



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2543
DATE FILMED 7/1/68 CAMERA NO. 2
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(1917-1979)
Of Counsel
DAVID DANIELSKI
PAUL O'NEIL

March 6, 1987

Lawrence M. Noble
Deputy General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Noble:

Re: MUR 2156, Dr. Leonilo Malabed

I represent the estates of Gene Viernes and Silme Domingo in an action against the Republic of the Philippines for the murders of two anti-Marcos trade union leaders in June of 1981. In the course of our investigation and discovery in this case, we have subpoenaed records of Dr. Leonilo Malabed of San Francisco, and of the Mabuhay Corporation which he controlled. I am in receipt of the Federal Election Commission findings regarding the statement of expenses of the Mabuhay Corporation, and the indication that foreign funds had paid for Mabuhay's campaign contributions in local, state and federal elections.

As I understand it, the basis of the Commission's ruling was that the Mabuhay Corporation statement of expenses, which at that time was uncorroborated, was not sufficient to find that Dr. Malabed and Ferdinand Marcos had violated certain sections of the Federal Election Campaign Act of 1971 as amended. Our discovery in this case has led to considerable evidence which corroborates and authenticates the Mabuhay statement. The enclosed memo summarizes this evidence. In particular, I would point your attention to the various bank documents and other evidence indicating the receipt of large sums of money from the Philippines or through Philippine National Bank by Dr. Malabed.

We have forwarded this document to the U.S. Attorney in San Francisco, to the Department of Justice, the Federal Bureau of Investigations, and to the Special Independent Prosecutor Lawrence Walsh. We are forwarding it to you in the belief that the newly-derived evidence justifies the reopening of the FEC complaint process.

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OFFICE OF THE
GENERAL COUNSEL

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Lawrence M. Noble
Federal Election Commission
March 6, 1987
Page Two

I have in my possession additional information that may assist your staff in determining whether to reopen the investigation of Dr. Malabed and Ferdinand Marcos. We offer our fullest cooperation in your efforts. Please don't hesitate to contact me if you require any further information.

Sincerely yours,

Michael E. Withey

MICHAEL E. WITHEY
Counsel for the Estates of
Domingo and Viernes

MEW/dg
Enclosures

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MEMORANDUM

INTRODUCTION

This memorandum summarizes evidence of a secret intelligence slush fund created in the United States by Ferdinand Marcos and his chief of staff General Fabian Ver. Marcos' childhood friend and long-time crony, Dr. Leonilo Malabed of San Francisco, controlled the fund and used it to extend Marcos's political influence and propaganda presence. It was also used to conduct covert intelligence operations against the anti-Marcos opposition movement in the United States in the late 1970s and early 1980s. Documents which have been authenticated in federal court point to strong circumstantial evidence that this slush fund was used to pay for the June 1981 Seattle murders of anti-Marcos union officials Gene Viernes and Silme Domingo. The use of foreign funds to promote the Marcos regime, purchase propaganda vehicles, contribute to local, state and federal candidates, and violate the civil and constitutional rights of American citizens is against the law. A full, impartial and vigorous investigation of this evidence is called for. Such criminal charges, as are warranted by the evidence obtained, should be brought. Marcos' continued activities, now carried out in this country, establish that the evidence summarized here

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is not of mere historical interest. Direct and decisive action is needed.

BACKGROUND

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The new government in the Philippines under President Corazon Aquino has undertaken extraordinary efforts to retrieve the vast wealth illegally accumulated and invested abroad by deposed president Marcos and his wife Imelda. Considerable attention has focussed on secret Swiss and American bank accounts, shadowy middlemen and surrogate real estate purchasers. A federal grand jury in Alexandria, Virginia, has subpoenaed Marcos and his former chief of staff and intelligence head, General Fabian Ver. Ver has also been linked to the Iranscam/Contragate investigation as having signed for the receipt of an arms shipment whose real destination was Iran.

Shortly after Marcos fled to Hawaii, the U.S. Customs Service seized a number of important documents from Marcos, which detail past expenditures and financial transactions in the United States. Of particular political interest was an explosive document, the "Mabuhay Corporation Statement of Expenses." (Attachment A). This document itemizes the expenditure of over \$750,000 from the Philippines National Bank, under the authority of General Ver. It was spent on the attempted purchase of a Bay Area radio station, political campaign contributions to candidates in California and

national elections, identified "special missions," and the most sinister -- "special security projects."

The release of this document created a public stir but has since been largely forgotten. The Federal Election Commission started an investigation, and based on the document alone, even without the corroborative evidence provided herewith, its General Counsel recommended that the Commission find reason to believe that Marcos and Dr. Leonilo Malabed violated federal election laws. (See Attachment B.)

The president of the now-defunct Mabuhay Corporation was Dr. Leonilo Malabed, a San Francisco physician. Dr. Malabed, while publicly denying any wrongdoing, has repeatedly asserted the Fifth Amendment privilege against self-incrimination, both in hearings of the California State Legislative Committee on Real Estate Practices and in private depositions.

Malabed was questioned under oath, and his financial records were subpoenaed in the federal civil rights lawsuit, Estates of Domingo and Viernes v. Republic of the Philippines, No. C-82-1055V (Western District of Washington). His deposition was taken May 15 and October 24, 1986.

This case alleges that two anti-Marcos leaders of the Seattle-based Local 37 -- ILWU (Cannery Workers) were murdered on June 1, 1981, upon the orders of Marcos and Ver. Viernes had traveled to the Philippines in March and April

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of 1981 and had met with top leadership in the anti-Marcos trade union movement, as well as with student and peasant groups. He was surveilled by Marcos agents. Viernes joined forces with Domingo as a delegate to the 1981 convention of the ILWU, and they engineered the passage of a hotly contested resolution critical of the Marcos regime's treatment of Filipino workers and authorizing an investigative team to look into conditions there. Opposition to the resolution was organized by the local Philippine Consul General. A month later, the two men were gunned down in their union hall.

Three hitmen have been convicted in local courts; also implicated, but never charged, is Tony Baruso, former Local 37 president and a close ally of Marcos. According to sworn testimony in the hitmen trial, Baruso's .45 Mac-10 "execution piece" was the murder weapon; he promised to pay \$5,000 for the murders; and he met with hitman/gangleader Tony Dictado two days before the murders.

Armed with subpoena power, attorneys for the slain men's estates have investigated the use of Dr. Malabed's Mabuhay Corporation to pay Baruso for the Seattle murders. They have uncovered documentation that confirms the authenticity of the Mabuhay statement of expenses and implicates Malabed in a variety of illegal activities. Not the least of these activities is the expenditure of \$15,000 on May

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17, 1981, just two weeks before the Domingo/Viernes murders.

The rest of this memorandum summarizes this evidence and the federal criminal statutes believed to be violated.

I. THE EVIDENCE AGAINST DR. MALABED

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The Mabuhay Corporation Statement of Expenses speaks for itself. Corroborative evidence, summarized here, proves that it is exactly what it appears to be. Federal court Judge William Orrick (Northern District of California) stated in open court that the document is authentic for the purposes of his ruling on Dr. Malabed's assertion of the Fifth Amendment. Judge Orrick relied in part upon the declaration of Bonifacio Gillego, then a leading officer with the Philippine Presidential Commission on Good Government. The Gillego declaration explains various notations on the document and, based on his CIA training and service in the Philippine intelligence agencies, concludes that the Mabuhay Corporation was used as a "cover" and a conduit for Marcos' intelligence operations in the U.S. (See Attachment C.)

The Mabuhay Corporation was incorporated in California in 1978 by Dr. Malabed as its president. Other officers included Demetrio Jayme, Zoilo Inacay, Al Bitanga, and Romeo Esperanza, all Bay Area residents and friends of Dr. Malabed. (See Attachment D.) The Corporation maintained numerous bank accounts, including at the Philippine Bank of

California, now the Century Bank, 455 Montgomery Street, San Francisco. Dr. Malabed was the sole signatory. The first account was opened July 7, 1977. (See Attachment E). Other bank accounts undoubtedly exist, but Dr. Malabed has asserted the Fifth Amendment as to their locations.

The Philippine Bank of California was itself incorporated on March 7, 1977, by five Philippine government agencies. Its board of directors included former Philippine defense minister Juan Ponce Enrile, Dr. Malabed, and other Mabuhay incorporators. Placido Mapa, president of the Philippine National Bank, was also on the board. (See Attachment F).¹

A. The Source Of The Funds

The note at the bottom of the Statement of Expenses is without question Dr. Malabed's handwriting.² The note

¹ Another document seized from Marcos bears Mapa's signature and is a memorandum to Marcos indicating over \$9 million in U.S. currency will be placed in the "Philippine intelligence fund" out of "PNB profits." (See Attachment G.)

² Dr. Malabed's initial press interviews quote him as saying "Who signed it? If it is not signed, let us treat it as a useless document. Everything is false." Subsequent press efforts to substantiate the document and the Domingo disclosures forced Malabed to eventually admit signing it, albeit claiming, through his attorney, Patrick Hallanan, that he had been "duped" into signing it by Marcos. (See Attachment I.) Dr. Malabed's alibi, that he signed a "bogus" report of illegal campaign contributions and intelligence "security projects" as a cover for the less sinister propaganda purchases defies common sense. It is further belied by the proof of actual expenditures from the Mabuhay bank accounts

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acknowledges receipt of \$1 million from the Philippine National Bank for intelligence purposes minus \$762,478.52 withdrawn by the Armed Forces by authority of Chief of Staff (General Ver), leaving a balance of about \$230,000.

Philippine National Bank records subpoenaed in the Domingo/Viernes case provide the hardest evidence to date that Malabed received funds from the Philippines. Attachment H is th notarized declaration of Paciano F. Dizon, which documents Malabed's receipt of \$150,000 from PNB-San Francisco Agency on January 31, 1979, and \$40,000 on February 12, 1979. These receipts came shortly before major Mabuhay expenditures in February 1979. Other PNB records are being subpoenaed and will be analyzed.

In addition, a June 1986 interview with KRON-TV reporter Brian McTigue quotes Dr. Malabed's attorney Patrick Hallinan as claiming Malabed acknowledged receiving over \$500,000 in unreported cash stuffed in diplomatic pouches from Philippine couriers attached to the ministry of media affairs. Hallinan claimed the money was used solely for "propaganda purposes."

B. Specific Expenditures

The Mabuhay statement lists several categories of expenditures. Bank records have verified, at least in part,

described below.

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expenditures for each category:

1. Expenditures out of Mabuhay Corporation accounts for the purchase of KJAZ radio station in 1978 (the first seven items on the statement) have been admitted by Dr. Malabed and are easily provable through subpoenaed bank records and other documents. (See Attachment J.) Malabed's attorney told the KRON-TV reporter in June 1986 that Malabed discussed the purchase of KJAZ directly with Marcos, and that it was to be used for "pro-Philippine broadcasts." Dr. Malabed also owns the pro-Marcos Filipine-American newspaper, formerly Bataan News, and has testified that representatives of the Philippine government's Ministry of Media Affairs worked on his newspaper staff. (Deposition, October 24, 1986.)

2. Expenditures for political contributions cleared through "PSC-CG" (Presidential Security Command -- Commanding General Ver) -- have been verified in part. Some of the \$175,200 itemized can be verified through subpoenaed bank records and FEC documents. (See Attachment K.)

Dr. Malabed has in fact admitted making many of these contributions, but claims they were out of his own funds. This is contradicted by the Mabuhay documents themselves and other evidence that he received PNB funds.

3. Payments for special missions in 1980 and 1981 have also been verified, at least to the extent that Dr. Malabed and others traveled to the locations listed in Honolulu and New York for the Democratic National Convention. Bank records verified at least some of these expenditures. (See Attachment K.) Both Honolulu trips coincided with visits of Marcos to the U.S. Discovery in the Domingo case has produced a Honolulu consulate's list of pro-Marcos loyalists to be contacted to perform airport security for Marcos. This list includes Dr. Malabed's name.

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4. "Advances to CG" (again, Commanding General Ver) for "special security projects" is by far the most sinister item appearing on the document and alone justifies substantial investigative effort. The Gillego declaration concludes that these expenditures were "undertaken on behalf of Marcos and Ver and were used, in part, to counter the influence of anti-Marcos opposition in the United States, and to monitor and operate³ against them and for other propaganda and political purposes." (See Attachment C.) Whether these substantial payments were used as a payroll for Marcos intelligence agents and/or used for particular projects justifies further federal investigation.

At least one expenditure listed on 2/7/79 for \$9,900 was paid in cash to Dr. Malabed out of the Philippine Bank of California account. (See Attachment K.)

5. May 17, 1981. Of all of the items on the document, it is the May 17, 1981, expenditure of \$15,000 for a special security project which has the most significance for the Domingo case.

³ Both the Senate Foreign Relations Committee in 1979 and the Defense Intelligence Agency in 1982 (see Attachment L) have documented U.S. government knowledge of the efforts by Marcos agents in the U.S. to "monitor and operate against" the anti-Marcos Philippine dissidents exercising their First Amendment right and freedom of association in this country. Furthermore, Ferdinand Marcos, in his July 1986 deposition in the Domingo case, admitted that four Philippine government agencies -- National Intelligence Security Authority (NISA), the Intelligence Section of the Armed Forces of the Philippines, the Presidential Security Command (PSC), and the National Bureau of Investigation (NBI) collected information on anti-Marcos organizations in the United States. Marcos testified these agents collected such information through the use of military attaches in Philippine consulates and the embassy. He admitted knowledge as to some of the organizations and individuals that were targets of the intelligence operation, including the (KDP) Union of Democratic Filipinos, to which both Domingo and Viernes belonged.

The day after returning to Seattle from the ILWU convention in Hawaii, Tony Baruso purchased a plane ticket to San Francisco for May 16 and a return on May 17. Subpoenaed travel records reveal Baruso did indeed fly to San Francisco where he stayed at the Sutter Hotel. (See Attachment M.) This hotel is within blocks of the Philippine Consulate at 450 Sutter Street. Within days of his return, the Domingo/Viernes murder contract was put out, and hitmen Ramil, Guloy, and Dominguez were provided with Baruso's gun. The murders were carried out on June 1, 1981.

