Texas 77380	$10,000	Cancelled 4/30/87	
Terms: Date Secured ____ Due Date ____ Interest Rate ____ Collateral ____			
Co-Makers or Guarantors (if any) to Item A			
1. Bernadette C. Fitzgerald Rt #13 Box 1654 Conroe, Texas 77302	Name of Employer: Bostechia Plumbing Position: Secretary Amount Guaranteed Outstanding: $1000.00		
2. P. Vernon Robbins 2913 Laurel Cherry Way The Woodlands, Texas 77380	Name of Employer: Self Employed Position: Consultant Amount Guaranteed Outstanding: $1000.00		
3. Russell Wylie 10 Greenridge Forest Drive The Woodlands, Texas 77381	Name of Employer: Mitchell Development Position: Management Amount Guaranteed Outstanding: $ 1000.00		
B. Continued			
Terms: Date Secured ____ Due Date ____ Interest Rate ____ Collateral ____			
Co-Makers or Guarantors (if any) to Item B			
1. Jerry L. Overbeck 27 E. Bigelow Oak Ct The Woodlands, Texas 77380	Name of Employer: Kroger Position: Pharmacist Amount Guaranteed Outstanding: $1000.00		
2. W. Douglas Loenhard 10710 E. Timberwagon Circle The Woodlands, Texas 77380	Name of Employer: Mitchell Development Position: Management Amount Guaranteed Outstanding: $ 1000.00		
3. James D. Eisenmehl 29 Colarving Lane The Woodlands, Texas 77380	Name of Employer: Torquay/Eisenmehl Position: Owner Amount Guaranteed Outstanding: $ 1000.00		
SUBTOTALS This Page (if any)			
TOTALS This Page (if any)			

Carry outstanding balances only to Line 3, Schedule B. For this Item B on Schedule B, carry forward to appropriate line of Summary.

FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

NOV 2 1984

RQ-5

Alan Phelps, Treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
Woodlands, TX 77380

Identification Number: C00174656

Reference: July Quarterly (5/13/84-6/30/84) and October Quarterly (7/1/84-9/30/84) Reports

Dear Mr. Phelps:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. The review raised questions concerning certain information contained in the report(s). An itemization follows:

-Schedules A and C of your reports (pertinent portions attached) disclose contributions which appear to exceed the limits set forth in the Act. An individual or a political committee other than a multicandidate committee may not make contributions to a candidate for Federal office in excess of $1,000 per election. If you have received a contribution(s) which exceeds the limits, the Commission recommends that you refund to the donor(s) the amount in excess of $1,000. The Commission should be notified in writing if a refund is necessary. In addition, any refund should appear on Line 20 of the Detailed Summary Page of your next report. (2 U.S.C. 441a(a) and (f))

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.

If the contribution(s) in question was incorrectly reported and/or you have additional information regarding the contributor(s), you may wish to submit documentation for the public record. Please amend your report with the clarifying information.

Although the Commission may take further legal steps concerning the acceptance of an excessive contribution(s), prompt action by you to refund the excessive amount will be taken into consideration.

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Any amendment or clarification should be filed with the Clerk of the House of Representatives, 1036 Longworth House Office Building, Washington, DC 20515. If you need assistance, please feel free to contact me on our toll-free number, (800) 424-9530. My local number is (202) 523-4068.

Sincerely,

Linda Tangney

Linda Tangney
Reports Analyst
Reports Analysis Division

9113 J1132

ATTACHMENT 2 (67)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Alan Phelps, Treasurer
Max Hoyt Congressional Committee
10716 Whisper Willow Place
The Woodlands, Texas 77380

RE: MUR
Max Hoyt Congressional Committee
and Alan Phelps, treasurer

Dear Mr. Phelps:

On , 1985, the Federal Election Commission determined that there is reason to believe that the Max Hoyt Congressional Committee and you, as treasurer, violated 2 U.S.C. § 441a(f), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you and the committee. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

In the absence of any additional information which demonstrates that no further action should be taken against your committee and you, as treasurer, 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 conciliation prior to a finding of probable cause to believe if so desired. See 11 C.F.R. § 111.18(d).

If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form

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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.

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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R 5040514693

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Joseph Turner
25700 I-45 North, #101
Spring, Texas 77386

RE: MUR
Joseph Turner

Dear Mr. Turner:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against you. You may submit any factual or legal materials which you believe are relevant to the Commission's consideration of this matter. Please submit any such materials, within ten days of your receipt of this letter. Statements should be submitted under oath.