Baruso, in his January 1983 deposition in the Domingo case, answered, "I can't remember" to all questions regarding this Bay Area trip, including his purchase of the tickets, where he stayed, who he met with, etc. He further took the Fifth Amendment as to all questions about the murders.

Sworn testimony at the trial of Ramil, Guloy and Dictado⁴ established that the hitmen were to be paid \$5,000. Baruso's own bank records show cash deposits between June and November 1981 of just under \$10,000 in amounts of between \$200 and \$1,000. Baruso also made a 24-hour trip to Los Angeles in August 1981 just prior to the start of the hitmen trial. In the same month, another \$15,000 was expended from the Mabuhay Corporation for a "special security project."

Both Dr. Malabed and Baruso are well-known political figures within pro-Marcos circles in the U.S. Baruso was the master of ceremonies at Philippine Consular events in Seattle. Although Dr. Malabed has admitted to talking to Baruso only after the murders, "to get his side of the story," there is substantial reason to believe that these two strong Marcos supporters had close ties. Further, although Malabed denies giving \$15,000 to Baruso on May 17, 1981, he asserted the Fifth Amendment when asked whether he paid anyone \$15,000 on that date.

⁴ The other hitman, Dominguez, was found murdered in Seattle two days after Baruso's deposition in the Domingo case. One suspect, Esteban Ablang, fled shortly thereafter to the Philippines.

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C. Conclusion

Solid documentary evidence exists that Dr. Malabed controlled a secret intelligence fund operated by him and General Ver, which used Philippine government funds to seek purchase of a propaganda voice, contribute to local, state and federal elections, and fund a Marcos intelligence apparatus in the U.S. Highly probative and admissible, even though circumstantial, evidence exists that this fund was also used to pay for the Domingo/Viernes murders.

Evidence of this kind cries out for a full and fair investigation. The numerous leads which have a high probability of yielding positive should all be investigated. Other Malabed bank accounts should be subpoenaed. Witnesses close to Dr. Malabed, Mabuhay Corporation incorporators, and former San Francisco Consulate employees should be questioned. U.S. Customs and Immigration files should be examined to identify the Philippine diplomatic couriers, including officials with Marcos's Ministry of Media Affairs, who may have delivered the unreported cash to Malabed. A prime suspect for this courier is Lito Gorospe, formerly in Marcos' Media Affairs who made numerous trips to the Bay Area, and who, at least on one occasion, was provided with \$10,000 cash by The Philippines National Bank. (See Attachment H, pp. 4-5.) Dr. Malabed's ties to Baruso also bear further investigation.

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II. CRIMINAL LAWS INVOLVED

The evidence summarized above against Dr. Malabed suggests that numerous federal criminal laws are implicated justifying a full federal investigation and the reopening of the federal election commission hearings. This section summarizes those laws.

A. Violations Of The Law Of Foreign Relations:

One who acts as an agent of a foreign government without notifying the attorney general is in violation of 18 U.S.C. § 951, et seq. The Department of Justice has publicly stated that Dr. Malabed has not so registered.

One who disseminates "political propaganda" on behalf of a foreign government, party or principal, violates 22 U.S.C. § 611, et seq. Strict registration requirements exist.

B. Violations of Federal Election Laws

The prohibition on political contributions by foreign nationals is found within 2 U.S.C. § 441(e). A "foreign principal" is defined in § 611(b) to include a government or foreign political party as well as persons outside the United States who are not citizens or domiciled within the U.S. Clearly this definition applies to Marcos, as the FEC so found.

The prohibition on making contributions in the name of another person is contained in 2 U.S.C. § 441(f). The FEC

report states: "If the information contained in that document (the Mabuhay Corporation Statement of Expenses) is correct, contributions were made by Marcos through the Mabuhay Corporation, with Leonilo Malabed serving as conduit, as agent of the Mabuhay Corporation, then such activities would violate 2 U.S.C. § 441(e)." (See Attachment B.)

C. Violations Of Civil, Constitutional and International Human Rights.

18 U.S.C. § 241 makes it a federal offense to conspire to "injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States" The use of a Marcos intelligence slush fund for "special security projects" directed against the anti-Marcos opposition clearly implicates the civil rights acts.

The U.N. Charter prohibits foreign states from interfering in the internal affairs of another country, and international law prohibits states from engaging in police actions, summary executions, and terrorist acts abroad.

D. Other Federal Violations

Finally, Malabed's attorney's admission that Malabed received over \$500,000 in unreported cash from a foreign courier raises substantial questions regarding violation of U.S. Customs disclosure requirements.

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CONCLUSION

This memorandum ends with a call for justice. The solid evidence of wrongdoing, coupled with the clear intent of numerous federal statutes, mandates that responsible federal and state authorities insure that full protection of the laws shall be afforded to all citizens. It is vital to bring to justice all of those who subvert our democratic rights no matter how powerful or influential they might be or may have been. Marcos' recent efforts to charter a plane and return to the Philippines to topple the government of Corazon Aquino all demonstrate that the evidence summarized here is not of mere historical interest. To investigate the Marcos/Ver/Malabed/Baruso connection, and to seek criminal charges, as the evidence warrants, will send a powerful message to other governments, friend and foe alike, who may be tempted to engage in covert and terrorist operations and to subvert our laws and constitutional protections.

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MAHARAJA CINCINNATI
STATEMENT OF EXPENSES
As of February 25, 1982

LEGAL FEES:-

1. David F. Kelly	\$16,649.99	
2. Farrand, McEl, Spillane & O'Quinn	<u>1,527.50</u>	\$ 18,227.49

GOOD FAITH DEPOSIT 25,000.00

FORGER'S FEE & LALSON (John Gillian) 8,000.00

APPRAISER'S FEE (John F. Hardisty & Associates) 1,000.00

REPRODUCTION EXPENSES 1,320.83

TELEPHONE 91.52

MISCELLANEOUS EXPENSES 250.00

POLITICAL CONTRIBUTIONS (Cleared through FEC - CG):-

LOCAL ELECTIONS:-

1. Ft Meyer DP	\$ 2,500.00	
2. O'Sullivan Rapp	500.00	
3. Supervisors (111. Candidates)	200.00	
4. School Board (Ting & Mohr)	<u>500.00</u>	\$ 3,700.00

STATE ELECTIONS:-

1. Lacey Avers	\$50,000.00	
2. Senator Alan Cranston	10,000.00	
3. Speaker Leo McCarthy	<u>10,000.00</u>	70,000.00

NATIONAL ELECTIONS:-

1. Carter-Mondale Committee	\$ 2,500.00	
2. Democrats (Carter)	50,000.00	
3. Republican (Reagan)	<u>50,000.00</u>	101,500.00

SPECIAL EVENTS:-

1. 1980 ANSA Convention - Honolulu	\$ 6,000.00	
2. 1980 KC. 1975 Democrat Party Convention	10,000.00	
3. 1981 Trip to Honolulu (Lanikai) (Lanikai)	<u>3,500.00</u>	19,500.00

TRAVEL TO C.G. (Special Security Projects):-

1. 2-7-79	\$ 9,900.00	
2. February 1979	66,000.00	
3. October 1979	66,000.00	
4. December 1979	33,000.00	
5. January 1980	33,000.00	
6. March 1980	66,000.00	
7. April 1980	33,000.00	
8. June 1980	33,000.00	
9. August 1980	33,000.00	
10. September 1980	10,000.00	
11. 1-21-81	33,000.00	
12. 5-17-81	15,000.00	
13. 9-17-81 (Palang-Palang, USA)	40,783.68	
14. August 1981	15,000.00	
15. 9-25-81 (Cancun, Mexico)	<u>20,000.00</u>	504,683.68

TOTAL As of February 25, 1982 ----- \$757,277.50

2-11-82 (Cancun Mexico) 10,000.00

2-11-82 - Miscellaneous local expenses (Cancun) 200.00

\$767,477.50

April 11, 1982

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I acknowledge having received
BIM from INB for intelligence purposes
since \$767,477.50 withdrawn by the AF
by authority of the Chief of Staff
on a balance of about \$450,000

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EXHIBIT C
Case No. 15
Date of 3/2

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

Date and Time of Transmittal By
OGC to the Commission _____

MUR # 2156
Date Complaint Received
By OGC March 28, 1986
Date of Notification to
Respondent April 3, 1986
Staff Eric Kleinfeld

Complainant's Name: Mary Jane Freeman

Respondents' Names: Reagan-Bush
Angela M. Buchanan Jackson, treasurer
Carter/Mondale Presidential Committee
S. Lee Kling, treasurer
Senator Alan Cranston
Democratic National Committee
Sharon Pratt Dixon, treasurer
Leonilo Malabed
Government of the Philippines
Ferdinand Marcos

Relevant Statutes: 2 U.S.C. § 441e and § 441f

Internal Reports Checked: Disclosure Reports
Contributor Lists

Federal Agencies Checked: None

Summary of Allegations

On March 28, 1986, the Office of General Counsel received a signed, sworn and notarized complaint from Mary Jane Freeman, alleging violations of the Federal Election Campaign Act of 1971, as amended, ("Act"). Specifically, the complaint alleges that the 1980 Presidential campaigns of Ronald Reagan and Jimmy Carter plus United States Senator Alan Cranston and the Democratic National Committee may have accepted contributions made by a foreign national, in the form of contributions made in the name of another.

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Factual and Legal Analysis

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Complainant submitted a one page complaint accompanied by several newspaper articles concerning the allegations. The subject of the complaint are alleged contributions made by an unnamed foreign national (or the Government of the Philippines) to the following: the 1980 Presidential campaign of Ronald Reagan ("Reagan-Bush"), the 1980 Presidential campaign of Jimmy Carter ("Carter-Mondale"), United States Senator Alan Cranston and the Democratic National Committee ("DNC"). Complainant alleges that these contributions may have been made "in the name of another" and also may have been made in "excess of the federally imposed limits from these sources."

The two newspaper articles submitted with the complaint provide more details as to the circumstances surrounding the complaint's allegations. According to the articles, a document brought to this country by former President Ferdinand Marcos of the Philippines purportedly shows that contributions were made to the following candidates in the following amounts: Jimmy Carter - \$51,500, Ronald Reagan - \$50,000, and Alan Cranston - \$10,000. The contributions were supposedly made through the Mabuhay Corporation of California, whose director at the time was Dr. Leonilo Malabed, a boyhood friend of Marcos'.

Notification of complaint letters were mailed to the alleged recipients of these contributions and to Dr. Leonilo Malabed. 1/

1/ Letters were also sent to Ferdinand Marcos in Hawaii and to the Embassy of the Philippines, as a representative of the Philippine Government. The Marcos letter was not responded to nor was it returned undelivered. The Embassy responded through the United States Department of State.

All of these parties responded in writing.

The Reagan-Bush response requests that the Commission take no action on this matter, since the complaint has no basis to support the allegations, inasmuch as it lacks any evidence that the contributions were ever made.

The Carter-Mondale response denied knowingly receiving either contributions from foreign nationals or contributions made in the name of another.

Senator Cranston's response denies having ever received a campaign contribution from Ferdinand Marcos or any of Marcos' agents or from the Philippine government. Cranston admits that in 1980 his Senate campaign received \$500 from Dr. Malabed, but states that he had no reason to connect this with Marcos or the Philippine Government.

The DNC's response denies any violation with regard to complainant's allegations. The DNC admits receiving a contribution from Leonilo Malabed in the amount of \$4125, but states that the contribution appeared on its face "to be a legal contribution from a resident of California, and the DNC properly reported it as such." The DNC states that the complaint contains insufficient evidence to support its allegations, and that the DNC did not knowingly accept an illegal contribution of funds obtained by Mr. Malabed from prohibited sources.

In Malabed's response, he claims to not be "aware of any foreign (Philippine) sources of money contributed to politicians through me or any corporation under my control or ownership."

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The prohibition on contributions by foreign nationals is contained at 2 U.S.C. § 441e:

It shall be unlawful for a foreign national directly or through any other person to make any contribution of money or other thing of value... in connection with an election to any political office;... or for any person to solicit, accept, or receive any such contribution from a foreign national.

The term "foreign national" is defined by 2 U.S.C. § 441e(b)(1) to mean a "foreign principal" as this term is defined specifically by 22 U.S.C. § 611(b). Section 611(b) defines a "foreign principal" as including:

- (1) a government of a foreign country and a foreign political party.
- (2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business in the United States, and
- (3) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business is a foreign country.

The prohibition on making contributions in the name of another is contained at 2 U.S.C. § 441f:

No person shall knowingly make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

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Recipients

The evidence supporting complainant's allegations is limited at this stage of the matter. An examination of committee records on file with the Commission fails to disclose any direct contributions by Ferdinand Marcos (or for that matter, the Government of the Philippines) to any of the alleged recipients named in the complaint. Mr. Malabed made several contributions with regard to the 1980 elections, as follows:

<u>Recipient</u>	<u>Amount</u>	<u>Election</u>
Carter-Mondale	\$125	1980 Primary
Carter-Mondale	875	1980 Primary
DNC	4125	1980 Primary

The reports also indicate that a Mrs. Malabed made the following contributions: 2/

<u>Recipient</u>	<u>Amount <u>3/</u></u>	<u>Election</u>
Carter-Mondale	\$500	1980 Primary
Carter-Mondale	625	1980 Primary
Carter-Mondale	300	1980 Primary

No evidence was submitted establishing a link between the contributions made by Malabed and any foreign national. The

2/ Mrs. Malabed was listed as "Mrs. Leonilo," "Mrs. Patrice" and "Mrs. L." with the same addresses as Leonilo Malabed.

3/ Although the aggregate amount contributed is \$1400, consistent with past Commission actions, the Office of General Counsel is recommending no action at this time on a possible 2 U.S.C. § 441a(a)(1)(A) violation.

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allegations are based on the existence of a document which purportedly shows intended contributions by Marcos. However, as each of the recipients expressly or implicitly contend, nothing from the face of the contributions received from Malabed indicates that they were made in the name of another or had originated from foreign sources. Both 2 U.S.C. § 441e and § 441f require knowing acceptance of these prohibited contributions, yet complainant supplies no evidence to establish that the recipients had any knowledge that the source of the contributions may have been someone other than whose name appeared on the checks.

With respect to each of the responses submitted by the recipients, the arguments made go to the sufficiency of the evidence submitted with the complaint. Counsel for Reagan-Bush contends that since the complaint supplies no evidence that the particular contributions were ever made, there is no basis for making a reason to believe determination. Counsel for Carter-Mondale states that that Committee has no knowledge regarding any of the contributions referred to in the complaint.

Senator Cranston states that he has no knowledge of ever receiving a campaign contribution from Marcos or any of his agents or from the Philippine government. Senator Cranston admits receiving a \$500 contribution from Leonilo Malabed in 1980, but states that he does not know Malabed and had no reason to connect him with Marcos.

The DNC states that while it too received a contribution from Leonilo Malabed in 1980, the contribution appeared on its face to be a legal contribution from a resident of California and was properly reported as such.

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Because of the limited evidence submitted with the complaint regarding the recipients of the contributions at issue, the Office of General Counsel recommends that the Commission find no reason to believe that Reagan-Bush and Angela M. Buchanan Jackson, as treasurer, Carter-Mondale and S. Lee Kling, as treasurer, Senator Alan Cranston, and the Democratic National Committee and Sharon Pratt Dixon, as treasurer violated 2 U.S.C. § 441e and § 441f.

Contributors

The making of the contributions, by Ferdinand Marcos through a conduit, possibly either by Leonilo Malabed or by a corporation under his control, the Mabuhay Corporation, is purportedly evidenced by a document brought to the United States by Marcos and currently in the possession of the House Committee on Foreign Affairs, Subcommittee on Asian and Pacific Affairs. A copy of the document was received by the Commission. The document is labelled "Mabuhay Corporation Statement of Expenses" and dated February 15, 1982. It purports to show expenses of \$51,500 paid to Carter, \$50,000 paid to Reagan, and \$10,000 paid to Cranston. The document also contains a handwritten note, by an unidentified person, stating that the money was received from PNB ^{4/} for intelligence purposes. If the information contained in that document is correct, contributions were made by Marcos through the Mabuhay Corporation, with Leonilo Malabed serving as conduit as agent of the Mabuhay Corporation, then such activities

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^{4/} Possibly, the Philippine National Bank, according to news accounts attached to the complaint.

would violate 2 U.S.C. § 441e. Marcos, by virtue of his foreign citizenship, is a foreign national within the meaning of 2 U.S.C. § 441e. A foreign national may not through any person contribute to any election for political office. Additionally, if the actual contributions were made in the name of Mr. Malabed and others, this activity would violate 2 U.S.C. § 441f, which prohibits any person from allowing his name to be used for a contribution by another.

Ferdinand Marcos was notified of the complaint but failed to respond. 5/ Mr. Malabed responded to the complaint, stating in an unsworn response, that he is "not aware of any foreign (Philippines) sources of money contributed to politicians in this county through me or any corporation under my control or ownership." This denial was accompanied by what Mr. Malabed terms a list of his political contributions made from 1979 to 1983, on a document apparently filed with a San Francisco city official. However, the list is not an accurate disclosure record. This list includes the 1980 contribution by Malabed to the DNC, but reports the amount as \$5000, whereas both Commission and DNC records show the amount as \$4125. The list also fails to include any of the contributions previously cited as having been made in 1980 by Malabed to Carter-Mondale.

5/ Mr. Marcos' notification letter was mailed to him in Hawaii by regular first class mail. Although no response was received, the letter itself was not returned to the Commission, giving rise to the presumption of delivery of the mails.

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In light of these circumstances, the Office of General Counsel recommends that the Commission find reason to believe that Ferdinand Marcos violated 2 U.S.C. § 441e and § 441f and that Leonilo Malabed 6/ violated 2 U.S.C. § 441f. 7/ In addition, the Office of General Counsel recommends that the Commission authorize the sending of the attached letter to the Chairman of the House Sub-committee on Asian and Pacific Affairs requesting any information they may have.

Recommendations

The Office of General Counsel recommends that the Commission:

1. Find reason to believe that Ferdinand Marcos violated 2 U.S.C. § 441e and § 441f.
2. Find reason to believe that Leonilo Malabed violated 2 U.S.C. § 441f.
3. Find no reason to believe that Reagan-Bush and Angela M. Buchanan Jackson, as treasurer, violated 2 U.S.C. § 441e and § 441f.
4. Find no reason to believe that the Carter-Mondale Presidential Committee and S. Lee Kling, as treasurer, violated 2 U.S.C. § 441e and § 441f.
5. Find no reason to believe that Senator Alan Cranston violated 2 U.S.C. § 441e and § 441f.

6/ Because the Mabuhay Corporation was dissolved in 1982, the Office of General Counsel is recommending that this determination name Leonilo Malabed, who was agent for and director of the corporation, and who, it is alleged, may have actually made the contributions.

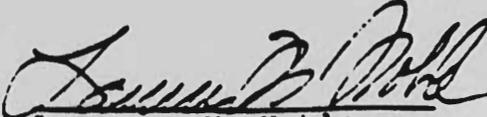
7/ The Office of General Counsel is making no recommendation with regard to the Government of the Philippines, since the newspaper articles specify Ferdinand Marcos as the contributor. Additionally, no recommendation is being made with regard to the excessive amount of the contribution, since the entire amount of the contributions is presumably prohibited by 2 U.S.C. § 441e and § 441f.

8 8 0 4 0 7 1 0 0 3 0

8. Approve the attached letters.

Charles N. Steele
General Counsel

June 16, 1956
Date

BY: 
Lawrence M. Noble
Deputy General Counsel

- Attachments
A. Responses
B. Letters

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President Corazon Aquino to investigate and bring legal action to retrieve property owned and/or controlled by Ferdinand Marcos in the United States. The chairman of the Presidential Commission on Good Government is Jovita Salonga.

2. As part of my official duties on behalf of the PCGG, I travelled to Washington, D.C. with Jovita Salonga in March of 1986, and was physically present when U.S. Under-Secretary of State for Political Affairs, Mr. Michael Armacost, physically delivered over 2,500 documents to Mr. Jovita Salonga. These documents provided to myself and Mr. Salonga were seized from Ferdinand Marcos by the U.S. Customs Service in Honolulu, Hawaii after Marcos fled to Hawaii from the Philippines following his removal from office by Corazon Aquino.

3. The originals of these documents are retained by the U.S. government.

4. I maintain in my office in New York a full set of copies of all the documents provided.

5. The attached document, Exhibit B, entitled "Mabuhay Corporation Statement of Expenses" (hereinafter "Mabuhay Statement") is a true and authentic copy one of the documents provided to Jovita Salonga and myself by Under-Secretary Armacost in my presence; it is maintained in our files in the New York City office of the PCGG.

6. The Mabuhay Statement is but one of hundreds of other similar documents in my possession which detail, itemize, and document the expenditure by Ferdinand Marcos and others for the

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purchase of real estate, transfer of funds, expenditures of monies, establishment of accounts, etc., in the United States.

7. For over 20 years I was I a military intelligence officer in the Armed Forces of the Philippines and conducted extensive military intelligence services on behalf of that government abroad. I received training from the United States Central Intelligence Agency. I worked on foreign assignments on behalf of the Philippine military. In the course of these duties and since then, I have investigated, researched and studied Philippine intelligence activities and agencies abroad, including those in the United States. I am personally familiar with the Philippine intelligence operation abroad, including its major agencies, means of operations, methods of gathering intelligence, and use of "covers" and funding sources to accomplish its missions and tasks.

8. I left the Armed Forces of the Philippines in the mid-seventies and came to the United States. Since that time, I have studied, researched and investigated the role of Philippine intelligence agencies in the United States and, in particular, their activities on behalf of the Marcos regime to monitor and operate against the anti-Marcos opposition in the United States from the period of the mid-seventies through the present. I have written papers and reports on Marcos intelligence operatives, and have provided their names, military history, duties and activities to the present government of Cory Aquino. Since being appointed U.S.

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representative to the PCGG, I have had access to the documents of the Armed Forces of the Philippines, the National Intelligence and Security Authority (NISA), and other intelligence agencies. I have further had conversations with leading officers of the Philippine military establishment, including General Fidel Ramos, regarding the presence and operations and funding sources of the Marcos intelligence apparatus in the United States. I have a first name familiarity with the names of Marcos intelligence agents in the U.S., including during the time period 1978 through 1986.

9. The major focus of our investigation of Marcos' financial and real estate holdings in the United States are the financial activities of Dr. Leonilo Malabed of San Francisco, California.

10. I have studied the the Mabuhay Statement carefully. It is a statement of expenses which itemizes expenditures for a part of the Marcos intelligence operations in the United States. To further explain the document for the court, the handwritten statement at the bottom reflects the withdrawal of \$1,000,000 from the "PNB" -- Philippine National Bank for "intelligence purposes". The Philippine National Bank, whose headquarters is in Manila, operates offices in the United States, including California. The handwritten note further indicates that the withdrawal of this \$1,000,000 was under the "authority of the Chief of Staff. This refers to Chief of Staff General Ver, who headed up the Armed Forces of the Philippines Intelligence Section, the National Intelligence and Security

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Authority, and the Presidential Security Command (PSC). Each of these agencies conducted intelligence operations in the United States for the last 15 years. These operations included collecting information about the anti-Marcos opposition, including such organizations as the Union of Democratic Filipinos (KDP), the Coalition Against a Marcos Dictatorship (CAMD), and the Movement for A Free Philippines, amongst others. Each of these organizations conducted activities, had meetings and conferences and engaged in anti-Marcos protests in the Bay Area and in California.

11. It was a routine and normal intelligence procedure for General Ver to authorize the expenditure of funds for intelligence activities in the United States, including for "special security projects".

12. The PSC-CG referred to in the Mabuhay Statement refers to the Presidential Security Command -- Commanding General, again General Ver. The statement "advances to CG" indicates the funds were used on behalf of the CG -- again General Fabian Ver, for special security projects. This phrase refers to, amongst other things, intelligence operations, including operations against the anti-Marcos opposition in the U.S.

13. Based on my former position as a Philippine military intelligence officer, my studies and research of Philippine intelligence in the U.S., my duties and responsibilities in my current position, my review of documents of the present Philippine military,

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and of the documents brought by Ferdinand Marcos to the U.S. and provided to myself by the U.S. State Department, I am of the following opinions:

a. The expenditures listed as "special security projects" in the Mabuhay Statement were payments made by or through the Mabuhay Corporation and were part of the funding sources for Marcos intelligence activities against the anti-Marcos opposition movement in the U.S.

b. That the use of the Mabuhay Corporation was to provide a suitable cover in order to avoid detection of the true source of the funds for such intelligence purposes, i.e., the former government of the Philippines under Ferdinand Marcos and General Ver. That the use of such a cover is a routine intelligence device, utilized by all intelligence services including the Philippines.

c. I am firmly of the opinion that the "special security projects" were undertaken on behalf of Ferdinand Marcos, General Ver, and were used, in part, to counter the influence of anti-Marcos opposition in the U.S. to monitor and operate against them and for his other propaganda and political purposes.

d. That the Mabuhay Statement is exactly what it purports to be; such corporation was used by Dr. Malabed as a cover and as a conduit for intelligence operations and funds in the United States.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

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EXECUTED ON THIS _____ day of _____, 1986, at Wash. D.C.

MAY 22 1986

CONSULATE GENERAL OF THE PHILIPPINES
255 FIFTH AVENUE
NEW YORK, N.Y. 10017

Bonifacio Gillego
BONIFACIO GILLEGO

Consulate General of the Philippines
New York, N.Y., U.S.A.

MAY 22 1986

SUBSCRIBED AND SWORN to before me this _____ day
of _____ 19 _____ in the City of New York, N.Y., U.S.A.

Ariston E. Barsana
ARISTON E. BARSANA
Consul



DOC. NO. 7310
BN. NO. GRATIS
SERIES OF 1986
~~FEES~~

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ENDORSED
FILED

In the office of the Secretary of State
of the State of California

NOV 9 1978

MARION FURU EU, Secretary of State

Phyllis E. Blaggi
Deputy

ARTICLES OF INCORPORATION
OF
MABUHAY CORPORATION

ONE: The name of this corporation is
MABUHAY CORPORATION.

TWO: The purpose of this corporation is to engage in
any lawful act or activity for which a corporation may be
organized under the General Corporation Law of California
other than the banking business, the trust company business,
or the practice of a profession permitted to be incorporated
by the California Corporations Code.

THREE: The name and address in this state of this corpora-
tion's initial agent for service of process is:

DANIEL F. REIDY, Esquire
703 Market Street, Suite 1506
San Francisco, California 94103.

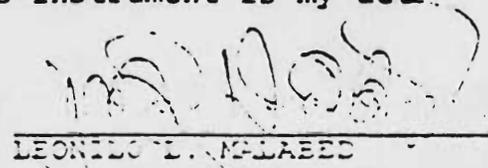
FOUR: This corporation is authorized to issue One
Hundred (100) shares, all of the same class, designated
"Common Shares."

Dated: November 6, 1978.



LEONILO L. MALABED
Incorporator

I declare that I am the person who executed the above
Articles of Incorporation, and this instrument is my act
and deed.


LEONILO L. MALABED

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MINUTES OF ACTION OF INCORPORATOR
TAKEN WITHOUT A MEETING BY WRITTEN CONSENT

The following action is taken by the incorporator of MABUHAY CORPORATION, a California corporation, by written consent, without a meeting, on November 27, 1978 under sections 210 and 307(c) of the General Corporation Law of the State of California.