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Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Maple Avery, M.D.
P.O. Box 1930
Conroe, Texas 77305

RE: MUR
Maple Avery, M.D.

Dear Dr. Avery:

On , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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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.

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The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Alf Barnes
58 Hampton Road
Conroe, Texas 77302

RE: MUR
Alf Barnes

Dear Mr. Barnes:

On , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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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.

R 6040614698

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Navarro Carowson
P.O. Box 4000
The Woodlands, Texas 77380

RE: MUR
Navarro Carowson

Dear Mr. Carowson:

On , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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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.

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Sincerely,

John Warren McGarry
Chairman

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8604061-4701

(11)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Thomas Cox
40 Watertree Court
The Woodlands, Texas 73380

RE: MUR
Thomas Cox

Dear Mr. Cox:

On , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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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.

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Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

James Hasenzahl
25700 I-45 North #101
Spring, Texas 77386

RE: MUR
James Hasenzahl

Dear Mr. Hasenzahl:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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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.

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For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Steven Holditch
8600 Rosewood
College Station, Texas 77840

RE: MUR
Steven Holditch

Dear Mr. Holditch:

On , 1985, the Federal Election Commission determined that there is reason to believe that you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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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.

R 6040514706

The investigation now being conducted will be 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 investigation to be made public.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Eric Kleinfeld, the attorney assigned to this matter, at (202) 523-4000.

Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

R. Douglas Leonhard
P.O. Box 7886
The Woodlands, Texas 77387

RE: MUR
R. Douglas Leonhard

Dear Mr. Leonhard:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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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.

8604514708

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Sincerely,

John Warren McGarry
Chairman

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

George Mitchell
P.O. Box 4000
The Woodlands, Texas 77380

RE: MUR
George Mitchell

Dear Mr. Mitchell:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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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.

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Sincerely,

John Warren McGarry
Chairman

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(87)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Edward Shaman, M.D.
11702 Quail Creek Drive
Houston, Texas 77070

RE: MUR
Edward Shaman, M.D.

Dear Dr. Shaman:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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Sincerely,

John Warren McGarry
Chairman

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(87)

FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

John Weisner
P.O. Drawer 2348
Conroe, Texas 77305

RE: MUR
John Weisner

Dear Mr. Weisner:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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Sincerely,

John Warren McGarry
Chairman

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R6040415

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Randall Woods
72 Indian Clover
The Woodland, Texas 77381

RE: MUR
Randall Woods

Dear Mr. Woods:

On , 1985, the Federal Election Commission determined that there is reason to believe that the you violated 2 U.S.C. § 441a(a)(1)(A), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"). The General Counsel's factual and legal analysis, which formed a basis for the Commission's finding, is attached for your information.

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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.

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Sincerely,

John Warren McGarry
Chairman

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8604051147117

ATTACHMENT 3 (93)

FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Max Hoyt Congressional Committee MUR NO
Alan Phelps, as treasurer

SUMMARY OF ALLEGATIONS

The Max Hoyt Congressional Committee ("the Committee") was referred to this Office by the Reports Analysis Division ("RAD") for receiving excessive contributions from individual contributors.

The committee received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

1. Primary election loan.

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the 1984 primary election from Montgomery County Bank, incurred on February 22, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt, and its sole endorser was Joseph B. Turner, who guaranteed the entire amount of the loan. Additionally, the committee's April Quarterly Report disclosed a $500 contribution from Joseph B. Turner designated for the primary election.

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On June 4, 1984, a second amended April Quarterly Report was received from the committee, on which was listed fifty-one (51) individuals as replacement endorsers of the primary loan. 1/ Of the fifty-one, forty-eight (48) had each guaranteed $1000 of the loan, two had guaranteed $900 each, and one individual guaranteed $200.

According to the April Quarterly Report, three of the replacement endorsers had also made direct contributions totalling $80 to the committee for the primary election. The chart below lists the excessive amounts received by the committee for the 1984 primary election:

ENDORSER	AMOUNT GUARANTEED	AMOUNT CONTRIBUTED	EXCESSIVE AMOUNT	
Turner, Joseph B.	$50,000	$500	$49,500	
Amato, Delores	1,000	10	10	
Davis, Frank	1,000	20	20	
Wambaugh, Elizabeth	1,000	50	50	
			$49,580	Total

2. Run-off election loan.

The committee's 1984 amended 12 Day Run-off Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2000-5000 each, with a total excessive contribution of $37,500:

1/ These individuals became the new endorsers on June 1, 1984. Joseph B. Turner was not listed as one of the new endorsers.