The following resolutions are adopted:

RESOLVED that LEONILO MALABED shall enter into an agreement whereby MABUHAY CORPORATION agrees to purchase radio broadcast station KJAZ of Alameda, California for One Million Six Hundred and Seventy-Five Thousand Dollars (\$1,675,000.00), subject to appropriate conditions.

RESOLVED that LEONILO MALABED shall loan MABUHAY CORPORATION the sum of Twenty Five Thousand Dollars (\$25,000.00) as an earnest money deposit for the KJAZ agreement.

RESOLVED that DANIEL REIDY shall coordinate the preparation of an application to the Federal Communications Commission whereby MABUHAY CORPORATION could receive FCC approval for the assignment of the KJAZ license.

The undersigned, the incorporator of this corporation, consents to the foregoing action.

Dated: November 27, 1978

LEONILO MALABED
Incorporator of MABUHAY CORPORATION

FYHIRIT B

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STATE OF CALIFORNIA STATEMENT BY DOMESTIC STOCK CORPORATION

THIS STATEMENT MUST BE FILED WITH CALIFORNIA SECRETARY OF STATE (SEC 1502 CORPORATIONS CODE)

PLEASE READ INSTRUCTIONS ON BACK OF FORM

CORPORATION NAMED HEREIN, ORGANIZED UNDER THE LAWS OF THE STATE OF CALIFORNIA,
MAKES THE FOLLOWING STATEMENT:

1 STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 145 Mountain Spring Avenue <small>(DO NOT USE P.O. BOX NO.)</small>	SUITE OR ROOM 1A	CITY & STATE San Francisco, CA	ZIP CODE 94114
2 STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIF. (IF ANY) Same <small>(DO NOT USE P.O. BOX NO.)</small>	SUITE OR ROOM 2A	CITY CALIF.	ZIP CODE
MAILING ADDRESS (OPTIONAL)	SUITE OR ROOM 3A	CITY & STATE	ZIP CODE

NAMES OF THE FOLLOWING OFFICERS ARE:

L Leonilo Malabed CHIEF EXECUTIVE OFFICER	4A 145 Mountain Spring Ave	5B San Francisco CA	6C 94114 ZIP CODE
S Daniel F. Reidy SECRETARY	5A 703 Market, Suite 1506 <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	5B San Francisco, CA <small>CITY & STATE</small>	5C 94103 ZIP CODE
B Demetrio Jayme CHIEF FINANCIAL OFFICER	6A 100 California, #1060 <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	6B San Francisco, CA <small>CITY & STATE</small>	6C 94111 ZIP CODE

PRESENTLY AUTHORIZED NUMBER OF DIRECTORS, INCLUDING VACANCIES

NAMES AND COMPLETE BUSINESS OR RESIDENCE ADDRESS OF INCUMBENT DIRECTORS INCLUDING THOSE DIRECTORS WHO ARE ALSO OFFICERS (Attach a supplemental list of directors if needed)

A Leonilo Malabed	145 Mountain Spring <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	San Francisco, CA <small>CITY & STATE</small>	94114 ZIP CODE
E Romeo Esperanza	717 Edge Lane <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	Los Altos, CA <small>CITY & STATE</small>	94022 ZIP CODE
C Rev. Fred Al. Bitanga	756 Mission Street <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	San Francisco, CA <small>CITY & STATE</small>	94103 ZIP CODE
D Demetrio Jayme	100 California, # 1060 <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	San Francisco, CA <small>CITY & STATE</small>	94111 ZIP CODE
F Zoilo R. Inacay	565 Junipero Serra Blvd <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	San Francisco, CA <small>CITY & STATE</small>	94127 ZIP CODE

AGENT FOR SERVICE OF PROCESS **Daniel F. Reidy, Attorney at Law,**
703 Market Street, Suite 1506, San Francisco, CA 94103

Business or residence address if an individual; DO NOT ADDRESS IF AGENT IS A CORPORATION

EXPLANATION MUST BE BRIEF:

TYPE OF BUSINESS: **Purchase and operate a radio station**

I DECLARE THAT I HAVE EXAMINED THIS STATEMENT AND TO THE BEST OF MY KNOWLEDGE AND BELIEF IT IS TRUE, CORRECT, AND COMPLETE

02/05/79 DATE **Secretary** TITLE **Daniel F. Reidy** SIGNATURE OF CORPORATE OFFICER OR AGENT

FEE FOR FILING THIS STATEMENT - \$5.00

9023730 DUE DATE 02/07/79 354

MABUHAY CORPORATION
X DANIEL REIDY
703 MARKET ST STE 1506
SAN FRANCISCO, CA 94103

PLEASE DO NOT ALTER THE PREPRINTED CORPORATE NAME AND ADDRESS

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E

LABUNAY CORPORATION
(Malabed, Dr. Leonilo L.)

One

WE AGREE WITH PHILIPPINE BANK OF CALIFORNIA AS TO THE TERMS AND CONDITIONS SET FORTH BELOW

1 SIGNATURE *[Signature]* SOCIAL SECURITY NO. 563-66-0849
 2 SIGNATURE

TYPE OF ACCOUNT	ACCOUNT NUMBER	DATE OPENED	INITIAL DEP.	OPENED BY	DATE CANCELED
CHECKING <input checked="" type="checkbox"/> REG <input checked="" type="checkbox"/> SPEC	01-100-084-30	7-7-77	\$200.00	JG	
REGULAR SAVINGS	01-100-084-30				

ACCOUNT CLOSED

With respect to each account opened at the time of signing this signature card, and with respect to each account opened subsequently in person, upon telephonic, or written request, each account will have the same account title indicated above and each depositor agrees to the terms of this signature card the Rules of the Philippine Bank of California and its accounts - Philippine Bank of California (Bank) in effect, all amendments or additions thereto, all applicable laws and regulations, and the practices of the Bank in effect from time to time. If more than one signature appears above, all sums in each account shall be owned as joint tenants with right of survivorship, subject to the check, order or receipt signed by either or both, except that in the event of conflicting demands the Bank may require the signature of both of the above.

Each depositor agrees that each account opened with Bank shall be subject to the right of setoff for the liabilities to Bank of any such depositor to the extent legally permissible, and ACKNOWLEDGES RECEIPT OF A COPY OF BANK'S RULES FOR PERSONAL CHECKING ACCOUNTS & REGULAR SAVINGS ACCOUNTS

THE BANK IS AUTHORIZED TO
 MAIL ALL STATEMENTS AND VOUCHERS HOLD ALL STATEMENTS AND VOUCHERS UNTIL CALLED FOR

ACCOUNT CLOSED

AUTHORIZATION TO TRANSFER FUNDS

THE BANK IS AUTHORIZED TO CHARGE THE CHECKING ACCOUNT SHOWN ABOVE AND CREDIT AS FOLLOWS

ACCOUNT OR LOAN NO.	TYPE ACC.	AMOUNT	FREQUENCY	AUTH. DATE	DATE CANCELED

MS-178 679

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F

STATE OF CALIFORNIA
STATE BANKING DEPARTMENT

I, PATRICK CARROLL, Staff Services Analyst of the State Banking Department, do hereby certify that the attached documents are true and correct copies of documents on file with this Department.

Dated: June 3, 1986



LOUIS CARTER
Superintendent of Banks

By

Patrick C. Carroll
PATRICK C. CARROLL
Staff Services Analyst

88040710047

APPLICATION FOR AUTHORITY TO ORGANIZE BANK

To: Superintendent of Banks

Date: March 3, 1976

The following persons:

Name: Juan Ponce Enrile *Juan Ponce Enrile*
 Address: Philippine National Bank, PNB Bldg. Escolta, Manila, Philippines

Business or Occupation: Chairman of the Board, Philippine National Bank
 Name: Leonides Virata *Leonides Virata*
 Address: Development Bank of the Philippines, DBP Bldg. Buendia, Makati, Rizal, Philippines

Business or Occupation: Chairman of the Board, Development Bank of the Philippines
 Name: Roman Cruz, Jr. *Roman Cruz, Jr.*
 Address: Government Service Insurance System, GSIS Bldg. Aroceros, Manila, Philippines

Business or Occupation: General Manager, Government Service Insurance System
 Name: Gilberto Teodoro *Gilberto Teodoro*
 Address: Social Security System, SSS Bldg. East Avenue, Quezon City, Philippines

Business or Occupation: Administrator, Social Security System
 Name: Basilio Estanislao *Basilio Estanislao*
 Address: Land Bank of the Philippines, B. F. Condominium Aduana, Manila, Philippines

Business or Occupation: President, Land Bank of the Philippines
 (If additional space is required, continue on attached sheet)

hereby apply for authority to organize and establish a corporation under the laws of the State of California to engage in commercial banking business trust business
 (Check one or both)

at Vicinity of Montgomery and Sacramento Streets
 (Street address or vicinity)

San Francisco City, San Francisco County
 (City) (County)

under the name PHILIPPINE BANK OF CALIFORNIA

with total capitalization of \$5,000,000.00

The person authorized to represent the applicants in connection with this application is:

Name: Reynaldo C. Santos Telephone: (415) 433-2151

Address: 235 Montgomery St., San Francisco, California 94104

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Philippine Bank of California

Incorporated March 7, 1977

455 Montgomery St., San Francisco 94104

Tel (415) 981-9070

Principal Officers: A. F. Samaravara, Executive Vice President; G. F. Powers, Senior Vice President; Frank Chang, Cashier.

Directors: A. F. Samaravara, Frank Chang, Roman Cruz, Jr., Juan Pineda Lopez, Benito Llaneta, Zolio R. Llaneta, Ramon S. Japin, Leonido Malabed, Placido L. Mapa, Jr., G. F. Powers, Guillermo Tardona.

STATEMENT OF CONDITION, as of June 30, 1977

(In thousands of dollars)

ASSETS

Cash and due from banks	4,337
U.S. Treasury securities	903
Trading accounts receivable	494
Federal funds sold, etc.	434
Loans (including unearned income)	3,760
LESS Reserve for possible loan losses	
Loans (net)	3,700
Real property, furniture and fixtures	313
Other assets	75
Total Assets	10,046

LIABILITIES

Demand deposits (DPC)	131
Time and savings deposits (DPC)	346
Deposits of U.S. Government	2
Deposits of foreign governments	2,000
Deposits of commercial banks	2,273
Certificates and other deposits	50
Total Domestic Deposits	4,711
Unearned income	465
Time and savings deposits	4,246
Total Domestic and Foreign Deposits	4,711
Other liabilities	13
Total Liabilities	4,724

EQUITY CAPITAL

Common stock	3,575
Surplus	1,778
Unearned profits	-31
Total Capital Accounts	5,322
Total Liabilities and Capital Accounts	10,046

Parent company owned in equal amounts by the following Philippine Government Agencies: Development Bank of the Philippines, Government Service Insurance System, Land Bank of the Philippines, Philippine National Bank, and Social Security System.

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1, 1976

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HEAD OFFICE
ESCOLTA, MANILA
PHILIPPINES

PHILIPPINE NATIONAL BANK
OFFICIAL DEPOSITORY OF THE REPUBLIC OF THE PHILIPPINES

PLACIDO L. MAPA, JR.
PRESIDENT

March 25, 1983

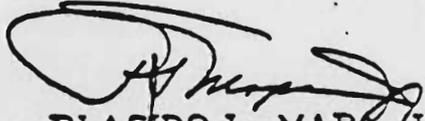
MEMORANDUM for -

President Ferdinand E. Marcos

Subject: PHILIPPINE INTELLIGENCE FUND

May I request your approval to charge temporarily against Accounts Receivable (Office of the President) the unliquidated advances from our New York Branch totalling US\$9,805,371.98.

~~Disposition of the receivable will subsequently be made from the Philippine Intelligence Fund to be provided out of PNE profits when the income on profit position of PNE can absorb it.~~


PLACIDO L. MAPA, JR.

ATTACHMENT G

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H

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3

4	ESTATE OF SILME G. DOMINGO,)	CASE NO. Misc. 17745
5	et al.,	)	(RELATED CASE NO. C82-1055V,
		)	U.S.D.C., W.D. Washington)
	Plaintiffs,)	
6		)	DECLARATION OF PACIANO F.
7	vs.	)	DIZON IN RESPONSE TO SUBPOENA
8	REPUBLIC OF THE PHILIPPINES,	)	DUCES TECUM SERVED UPON THE
9	et al.,	)	PHILIPPINE NATIONAL BANK, LOS
		)	ANGELES BRANCH
)	

10 I, Paciano F. Dizon, declare:

11 1. I am Assistant Manager of the Los Angeles Branch
12 of the Philippine National Bank ("PNB/LA") and I have authority
13 to certify the records produced herewith. I make the
14 statements in the following paragraphs based on my present
15 knowledge, information and belief.

16 2. PNB/LA is licensed by the State of California as
17 a wholesale branch office and is the successor to the
18 Philippine National Bank San Francisco Agency ("PNB/SF"). In
19 March, 1981, PNB/SF moved its offices to Los Angeles, and in
20 May, 1982, converted such offices from an agency to a branch
21 office.

22 3. The documents attached hereto as Exhibits A, B, C
23 and D are true copies of all of the records of PNB/LA and
24 PNB/SF described in the attachment to the subpoena duces tecum,
25 dated July 18, 1986 served upon PNB/LA on or about July 22,
26 1986.

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1 4. Such documents as were prepared by PPNB/LA and/or
2 PNB/SF were prepared by its personnel in the ordinary course of
3 PNB/LA's or PNB/SF's business at or near the time of the act,
4 condition or event.

5 5. Such documents constitute all documents
6 responsive to the subpoena duces tecum served upon PNB/LA which
7 were found by PNB/LA as a result of a diligent and
8 comprehensive search of its records and of its files and of all
9 of the records and files of PNB/SF which it has in its
10 possession, custody or control.

11 6. Exhibit A consists of three pages. On the top of
12 the first page is a copy of an entry form used by PNB/SF used
13 for internal accounting purposes which describes a payment made
14 by PNB/SF to Dr. Leonilo Malabed in the amount of \$150,000.00
15 by the issuance of a check drawn on PNB/SF's account with
16 Lloyds Bank of California. At the bottom of the first page of
17 Exhibit A is a copy of the check issued by PNB/SF to Dr.
18 Malabed in the amount of \$150,000.00. This copy of the check
19 serves as PNB/SF's credit ticket on the transaction.

20 The second page of Exhibit A is a copy of both
21 sides of the cancelled check in the amount of \$150,000.00
22 issued by PNB/SF payable to the order of Dr. Malabed.

23 The third page of Exhibit A is a copy of a telex
24 received by PNB/SF from PNB's Head Office in Manila advising
25 that instructions had been received by PNB's Head Office from
26 Dr. Malabed or someone acting on his behalf to issue a check in
27 the amount of \$150,000.00 payable to Dr. Malabed by PNB/SF in
28 U.S. dollars.

88040710055

1 7. Exhibit B consists of two pages. On the top of
2 the first page is a copy of an entry form used by PNB/SF used
3 for internal accounting purposes which describes a payment made
4 by PNB/SF to Dr. Leonilo Malabed in the amount of \$40,000.00 by
5 the issuance of a check drawn on PNB/SF's account with Lloyds
6 Bank of California pursuant to cable received from PNB/SF's
7 Head Office in Manila by order of Dr. Malabed or persons acting
8 on his behalf. At the bottom of the first page of Exhibit B is
9 a copy of the check issued by PNB/SF to Dr. Malabed in the
10 amount of \$40,000.00. This copy of the check serves as
11 PNB/SF's credit ticket on the transaction. The second page of
12 Exhibit B is a copy of both sides of the cancelled check in the
13 amount of \$40,000.00 issued by PNB/SF payable to the order of
14 Dr. Malabed.

15 8. Exhibit C consists of two pages. On the top of
16 the first page is a copy of an entry form used by PNB/SF used
17 for internal accounting purposes which describes a payment made
18 by PNB/SF to Conrado Rubio, Jr. in the amount of \$5,000.00 by
19 the issuance of a check drawn on PNB/SF's account with Lloyds
20 Bank of California pursuant to cable received from PNB/SF's
21 Head Office in Manila by order of Mr. Rubio or persons acting
22 on his behalf. At the bottom of the first page of Exhibit C is
23 a copy of the check issued by PNB/SF to Mr. Rubio in the amount
24 of \$5,000.00. This copy of the check serves as PNB/SF's credit
25 ticket on the transaction. The second page of Exhibit C is a
26 copy of both sides of the cancelled check in the amount of
27 \$5,000.00 issued by PNB/SF payable to the order of Mr. Rubio.

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88040710057

1 9. Exhibit D consists of two pages. The first page
2 of Exhibit D is a credit ticket which is an entry form used for
3 internal accounting purposes by PNB/LA which describes a
4 \$10,000.00 disbursement which was made pursuant to instructions
5 from PNB's Head Office in Manila. The bottom of the first page
6 of Exhibit D consists of a debit ticket which is an entry form
7 used by PNB/LA for internal accounting purposes that describes
8 a debit for a \$10,000.00 disbursement made pursuant to
9 instructions from PNB in Manila's Head Office which payment was
10 made against PNB/LA's account with the Philippine Bank of
11 California.

12 The second page of Exhibit D is a "Debit Advice
13 Form" which I am informed and believe was issued by the
14 Philippine Bank of California and was sent to PNB/LA indicating
15 that the Philippine Bank of California charged PNB/LA's account
16 with the Philippine Bank of California pursuant to PNB/LA's
17 instructions which were received from PNB/LA's home office in
18 Manila, and that pursuant to those instructions a \$10,000.00
19 payment was made to Mr. Lito Gorespe. I am informed and
20 believe that Mr. Buenaventura referred to on the second page of
21 Exhibit D was an officer of Philippine Bank of California. Ms.
22 Amy Gella referred on the second page of Exhibit D was an
23 Assistant Agent of PNB/LA as of the date of this document.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed this 10th day of September, 1986 at Los Angeles, California.

Paciano F. Dizon

PACIANO F. DIZON

88040710058

We charge your account for the pay. of described below.

PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY

235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

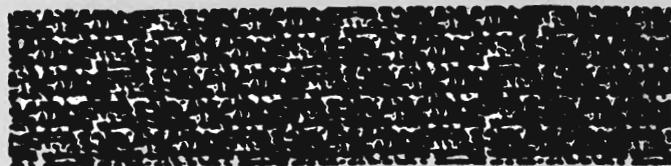
PO No 2646

DATE

DEBIT TICKET

d by our check No.

AMOUNT	
FOREIGN	U.S. DOLLARS
DATE	



PAID TO

PHILIPINE NATIONAL BANK

<input type="checkbox"/> CABLE	DATED	NUMBER
<input type="checkbox"/> MAIL TRANSFER		

BY ORDER OF

REMARKS

88040710059

DEBIT THE ACCOUNT OF:

DUE TO DUE FROM

COL-2 (8-66)

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

CREDIT
DEPOSITS WITH LOCAL BANKS
LOYDS BANK CALIFORNIA

PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 16820

25. 21 19 75

\$ 100,000.00

PAY _____ DOLLARS

CHECK TO ORDER OF

MR. LEONILLO DELANO
145 Mountain Spring Avenue
San Francisco, Ca. 94114

FOR ACCOUNT OF

ATTACHMENT H



PHILIPPINE NATIONAL BANK
 SAN FRANCISCO AGENCY
 238 MONTGOMERY STREET
 SAN FRANCISCO, CALIFORNIA 94104

MULTINATIONAL DIVISION
 LAOYEN BANK CALIFORNIA
 SAN FRANCISCO, CALIFORNIA

No 16820

JAN. 31 1979

\$150,000.00

11-40/1210

PAY P. N. B. 1500000 DOLLARS

TO THE ORDER OF

DR. LEONILLO MALABED
 145 Mountain Spring Avenue
 San Francisco, Ca. 94114



AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

⑈016820⑈ ⑆121000400⑆ 5522⑈12545⑈

⑈0015000000⑈

88040710060

Handwritten notes and signatures

FEB 2

06221

11-85
 UNION
 BANK, P. O.
 SAN FRANCISCO, CALIF.
 11-1

61-2-11

FEB 2

MSG-2

6/31

ADVISE PAY

DR. LEONILDO MALABED

145 MOUNTAIN SPRING AVENUE

SAN FRANCISCO, CALIF. 94114

USDLRS 150,000.00

ORDER HIMSELF.

DOMREN - INTL

88040710061

THE PAYMENT DESCRIBED BELOW

CHECK

SAN FRANCISCO AGENCY

235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

PO No 2652

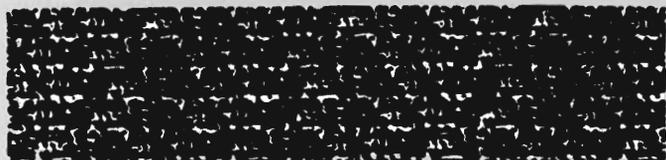
DATE

2-12-79

aid by our check No.

11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88, 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105, 106, 107, 108, 109, 110, 111, 112, 113, 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, 137, 138, 139, 140, 141, 142, 143, 144, 145, 146, 147, 148, 149, 150, 151, 152, 153, 154, 155, 156, 157, 158, 159, 160, 161, 162, 163, 164, 165, 166, 167, 168, 169, 170, 171, 172, 173, 174, 175, 176, 177, 178, 179, 180, 181, 182, 183, 184, 185, 186, 187, 188, 189, 190, 191, 192, 193, 194, 195, 196, 197, 198, 199, 200, 201, 202, 203, 204, 205, 206, 207, 208, 209, 210, 211, 212, 213, 214, 215, 216, 217, 218, 219, 220, 221, 222, 223, 224, 225, 226, 227, 228, 229, 230, 231, 232, 233, 234, 235, 236, 237, 238, 239, 240, 241, 242, 243, 244, 245, 246, 247, 248, 249, 250, 251, 252, 253, 254, 255, 256, 257, 258, 259, 260, 261, 262, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, 278, 279, 280, 281, 282, 283, 284, 285, 286, 287, 288, 289, 290, 291, 292, 293, 294, 295, 296, 297, 298, 299, 300, 301, 302, 303, 304, 305, 306, 307, 308, 309, 310, 311, 312, 313, 314, 315, 316, 317, 318, 319, 320, 321, 322, 323, 324, 325, 326, 327, 328, 329, 330, 331, 332, 333, 334, 335, 336, 337, 338, 339, 340, 341, 342, 343, 344, 345, 346, 347, 348, 349, 350, 351, 352, 353, 354, 355, 356, 357, 358, 359, 360, 361, 362, 363, 364, 365, 366, 367, 368, 369, 370, 371, 372, 373, 374, 375, 376, 377, 378, 379, 380, 381, 382, 383, 384, 385, 386, 387, 388, 389, 390, 391, 392, 393, 394, 395, 396, 397, 398, 399, 400, 401, 402, 403, 404, 405, 406, 407, 408, 409, 410, 411, 412, 413, 414, 415, 416, 417, 418, 419, 420, 421, 422, 423, 424, 425, 426, 427, 428, 429, 430, 431, 432, 433, 434, 435, 436, 437, 438, 439, 440, 441, 442, 443, 444, 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, 463, 464, 465, 466, 467, 468, 469, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 485, 486, 487, 488, 489, 490, 491, 492, 493, 494, 495, 496, 497, 498, 499, 500, 501, 502, 503, 504, 505, 506, 507, 508, 509, 510, 511, 512, 513, 514, 515, 516, 517, 518, 519, 520, 521, 522, 523, 524, 525, 526, 527, 528, 529, 530, 531, 532, 533, 534, 535, 536, 537, 538, 539, 540, 541, 542, 543, 544, 545, 546, 547, 548, 549, 550, 551, 552, 553, 554, 555, 556, 557, 558, 559, 560, 561, 562, 563, 564, 565, 566, 567, 568, 569, 570, 571, 572, 573, 574, 575, 576, 577, 578, 579, 580, 581, 582, 583, 584, 585, 586, 587, 588, 589, 590, 591, 592, 593, 594, 595, 596, 597, 598, 599, 600, 601, 602, 603, 604, 605, 606, 607, 608, 609, 610, 611, 612, 613, 614, 615, 616, 617, 618, 619, 620, 621, 622, 623, 624, 625, 626, 627, 628, 629, 630, 631, 632, 633, 634, 635, 636, 637, 638, 639, 640, 641, 642, 643, 644, 645, 646, 647, 648, 649, 650, 651, 652, 653, 654, 655, 656, 657, 658, 659, 660, 661, 662, 663, 664, 665, 666, 667, 668, 669, 670, 671, 672, 673, 674, 675, 676, 677, 678, 679, 680, 681, 682, 683, 684, 685, 686, 687, 688, 689, 690, 691, 692, 693, 694, 695, 696, 697, 698, 699, 700, 701, 702, 703, 704, 705, 706, 707, 708, 709, 710, 711, 712, 713, 714, 715, 716, 717, 718, 719, 720, 721, 722, 723, 724, 725, 726, 727, 728, 729, 730, 731, 732, 733, 734, 735, 736, 737, 738, 739, 740, 741, 742, 743, 744, 745, 746, 747, 748, 749, 750, 751, 752, 753, 754, 755, 756, 757, 758, 759, 760, 761, 762, 763, 764, 765, 766, 767, 768, 769, 770, 771, 772, 773, 774, 775, 776, 777, 778, 779, 780, 781, 782, 783, 784, 785, 786, 787, 788, 789, 790, 791, 792, 793, 794, 795, 796, 797, 798, 799, 800, 801, 802, 803, 804, 805, 806, 807, 808, 809, 810, 811, 812, 813, 814, 815, 816, 817, 818, 819, 820, 821, 822, 823, 824, 825, 826, 827, 828, 829, 830, 831, 832, 833, 834, 835, 836, 837, 838, 839, 840, 841, 842, 843, 844, 845, 846, 847, 848, 849, 850, 851, 852, 853, 854, 855, 856, 857, 858, 859, 860, 861, 862, 863, 864, 865, 866, 867, 868, 869, 870, 871, 872, 873, 874, 875, 876, 877, 878, 879, 880, 881, 882, 883, 884, 885, 886, 887, 888, 889, 890, 891, 892, 893, 894, 895, 896, 897, 898, 899, 900, 901, 902, 903, 904, 905, 906, 907, 908, 909, 910, 911, 912, 913, 914, 915, 916, 917, 918, 919, 920, 921, 922, 923, 924, 925, 926, 927, 928, 929, 930, 931, 932, 933, 934, 935, 936, 937, 938, 939, 940, 941, 942, 943, 944, 945, 946, 947, 948, 949, 950, 951, 952, 953, 954, 955, 956, 957, 958, 959, 960, 961, 962, 963, 964, 965, 966, 967, 968, 969, 970, 971, 972, 973, 974, 975, 976, 977, 978, 979, 980, 981, 982, 983, 984, 985, 986, 987, 988, 989, 990, 991, 992, 993, 994, 995, 996, 997, 998, 999, 1000

AMOUNT	
FOREIGN	U.S. DOLLARS
	17,000.00
DATE	



PAID TO ORDER OF
17,000.00
BY
SAN FRANCISCO AGENCY

<input type="checkbox"/> CABLE	DATED	NUMBER
<input type="checkbox"/> MAIL TRANSFER	2-12-79	

BY ORDER OF

DEBIT THE ACCOUNT OF:

Philippine National Bank
International Dept.
2301 St. Francis
Philippines 2600
Attn: Compt.