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ENDORSER	AMOUNT GUARANTEED 2/	EXCESSIVE AMOUNT
1. Avery, Maple, M.D.	$5,000	$4,000
2. Barnes, Alf	2,500	1,500
3. Carowson, Navarro	5,000	4,000
4. Cox, Thomas	5,000	4,000
5. Hasenzahl, James	5,000	4,000
6. Holditch, Steven	5,000	4,000
7. Leonhard, R. Douglas	5,000	4,000
8. Mitchell, George	2,500	1,500
9. Shaman, Edward, M.D.	5,000	4,000
10. Turner Joseph B.	5,000	4,000
11. Weisner, John	2,000	1,000
12. Woods, Randall	2,500	1,500
		$37,500

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. 3/ Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers. 4/

According to the committee's July Quarterly and October Quarterly Reports, six of the fifty-one substituted endorsers had also made direct contributions totalling $905

2/ The sum of the amount guaranteed totalled only $49,500.

3/ These individuals became endorsers on June 1, 1984.

4/ Joseph V. Turner appears as a new endorser, guaranteeing $1,000 of the $50,000 loan. Joseph B. Turner and Joseph V. Turner are listed at different addresses; however, aggregate year-to-date information suggests they may be one person. Joseph Turner's address at 25700 I-45 North, #101, appears to be a business address. Joseph Turner is listed as President of Turner-Hazenzahl. James Hazenzahl's address is also listed at 25700 I-45 North, #101.

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to the committee for the Run-off election. The chart below lists these excessive amounts:

ENDORSER	AMOUNT GUARANTEED	AMOUNT CONTRIBUTED	EXCESSIVE AMOUNT
1. Buxton, Bill	$1,000	$100	$100
2. Ewing, Lee	1,000	100	100
3. Turner, Joe	1,000	500	500
4. Wambaugh, Bill	1,000	100	100
5. Wylie, Russ	1,000	100	100
6. Yount, DiAnn	1,000	5	5
			$905

3. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

The Max Hoyt Congressional Committee received $49,580 in excessive contributions for the primary election and $38,405 for the run-off election, for a total of $87,985 in excessive contributions. Accordingly, the Office of General

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Counsel recommends that the Federal Election Commission ("Commission") find reason to believe that the Max Hoyt Congressional Committee and Alan Phelps, as treasurer, violated 2 U.S.C. § 441a(f) by accepting excessive contributions.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Joseph Turner MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD").

The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

1. Primary election loan.

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the 1984 primary election from Montgomery County Bank, incurred on February 22, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt, and its sole endorser was Joseph B. Turner, who guaranteed the entire amount of the loan. Additionally, the committee's April Quarterly Report disclosed a $500 contribution from Joseph B. Turner designated for the primary election.

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The chart below lists the excessive amounts received by the committee for the 1984 primary election:

ENDORSER	AMOUNT GUARANTEED	AMOUNT CONTRIBUTED	EXCESSIVE AMOUNT
Joseph B. Turner	$50,000	$500	$49,500

2. Run-off election loan.

The committee's 1984 amended 12 Day Run-off Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2000-5000 each, with a total excessive contribution of $37,500. The chart below lists the excessive amount for the run-off election:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Joseph B. Turner	5,000	4,000

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.*/

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*/ Joseph V. Turner appears as a new endorser, guaranteeing $1,000 of the $50,000 loan. Joseph B. Turner and Joseph V. Turner are listed at different addresses; however, aggregate year-to-date information suggests they may be one person. Joseph Turner's address at 25700 I-45 North, #101, appears to be a business address. Joseph Turner is listed as President of Turner-Hazenzahl. James Hazenzahl's address is also listed at 25700 I-45 North, #101.

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According to the committee's July Quarterly and October Quarterly Reports, six of the fifty-one substituted endorsers had also made direct contributions totalling $905 to the committee for the Run-off election. The chart below lists the excessive amounts:

ENDORSER	AMOUNT GUARANTEED	AMOUNT CONTRIBUTED	EXCESSIVE AMOUNT
Joseph B. Turner	$1,000	$500	$500

3. Legal Analysis

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 44la(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 44la(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 44la(a).