REMARKS

DUE TO DUE FROM

38040710052

COL-2 (9-66)

AUTHORIZED SIGNATURE

DEPOSITS WITH LOCAL BANKS
LLOYD'S BANK CALIFORNIA

PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 16934

PAY 17,000.00 DOLLARS

CHECK TO ORDER OF

DR. HENRIQUE RAMOS
DR. HENRIQUE RAMOS MD.
235 MONTGOMERY ST. 235

FOR ACCOUNT OF

ACCOUNT ~~NO~~ **16934**

PO No. 2652

ATTACHMENT H



PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

NATIONAL DIVISION
BANK OF CALIFORNIA
SAN FRANCISCO, CALIFORNIA

No 16934

19

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P. N. B. 400

PAID

PAY

DOLLARS

TO THE ORDER OF

SAN FRANCISCO, CALIF. 94104

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

⑆016934⑆ ⑆121000400⑆ 5522⑆12545⑆

⑆000400000⑆

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1979

BANK OF CALIFORNIA
SAN FRANCISCO

19 06 14 9 0 4

11 06
19 06 MARCH
SAN FRANCISCO, CALIF. 94104
11-1

19 13 79

1979

BANK OF CALIFORNIA
SAN FRANCISCO

1979

0 0 1

We charged your account for
the payment described below.

PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY
235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

PO No 2677

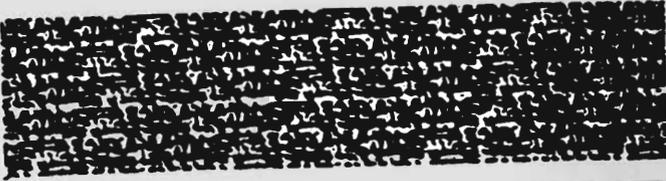
DEBIT TICKET

DATE _____

Paid by our check No.

Lloyds ck no 17617

AMOUNT	
FOREIGN	U.S. DOLLARS
DATE	



PAID TO

<input type="checkbox"/> CABLE	DATED	NUMBER
<input type="checkbox"/> MAIL TRANSFER	3-79	

BY ORDER OF _____

REMARKS _____

3040710054

DEBIT THE ACCOUNT OF

Philippine National Bank
Dubai Branch
Dubai, U.A.E.
Dubai, Philippines 3005

DUE TO

DUE FROM

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

COL-2 (10-69)

CREDIT
DEPOSITS WITH LOCAL BANKS
LLOYDS BANK CALIFORNIA

PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 17617

19 79

\$ ~~5000.00~~

PAY

5000.00

DOLLARS

CHECK TO ORDER OF

EMERSON BANK AND CO
OSCAR A. EMERSON JR.
For credits send to 684-4837

FOR ACCOUNT OF _____

ATTACHMENT H



PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY
288 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

REGULATED BY FEDERAL RESERVE BOARD
MEMBER OF THE FEDERAL RESERVE SYSTEM
SAN FRANCISCO, CALIFORNIA

No 17617

4-23 1979 \$ -5,000.00-

11-40/1310

P. N. B. 5000 DOLS 00

PAY _____ DOLLARS

TO THE ORDER OF
LLOYDS BANK ACCT OF
CONRADO A. NUNO JR.
for credit acct no 0661-10137



AUTHORIZED SIGNATURE
[Signature]
AUTHORIZED SIGNATURE
[Signature]

⑆019617⑆ : 210004001: 5522-12545⑆ ⑆000050000⑆

88040710065
For dep Alc No 0661-10137

CREDIT TO THE ACCOUNT OF
WITHIN NAMED PAYEE

Lack of Endorse 6-612345678970

Lloyd's Bank (California)

San Francisco, California

U.S. 08

CHECK DEPOSITED IN CURRENCY
Lloyd's Bank (California)

APR 23 1979

APR 23 79



PHILIPPINE NATIONAL BANK

LOS ANGELES AGENCY
LOS ANGELES CALIFORNIA 90017

CREDIT - DUE FROM LOCAL BANKS DEMAND (PBC)

5/13/81 19

AMOUNT U.S. DOLLARS

TEN THOUSAND ONLY

\$10,000.00

PREPARED BY
CHECKED BY
APPROVED BY

DISBURSEMENT PER H.O. INSTRUCTIONS.

88040710066

DEBIT H.O.

AUTHORIZED SIGNATURE



PHILIPPINE NATIONAL BANK

LOS ANGELES AGENCY
LOS ANGELES CALIFORNIA 90017

DEBIT \$ PEB, MANILA (ATED: 000)

5/13/81 19

AMOUNT U.S. DOLLARS

TEN THOUSAND ONLY

\$10,000.00

PREPARED BY
CHECKED BY
APPROVED BY

Handwritten signature

DISBURSEMENT PER H.O. INSTRUCTIONS.

CREDIT DUE FROM LOCAL BANKS DEMAND (PBC)

AUTHORIZED SIGNATURE

DEBIT ADVICE

PHILIPPINE BANK OF CALIFORNIA
425 MONTGOMERY STREET SAN FRANCISCO CALIFORNIA 94104

DATE May 13, 1981

DETAILS:

YOUR REF. #01103156-83

OUR NO.

VALUE DATE	AMOUNT DEBITED
5/13/81	\$10,000.00

Per telephone instructions with Mr. Buenaventura, from Ms. Amy Gella, we are debiting your account for the amount of \$10,000.00 dollars. Payable to Mr. Lito Gonsaga.

25:6V 81 MW 12

TO

Philippine National Bank L.A.

700 South Flower Street St. #2516

Los Angeles, Calif, 90017

WE HAVE DEBITED YOUR

ACCOUNT #01103156-83

CONTRA: ~~C/C~~ *CASH*

PREPARED BY:

APPROVED BY:

W. T. Howard
01103156#83

83040710067
83040710067

8 8 0 4 0 7 1 0 0 6 8

—

S.F. Doctor 'Duped' by Marcos

By Leslie Guevarra

The San Francisco doctor implicated in numerous investigations of Ferdinand Marcos' so-called "hidden wealth" was duped by Marcos officials into becoming the scapegoat for the probes, his attorney said yesterday.

In an exclusive interview with The Chronicle, attorney Patrick Hallinan said Dr. Leontio Malabed is being "victimized" because he was pressured to sign a document that falsely claims his now-defunct Mabuhay Corp. received \$1 million in Philippine intelligence funds to pay for covert operations in this country.

Malabed scrawled an unsigned handwritten message at the bottom of the document drafted four years ago to vouch for its authenticity after being told he was doing a favor for his boyhood friend, Marcos, Hallinan said.

"Dr. Malabed never received any intelligence money. ... He is completely innocent of any wrongdoing," the lawyer said.

The disclosure marked the first time that Malabed, through his attorney, has admitted that he has personal knowledge of the controversial document and that he wrote the mysterious note on it.

Malabed opted to release the information through his attorney because he fears any public statement he makes about the document might be used against him in court.

among 2,000 that U.S. Customs officials seized from Marcos on February 26 when he arrived in Hawaii after fleeing Manila.

The document is of key importance in half a dozen state, federal and Philippine investigations of Marcos activities in this country. It is also a major issue in several federal

Philippine American local of the long-shoremen's union in Seattle. They were murdered in their union office in June 1981.

Three members of a Seattle gang were convicted of the murders, but the victims' families contend that Marcos' government was responsible. The pretrial hearing is

For the first time, Malabed through his lawyer admitted to knowing about a controversial document

al lawsuits against the deposed leader.

Malabed has not been charged or sued in connection with any of the cases. However, investigators and lawyers for Marcos foes allege the Mabuhay document is genuine.

Opponents of Marcos claim it proves Marcos used Malabed's firm to launder Philippine money that provided funds for a 1981 double-murder of Marcos foes in Seattle and a variety of other illegal schemes in this country.

U.S. District Court Judge William Orrick in San Francisco ruled yesterday that the document is "authentic only for court purposes."

The ruling was part of a pretrial hearing in a suit filed in Seattle by families of Siline Domingo and Gene Viernes. The two were oppo-

being held here because Malabed lives here.

Orrick's decision, based on a statement a representative of the new Philippine government made last week under oath, clears the way for attorneys to debate in court whether the paper is a true account of Mabuhay expenses.

Outside the courtroom, however, Hallinan said the document has no connection to Malabed's firm.

None of the money listed on the sheet was received or spent by the corporation Malabed formed seven years ago in an unsuccessful attempt to buy the FM radio station KJAZ, the attorney said.

The doctor unwittingly allowed his firm and the document to serve as cover for an apparent embezzlement scheme by other Marcos supporters, Hallinan alleged.

The masterminds of the plot, whom Hallinan declined to name, used the phony expense sheet to "steal and double-dip" at least \$500,000 from the Philippine government, the attorney claimed. "Dr. Malabed didn't know anything about it," he said.

Between 1979 and 1981, Malabed received about \$500,000 from a Philippine government media fund to pay for pro-Marcos television and radio programs, social events and other "innocent activities" in this country and Mexico, Hallinan said. "It wasn't intelligence money ... and none of it was for hit man stuff or spying or dirty tricks," he said.

Malabed agreed to act as the conduit for the money because Philippine officials feared opponents of Marcos would have a "propaganda field day" if the government directly paid for the promotional programs, according to Hallinan.

Malabed told Hallinan he first learned of the bogus expense sheet in April 1982, when he met with other Marcos supporters at the government palace in Manila.

The paper, which Malabed claims he saw only in its final form, falsely listed that the Mabuhay Corp. made \$175,000 in political contributions to U.S. politicians — an amount 20 times the actual \$8,750 political donations Malabed made in his own name and his own money — according to copies of Malabed's canceled checks made available to The Chronicle.

Orrick is expected to rule next week on a request that Malabed hand over all records of Mabuhay business.

Facts Back the Mabuhay List

By Michael Wine and Ronald J. Ostrow
Los Angeles Times

Washington

A 1982 document seized from Ferdinand Marcos that states that a California company funneled more than \$700,000 in Philippines military money into U.S. political campaigns and "security missions," appears to be genuine despite charges that the paper was faked.

The document, a "statement of expenses" for the San Francisco-based Mabuhay Corp., includes many nonpolitical spending entries that have proven genuine. It also includes cryptic entries from 1981 and 1982 that parallel diplomatic and publicity initiatives in the United States and Mexico by the deposed Philippines president.

The factual support for the expense items that could be checked contrasts with assertions by politicians and Mabuhay officials that the document is a fraud.

Much of the one-page sheet purports to recount spending of Philippines military intelligence money in the United States as approved by Fabian and Irwin Ver, former leaders of the Philippines' military and security forces.

Among other items, it lists \$178,200 in contributions to 10 U.S. politicians, including Jimmy Carter and Ronald Reagan, and \$808,883 in unidentified "special security" spending.

Senator Alan Cranston, D-Calif., another of the politicians said to have received contributions, branded the sheet "somebody's fake expense account." Investigators for the new Philippines government of President Corason Aquino also voiced doubts about its authenticity.

Dr. Leolito Malabed, a wealthy San Francisco physician and friend of Marcos' who founded Mabuhay with five other Filipinos

that he was "shocked" by news that the document was among Marcos' private papers. He denied that any political or intelligence activity took place within the company.

Two days of cross-checking produced both circumstantial and physical evidence suggesting parts of the \$782,478 listed on the seized document were indeed related to Mabuhay, a company created by Malabed to buy an Alameda radio station.

Federal Communications Commission re-

Some of the gifts on the list seized from Marcos have been proven genuine

Records show that plans to purchase station KJAZ-FM fell through in October 1979. A listing on the seized document of about \$61,000 in legal fees, good-faith deposits and other purchase-related expenses was checked and found to correspond with information in FCC records and with the general recollections of attorneys involved in the purchase and whose names appear on the statement.

Daniel Reidy, a former attorney for Mabuhay, recalls earning fees of about \$14,000 in the failed effort to buy KJAZ but says "it could have been more." The records indicated he was paid \$18,000. Attorney Stephen Farrand's firm is listed as receiving \$1582 from Mabuhay, a sum he said was an FCC filing fee paid by the law firm.

However, public records trace a parallel between politicians on the list and donations by Mabuhay, Malabed or its five other directors from February 1979 to March 1982.

The document lists \$50,000 donations to Reagan, Carter and to Larry Avera, a former Solano County supervisor who ran for the California Assembly. Lesser amounts were listed for seven others, including Cranston, San Francisco Mayor Dianne Feinstein, California Lieutenant Governor Leo McCarthy and even two school board candidates.

All but Reagan and San Francisco Community College board member Judy Tang have since reported legal donations from Mabuhay or its six principals. Tang had not fully checked election records by yesterday.

Besides political activities, more obscure entries on the Mabuhay document — both large and small — coincide with events in the United States and Mexico clearly linked to Marcos' Philippines rule.

A September 25, 1981, entry of \$20,000 under "Special Security Projects," labeled "Cancun, Mexico," occurs roughly a month before Marcos attended an economic summit of rich and poor nations in Cancun, where he met briefly with Reagan. Filipino expatriates say a second \$40,783 entry, titled "Palang-Palang, USA" appears to refer to an attempt by Marcos officials to rouse Filipino-American support for an October 1982 state visit by the leader.

Handwritten entries of \$10,000 and \$200, labeled "3-11-82 Camellia Festival," appear to refer to the annual Camellia Festival in Sacramento, which in March 1982 paid tribute to the Philippines.

Roy Herburger, director of the festival that year, is an Elk Grove publisher who also prints a pro-Marcos newspaper owned by Malabed, the Philippine-American. He said Marcos' press secretary and two Philippines actresses came to the festival that year, but he said he does not know who paid their traveling expenses and knows nothing about expenses by Mabuhay.

Rights Comm

Aquino May Be

Manila

The newly appointed Philippine Human Rights Commission decided yesterday to examine new evidence that reopened the 1983 assassination of President Corason Aquino's husband, opposition leader Benigno Aquino.

It also said it will listen reports of mass graves that it hoped to contain food of the President Ferdinand Marcos cronies.

Commission Chairman Dionisio Diokno said at a news conference that the investigation will open and "go as high as necessary." Diokno said "it all depends what evidence shows whether we will get" Defense Minister Juan Pardo and General Fidel Ramos.