One individual, Joseph Turner, made excessive contributions to the Committee for both the 1984 primary election and 1984 run-off election, by guaranteeing a $50,000 loan for the former

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and guaranteeing $5,000 of the latter loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Joseph Turner violated 2 U.S.C. § 441a(a)(1)(A), by making excessive contributions to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Maple Avery, M.D. MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Maple Avery, M.D.	5,000	4,000

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Maple Avery, M.D. violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Alf Barnes MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Alf Barnes	$2,500	1,500

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $1,500 to the Committee, by guaranteeing $2,500 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Alf Barnes violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Navarro Carowson MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Navarro Carowson	$5,000	4,000

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Navarro Carowson violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Thomas Cox MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Thomas Cox	$5,000	4,000

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 44la(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 44la(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 44la(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Thomas Cox violated 2 U.S.C. § 44la(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT James Hasenzahl MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
James Hasenzahl	$5,000	4,000

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that James Hasenzahl violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Steven Holditch MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Steven Holditch	$5,000	4,000

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Steven Holditch violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT R. Douglas Leonhard MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on A 984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
R. Douglas Leonhard	$5,000	4,000

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that R. Douglas Leonhard violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT George Mitchell MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
George Mitchell	$2,500	$1,500

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $1,500 to the Committee, by guaranteeing $2,500 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that George Mitchell violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Edward Shaman, M.D. MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Edward Shaman, M.D.	$5,000	$4,000

On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $4,000 to the Committee, by guaranteeing $5,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Edward Shaman, M.D. violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT John Weisner MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
John Weisner	$2,000	$1,000

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $1,000 to the Committee, by guaranteeing $2,000 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that John Weisner violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION

GENERAL COUNSEL'S FACTUAL AND LEGAL ANALYSIS

RESPONDENT Randall Woods MUR NO

SUMMARY OF ALLEGATIONS

This matter was referred to the Office of General Counsel by the Reports Analysis Division ("RAD"). The Max Hoyt Congressional Committee ("Committee") received two loans totalling $100,000, one designated for the 1984 Republican primary election and the second for the 1984 Run-off election in the sixth congressional district of Texas. The committee's 1984 amended April Quarterly, and amended 12 Day Run-off Reports disclosed apparent § 441a violations in the form of loan endorsements.

FACTUAL BASIS AND LEGAL ANALYSIS

The committee's 1984 amended April Quarterly Report disclosed a $50,000 loan designated for the run-off election from Montgomery County Bank, incurred on April 30, 1984 at a 13% interest rate. The loan was a personal loan to the candidate, Max Hoyt and was endorsed by twelve (12) individuals in amounts ranging from $2,000-5,000 each, with a total excessive contribution of $37,500. Listed below is the amount of the excessive contribution received from Respondent:

ENDORSER	AMOUNT GUARANTEED	EXCESSIVE AMOUNT
Randall Woods	$2,500	$1,500

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On June 4, 1984 a second amendment to the 12 Day Run-off Report was received from the committee, on which was listed fifty-one (51) endorsers for the $50,000 loan. Forty-six (46) of these individuals endorsed the loan for $1,000 each, and five endorsed it for $900 each. Four of the original twelve endorsers were listed among the fifty-one new endorsers.

2 U.S.C. § 431(8)(A) provides that the term "contribution" includes a loan made to a political committee. 11 CFR § 100.7(a)(1)(i) states that the term "loan" includes a guarantee, endorsement or any other form of security. Thus, a person who guarantees or endorses a loan to a political committee has made a contribution to that committee.

2 U.S.C. § 441a(a)(1)(A) provides that no person shall make contributions to any candidate and his authorized political committees with respect to any federal election which, in the aggregate, exceeds $1,000.

2 U.S.C. § 441a(f) provides that no candidate or political committee shall knowingly accept any contribution in violation of the contribution limitations of § 441a(a).

Respondent made an excessive contribution in the amount of $1,500 to the Committee, by guaranteeing $2,500 of the run-off loan. Accordingly, the Office of General Counsel recommends that the Commission find reason to believe that Randall Woods violated 2 U.S.C. § 441a(a)(1)(A) by making an excessive contribution to the Max Hoyt Congressional Committee.

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FEDERAL ELECTION COMMISSION
1325 K STREET N.W.
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 1954

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