Earle had served many years under Marcos at the military last month that re in his ouster.

Diokno said the commission will investigate possible "collusion" between the judiciary and military officials who defused the 25 military officials and one civilian char connection with Aquino's murder. The officials included Gen. Fabian Ver, the armed forces chief under Marcos.

Reopening the Aquino case could add to tensions between civilian and military leaders.

QUESTIONS ARISE OVER ...

Malabed-Marcos ties

Political contributions eyed

NEWS ANALYSIS

By ALIX A. ESCOBARADO, Publisher & Editor-in-Chief

SAN FRANCISCO, March 24 - Leticia Malabed, the Filipino physician who is proud of her reputation as the "eyes and ears" of Ferdinand E. Marcos in the United States, is the center of intense scrutiny from various sources in relation to her reported connections to U.S. politicians.

Did Dr. Malabed spend her own money in making her last political contributions or was she reimbursed by the Marcos government for all her political activities and for all her expenses in her pro-Marcos activities in the United States?

The answer to these questions will determine if Malabed is a

true political philanthropist or an illegal agent of the Marcoses.

The Malabedy Corporation which Malabed organized in 1979 to purchase radio station KQAZ in Alameda, California, for \$1,675,000.00, was listed as a recipient of substantial sums from the Foreign Intelligence Fund of the government of deposed Philippine ruler Marcos. The purchase did not increase when Philippine news publisher Ann A. Sison made known to the attention of the Federal Communications Commission (FCC) the fact that the Malabedy Corporation was a front for the

So much so



THE CADETS of the Philippine Military Academy were reviewed by President Corason Aquino and her Chief of Staff Gen. Fidel Ramos.

8 8 0 4 0 7 1 0 0 7 1

SANTA BARBARA WEEK OF MARCH 26-APRIL 1, 1986

Malabed-Marcos ties

Contributions to U.S. politicians eyed

on page 1

government of Marcos. It is legal for any foreign entity to own broadcast rights in America. In documents found among the 100 pages recovered from the Marcos party in Hawaii which was turned over to the new government of President Corason Aquino, a "Statement of Expenditures" under the heading "Mabuhay Corporation for the period from 1979 to 1982" was found. The document itemized, among other things, alleged illegal contributions to the former U.S. President: Ronald Reagan and former candidate for Assemblyman Larry Asera at \$500.00 each. Other smaller amounts were reported to have been contributed to the political campaigns of California Senator Alan Cranston, San Francisco Mayor Dianne Feinstein, California Lieutenant Governor Leo McCarthy, San Francisco Supervisor Quintin Kopp, and to two members of the Board of Supervisors of San Francisco. All these politicians denied any knowledge of contributions from the Marcos government to their campaign. However, they admitted having received the following sums from Dr. Leonilo Malabed:

1. Larry Asera, during his unsuccessful campaign for Assemblyman in California - \$32,000.00;
2. Carter Campaign - \$2,125.00 in 1979;
3. Senator Cranston - \$500.00 in 1980;

Commentary:

From page 4

in surmounting the problems of their profession in the U.S. Thus, they should be resolute in joining the fight. The time has come when they should no longer wait for the end. What they should have done years before, they should do at once with steadfast determination; it is better late than never!

To join the APPPA should be their first important decision during the year 1986, a decision that they will assuredly never come to regret!

4. McCarthy - then Assembly Speaker of California - \$2,300.00; S. Mayor Feinstein - \$1,500.00 in 1979; \$300.00 in 1982; \$450.00 in 1983; and \$50.00 in 1983 recall campaign;

5. Records in Washington, D.C. also indicate that Malabed contributed 4,125.00 to the Democratic National Committee in 1980 and \$2,500.00 in 1983. The Reagan campaign has not acknowledged any contribution received from Malabed.

Senator Cranston told the *Philippine News* at press time that he has never met Malabed nor does he remember having received any funds from him directly.

"He may have bought some tickets to my numerous political functions," Cranston said. "I see no point for Malabed to try to influence my actions knowing how strongly I was committed to putting an end to the Marcos dictatorship," Cranston said.

The Mabuhay Corporation which was apparently used by Malabed as a source of funding for his pro-Marcos activities at the time was run by a Board of Directors who were known to be Marcos supporters. Aside from Malabed, the other members were: Demetrio S. Jayme, former general representative of the defunct Maritime Company of the Philippines Zoilo Inocay, comptroller of the San Francisco Jewish Home for the Aged; Father Fred Al Bitanga, associate pastor of the St. Joseph's Church in San Francisco. A fifth member, Romeo Esperanza, was non-political and served as professional investor.

In papers filed with the State and Federal authorities, the other Board members of the Mabuhay corporation were also shown as having contributed to certain political campaigns at the same time that Malabed made his contributions.

At press time, however, Demetrio S. Jayme, in an interview with Bryan McTigue of KRON-TV, Channel 4, denied having contributed to the campaign of Carter although his name was shown in the filing reports.

"The reason I am upset is because it was in the context that

the money given by me - \$1,500.00, to Carter was from Marcos - that is what made me feel bad," Jayme angrily told *Time*.

When asked how his name and that of his wife appeared as contributors to the Carter campaign, as shown in the Federal Election Commission documents presented to him, Jayme retorted:

"How this happened to appear here is beyond me... With this size of the contributions..." Jayme asserted.

Another member of the Board who refused to be identified publicly confirmed to *Philippine News* that he did not contribute to the Carter campaign although his name may have been reported as a contributor.

"If any name appeared as a large contributor to the political campaigns in which Malabed was involved, my name must have been used by Malabed without my knowledge or approval," said the former Mabuhay board Member.

The authenticity of the document which was found among the possessions of the Marcos party was impugned by Malabed as "meantime," he told a San Francisco *Examiner* reporter that the document should not be treated with any value because it was not signed.

"Who signed it?" he said. "It is not signed, so I treat it as a useless document. Everything is false..." Malabed asserted. Malabed has maintained that "I am not a conduit... All of the money I contributed was my own."

However, the document which Malabed denied any knowledge about was virtually authenticated when certain entries in the "Statement of Expenditures" were deemed accurate. Among the expenses mentioned in the document which were verified as made by the Mabuhay Corporation and/or by Malabed himself, were:

1. Daniel Reidy's fees given to the Mabuhay Corporation who told *Newsmen* that he received over \$14,000.00 in fees for handling the false radio licensing effort. Another lawyer, Attorney Stephen Farkas was also listed as having received \$1,582.00 for refund of expenses for filing the papers. The seized document indicated that about \$51,000.00 was spent by Mabuhay Corporation for legal fees,



OLD FRIENDS Ferdinand Marcos and Leonilo Malabed in Philippine News photo.

good-faith deposit and other purchase-related expenses. The lawyer fees claimed by Reidy and Farkas tallied with records of the Federal Communications Commission.

2. A \$20,000.00 entry on September 25, 1981, under "Special Security Project" labeled "Cancun, Mexico" was made about a month before Marcos attended the economic summit of rich and poor nations in Cancun, Mexico where Marcos met Reagan for the first time after the latter's election as U.S. President.

3. A \$40,783 entry entitled "Pulong-Pulong, U.S.A." could refer to a special gathering which Malabed organized in San Jose, California, where Filipino leaders were invited to a "Chat with President Marcos via Satellite." Consul General Romeo Arguelles confirmed to *Philippine News* that the activity was a project of Dr. Malabed.

4. \$10,000.00 and \$200.00 entries labeled "3/21/82 Camellia Festival," apparently refers to donations made to the Camellia Festival Committee, headed by Malabed's printer, Roy Herburger of Elk Grove. The festival is

an annual project of the City of Sacramento and in March 1982 the festival paid tribute to the Philippines.

According to the documents, some \$700,000.00 in Philippine intelligence funds was funneled to the Mabuhay Corporation by Malabed. Much of the money was reported to have been spent for political campaigns and "security missions."

A total of \$175,200.00 was reported to have been given to 10 U.S. politicians, all of whom denied awareness of contributions made by Marcos or his government. The Carter and Reagan campaigns categorically denied having received \$50,000.00 each from Malabed although Asera reported having received \$32,000.00 of a supposed \$50,000.00 contribution. Some \$506,683.00 represented unidentified "special security" spending by Mabuhay of Malabed.

Under U.S. laws it is illegal to conceal the source of political contributions. It is also illegal to foreign corporations or governments to contribute to any U.S. political campaign.

88040710073

J

ATTACHMENT J

MABUHAY/MALABED BANK RECORDS RE PURCHASE OF KJAZ RADIO STATION

DR. LEONILO L. MALABED
126

[Handwritten signatures and scribbles]

075

0000 267-106210-36790 01-00019-6 046

BANK OF MALABED
DIRECTOR

[Handwritten signatures and scribbles]

01-00019-6 046

88040710074

88040710076

BANK DIRECTOR

075

Atty. Daniel F. Reid

Five thousand One hundred Sixty Two and 00/100

\$ 1,162.00

000170-6170-36796 01-00019-67

00033363607

BANK DIRECTOR

DR. LEONARD M. MORGAN

112

26. 15 71

Five hundred Spillane + Camp

One thousand Three hundred Eighty Two and 00/100

\$ 1,582.00

KUZ

000170-6170-36796 01-00019-67

0001582507

88040710077

BANK DIRECTOR 303

PAID TO THE ORDER OF Richard Gilliam \$ 5,000.00

Five Thousand & No/100

POSTAL SERVICE

⑈00010⑈-⑈10-⑈17⑈ ⑈1-⑈00⑈19-⑈⑈ ⑈000050000⑈

DIRECTOR 304

PAID TO THE ORDER OF Richard Gilliam \$ 1,000.00

One Thousand & No/100

POSTAL SERVICE

⑈00010⑈-⑈10-⑈17⑈ ⑈1-⑈00⑈19-⑈⑈ ⑈000010000⑈

88040710078

|
K
|

ATTACHMENT K

MABUHAY/MALABED BANK RECORDS SHOWING PAYMENTS FOR
POLITICAL CAMPAIGN CONTRIBUTIONS, "SPECIAL MISSIONS"
AND "SPECIAL SECURITY PROJECTS"

- A. CAMPAIGN CONTRIBUTIONS
- B. SPECIAL MISSIONS AND SECURITY

88040710079

88040710081

DR. LEONARD L. SALAMON
 DIRECTOR

Center for Mental Health

13

5000 1500000

000132 12103679 01000176 046

000013 4220-26796 001 00019 045 70000150000

FEDERAL ELECTION COMMISSION

SELECTED LIST OF RECEIPTS & EXPENDITURES (G) (79-8)
SECTION I - INDIVIDUAL CONTRIBUTIONS

CONTRIBUTOR/LENDER/TRANSFERER REPORTING ENTITY MICROFILM LOCATION	STREET ADDRESS TRANSACTION TYPE	CITY
MALABED, PATRICE S MRS CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/110/4720 #330764 CONTRIBUTION	145 MT SPRINGS AVE	SAN FRANCISCO
MALACHUK, DANIEL JR CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/100/4398 #191103 CONTRIBUTION	5313 GLENWOOD ROAD	BETHESDA WHITE HOUSE
MALAD, RICHARD M BIRCH BAYH FOR SENATOR COMMITTEE 80SEN/017/0022 #522811 CONTRIBUTION		INDIANAPOLIS DILLON HARDAMON & CO
MALABA, ROGER CITIZENS FOR LAROCHE 80FEC/105/1171 #175013 CONTRIBUTION	4000 HUMPHREY	RICHFIELD UNEMPLOYED
AFIS, GEORGE KENNEDY FOR PRESIDENT COMMITTEE 80FEC/105/2190 #195866 CONTRIBUTION	1721 70TH ST	BROOKLYN SELF-EMPLOYED
MALAKOFF, M E KAZEN FOR CONGRESS COMMITTEE 80HSE/176/1694 #337539 CONTRIBUTION	P O BOX 1668	LAREDO PHYSICIAN
MALAMENT, WILLIAM CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/110/0209 #207520 CONTRIBUTION	410 GRANT AVE	ORADELL LINCOLN TICKET AGENCY
MALAMENT, WILLIAM BILL BRADLEY FOR U.S. SENATE 81SEN/002/0027 #665813 CONTRIBUTION		UNION CITY LINCOLN TICKET AGENCY
MALAMUD, H/FRIENDS OF LIZ HOLTZMAN INC COUNCIL FOR A LIVABLE WORLD 80FEC/152/3643 #307478 EARMARKED INTERMEDIARY OUT		
MALAN, FRED CENTURY CLUB, THE (AKA ONE HUNDRED CLUB) 79FEC/126/5075 #011876 CONTRIBUTION	2960 VAN BUREN AVE	OGDEN
MALANAPHY, V MR COMMITTEE FOR SENATOR GRIFFIN 79SEN/003/2013 #039732 CONTRIBUTION	PO BOX 619	OWOSSO CHAIRMAN ANN HARBOR R.
MALANAPHY, VINCENT SEN FOR CONGRESS 79HSE/169/3316 #129654 CONTRIBUTION	PO BOX 619	OWOSSO ANN ARBOR RAILROAD

8304071008

FEDERAL ELECTION COMMISSION

SELECTED LIST OF RECEIPTS & EXPENDITURES (G)
SECTION I - INDIVIDUAL CONTR

CONTRIBUTOR/LENDER/TRANSFERRER REPORTING ENTITY MICROFILM LOCATION	STREET ADDRESS TRANSACTION TYPE	CITY
MAKOVITZ, BERNARD PEOPLE FOR JOHN HEINZ COMMITTEE 79SEN/006/1648 #132670 CONTRIBUTION	480 CHAPEL COURT	PITTSBURGH MARKOVITZ & VITT
MAKOWSKI, FRANK T/BIRCH BAYH FOR SENATOR COMMITTEE COUNCIL FOR A LIVABLE WORLD 80FEC/152/3515 #283213 EARMARKED INTERMEDIARY OUT		
MAKRIANES, JAMES K JR NATIONAL REPUBLICAN SENATORIAL COMMITTEE - CONTRIBUTIONS * 80SEN/015/4096 #544145 CONTRIBUTION		NEW YORK BUSINESS COUNSUL
MAKRIANES, JUDITH E ANDERSON FOR PRESIDENT COMMITTEE 80FEC/108/3945 #242612 CONTRIBUTION	60 E END AV	NEW YORK HOUSE WIFE
MAKSIM, JOHN MR NATIONAL UNITY CAMPAIGN FOR JOHN ANDERSON 80FEC/114/4309 #467437 CONTRIBUTION		ETIWANDA
MALABED, L MRS CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/100/4398 #191100 CONTRIBUTION	3085 24TH ST	SAN FRANCISCO HOMEMAKER
MALABED, LEONILO DR CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 79FEC/100/2362 #048548 CONTRIBUTION	3085 24TH	SAN FRANCISCO INMAN TI BATA C A
MALABED, LEONILO L CRANSTON FOR SENATE COMMITTEE 80SEN/005/2312 #318476 CONTRIBUTION	145 MOUNTIAN SPRING AVE	SAN FRANCISCO PHYSICIAN
MALABED, LEONILO L DR CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 79FEC/100/2709 #100734 CONTRIBUTION	145 MOUNTAIN SPRING	SAN FRANCISCO ANNAC TI BATA C A
MALABED, LEONILO L DR DNC SERVICES CORPORATION/DEMOCRATIC NATIONAL COMMITTEE 80FEC/172/4224 #480526 CONTRIBUTION		SAN FRANCISCO PHYSICIAN
MALABED, LEONILO L MRS CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 79FEC/100/2708 #100731 CONTRIBUTION	145 MOUNTAIN SPRING AVE	SAN FRANCISCO HOMEMAKER
MALABED, PATRICE S MRS CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/110/4134 #302839 CONTRIBUTION	145 MT SPRINGS AVE	SAN FRANCISCO

88040710084

FEDERAL ELECTION COMMISSION

SELECTED LIST OF RECEIPTS & EXPENDITURES (G) (79-SECTION I - INDIVIDUAL CONTRIBUTOR)

CONTRIBUTOR/LENDER/TRANSFERER REPORTING ENTITY MICROFILM LOCATION	STREET ADDRESS TRANSACTION TYPE	CITY
JAY, LYNDA AIKENS BROWN FOR PRESIDENT (1980 PCC) 80FEC/104/2857 #156009 CONTRIBUTION	92 SALMON BEACH	TACOMA HOUSE WIFE
JAY, RICHARD A MR OHIO REPUBLICAN FINANCE COMMITTEE 80FEC/154/3771 #289956 CONTRIBUTION	889 EATON AVE	AKRON GOODYEAR T & R CO
JAY, VINCENT E MR REPUBLICAN NATIONAL COMMITTEE - CONTRIBUTIONS (AKA REPUBLICAN NATIONAL FINANCE COMMITTEE REQUESTED) 79FEC/137/3034 #123164 CONTRIBUTION	618 SOUTH 19TH STREET	ARLINGTON
JAY, WEBB DONELON FOR CONGRESS CAMPAIGN COMMITTEE 80HSE/174/3079 #334810 CONTRIBUTION	10121 IDLEWILD PLACE	RIVER RIDGE CONSULTING ENGINEER
JAYAPATHY, B DR KENNEDY FOR PRESIDENT COMMITTEE 80FEC/103/5003 #165002 CONTRIBUTION	9 SOURIS CT	MINOT PHYSICIAN
JAYAPATHY, B DR KENNEDY FOR PRESIDENT COMMITTEE 80FEC/106/3994 #203543 CONTRIBUTION	9 SOURIS CT	MINOT PHYSICIAN
JAYAPATHY, B MD MCGOVERN CAMPAIGN COMMITTEE 80SEN/001/1116 #230815 CONTRIBUTION	123 2ND AVE SE	MINOT PHYSICIAN
JAYCE, LAWRENCE OBERSTAR FOR CONGRESS VOLUNTEER COMMITTEE 80HSE/176/2579 #308876 CONTRIBUTION	1746 MILLWOOD AVE	ROSEVILLE M R BOLIN AGENCY
JAYKO, MARSHA B KENNEDY FOR PRESIDENT COMMITTEE 80FEC/107/2941 #234153 CONTRIBUTION	28 BARKER ST APT F3	MT KISCO TEACHER
JAYME, DEMETRIO MR CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/100/4337 #192194 CONTRIBUTION	150 32ND AVE	SAN FRANCISCO FILIPINO-AM CHAMBER
JAYME, DEMETRIO, S MR CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 79FEC/100/2690 #099460 CONTRIBUTION	100 CALIFORNIA ST/STE 1060	SAN FRANCISCO SELF-EMPLOYED
JAYME, JUSTINA R MRS CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/100/4337 #192193 CONTRIBUTION	150 32ND AVE	SAN FRANCISCO HOMEMAKER

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L

...of the 9th Division, 1st and 2nd Divisions, 11th and 13th SWC Brigades with the problem of transporting these units if they are ordered for internal political reasons are greatly

...and other factors for the above should be given personal and political considerations. Review on 12 July 02

CPT Alan Lynn, USA.
 MAJ Neil Duran, USA.

NEW PHILIPPINE DEFENSE ATTACHE TEAM IS ASSIGNED (U)

UNCLASSIFIED

(SNOFORN) A new Philippine defense attaché team, headed by the first flag officer in that post since July 1966, has arrived in Washington. The team will help manage President Marcos' forthcoming visit to the US, try to expand ties between the Philippine Embassy and the US Department of Defense, and monitor anti-Marcos Philippine activists residing in the US.

(CNOFORN) Philippine Army Brig Gen Angel Kanapi, defense attaché-designate to the US, arrived on station on 1 July. He will soon succeed CAPT Ernesto Arzaga as Manila's principal military representative in Washington. Kanapi, 50, served with the Philippine Civic Action Group in Vietnam in 1966, graduated from the US Army Command and General Staff College in 1971, and was Superintendent of the Philippine Military Academy (PMA) from 1978 until recently. While at the PMA, Kanapi's leadership came under some criticism as a result of a hazing incident in which the cadet son of another general officer died.

(CNOFORN) A new team of subordinates will assist Kanapi in his duties in the US. They include CDR Domingo Tucay, 39, as assistant defense and naval attaché; Constabulary LTC Roman Maddela, 35, as ground forces attaché; Lt Col Melchor Rosales, 37, as air attaché; and LTC Narciso Abaya, 32, as assistant ground forces attaché. Maddela has been in the US since November, and Rosales and Tucay 2 months or less. Abaya is expected to arrive soon.

(SNOFORN) The new attaché team was selected by Benjamin Romualdez, Ambassador-designate and brother of First Lady Imelda Marcos, and confirmed by Armed Forces Chief of Staff Gen Fabian Ver. The attachés appear to be well-qualified; four are PMA graduates and the fifth, Abaya, is a West Pointer. Maddela is a highly decorated combat of-



BRIG GEN KANAPI
 DEFENSE ATTACHE



LTC MADDELA
 GROUND FORCES ATTACHE

icer. More striking than their professional qualifications are their ties to President and Mrs. Marcos. All have served in the Presidential Command, a military organization that is responsible for the security of the First Family and recently was commanded by Gen Ver. In the

25 Jul 82

SECRET

ATTACHMENT L

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Kanapi, Maddela, and Rosales have in the past accompanied Mrs. Marcos on foreign visits. At least two of the attaches — Kanapi, Abaya, Maddela, and Rosales — are Ilocano emigrationalists of Gen Ver and President Marcos. Kanapi is also a member of the 1955 PMA Class, one of two classes must relied upon by Marcos to execute and administer martial law between 1972 and 1981. LTC Abaya is the son of one of Marcos' generals and the grandson of the former Senator, National Defense Secretary, and Vice Chief of Staff Eulogio Dalao, a key Marcos associate since the 1930s.

(S/NOFORN) This new group of military representatives is the most impressive Manila has dispatched to the US in years. Kanapi, for example, is the first Philippine flag officer attache sent to Washington since Brig Gen Vicente Yngente departed in July 1966. With their rank and experience, Kanapi and his subordinates will undoubtedly hold major roles in the security and other aspects of

President Marcos' official visit to the US in September, his first since 1966. Of greater importance, Ambassador-designate Romualdez probably wants his new attaches to establish a strong relationship between the Philippine Embassy in Washington and the US Department of Defense, a relationship the Philippines has allowed to languish in recent years. Such enhanced ties would undoubtedly be valuable to Manila during the bilateral review of the 1947 Military Bases Agreement beginning in summer 1983. Participation by Brig Gen Kanapi in these negotiations is likely. The new team is also expected to monitor Philippine dissident activity in the US. Given the backgrounds of Lieutenant Colonels Rosales and Maddela — the latter was a guard and interrogator of an American involved in a series of bombings in Manila in 1980 — the attaches will undoubtedly report on, and possibly operate against, anti-Marcos Philippine activists in the US. (Classified by multiple sources; review on 9 Jul 82)

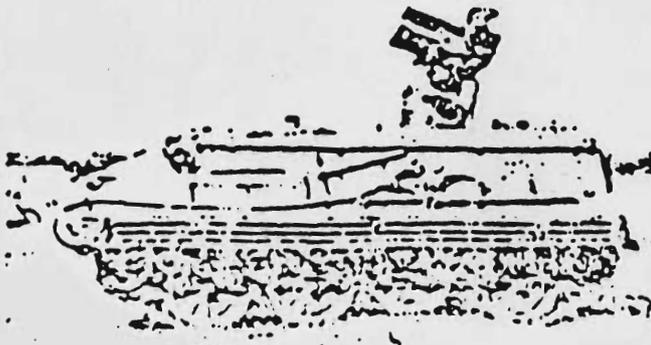
88040710088

TRACKED MULTIPLE ROCKET LAUNCHERS NOTED IN BEIJING MILITARY REGION (C)

(S/WNINTEL/NOFORN) Tracked multiple rocket launchers (MRLs) mounted on a Type 63 (M-1967) armored personnel carrier (APC) chassis were recently observed with a main force infantry division in Beijing Military Region (MR) for the first time.

(S/WNINTEL/NOFORN) Eighteen tracked MRLs were sighted with the 359th Artillery Regiment of

UNCLASSIFIED



(U) TYPE 63 (M-1967)
MULTIPLE ROCKET LAUNCHER

the 79th Infantry Division, 27th Army, at Xingtai, Hebei, on 18 May. This is the second Chinese infantry



27 Jul 82

88040710089

M

NAME OF PASSENGER: **BARUSO/c. (Tony) Mrs** DATE OF BIRTH: **14 MAY 81**
 FARE BASIS: **Y** CLASS: **Y** CARRIER: **WA** DEPARTURE: **240 Y** TIME: **7:30 AM**
 AIRLINE: **WESTERN AIRLINES** TICKET NO: **544 44 322 86** FANTASY TRAVEL INC
 ADDRESS: **SEATTLE WASH 80 64802 8 S**

1	NON STOP FOR PASSENGER	CLASS	CARRIER	DEPARTURE	TIME	STATUS
1	Y	WA	240 Y	7:30 AM		
2	NON STOP FOR PASSENGER	CLASS	CARRIER	DEPARTURE	TIME	STATUS
2	Y	WA	240 Y	7:30 AM		

AGENT: **CIC**
Western Airlines
 017 3

FARE: **\$ 268.56** TAXES: **\$ 13.14** TOTAL: **\$ 276.00**
 (117 1223823403 5 L

GENERAL: **SEATTLE** SEATTLE
 1224:941:328

NAME OF PASSENGER: **BARUSO/T.Mr.** DATE OF BIRTH: **10 AUG 81**
 FARE BASIS: **Y** CLASS: **WA** DEPARTURE: **7:15 PM**
 AIRLINE: **WESTERN AIRLINES** TICKET NO: **544 44 322 86** FANTASY TRAVEL INC
 ADDRESS: **SEATTLE WASH 80 64802 3**

1	NON STOP FOR PASSENGER	CLASS	CARRIER	DEPARTURE	TIME	STATUS
1	Y-2	WA	7:15 PM	7:15 PM		
2	NON STOP FOR PASSENGER	CLASS	CARRIER	DEPARTURE	TIME	STATUS
2	Y-2	WA	7:15 PM	7:15 PM		

AGENT: **CIC**
Western Airlines
 017 3

FARE: **\$230.48** TAXES: **\$11.52** TOTAL: **\$242.00**
 (117 1224941328 2 P

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05

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ATTACHMENT M

CC# 3336
RECEIVED AT THE FEC

CROIL ANDERSON
WILLIAM S. BAILEY
DEAN BENDER
C. STEVEN FURY
JAMES D. HAILEY
KRISTIN HOUSER
YVONNE HUGGINS-McLEAN
MATTHEW G. KNOPP
J. KATHLEEN LEARNED
DOUGLAS D. McBROOM
ROBERT E. McCLUSKEY
JUDY I. MASSONG
KIRK I. MORTENSEN

LAW OFFICES
SCHROETER, GOLDMARK & BENDER, P.S.
540 CENTRAL BUILDING
THIRD & COLUMBIA
SEATTLE, WASHINGTON 98104

Telephone:
(206) 622-8506

FROM BREMERTON (TOLL FREE)
479-1271

87 MAR 11 11:45
L. R. R. 11
VIRGINIA M. ROBINSON
WILLIAM RUTZICK
LEONARD W. SCHROETER
SIDNEY STILLERMAN SWAN
PAUL W. WHELAN
MICHAEL WITHEY
JOHN GOLDMARK
(1917-1979)
Of Counsel
DAVID DANELSKI
PAUL O'NEIL

May 7, 1987

Lawrence M. Noble
Acting General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Noble:

Enclosed you will please find the Federal Election Commission complaint signed by me. This notarized affidavit and the accompanying memorandum complies with the relevant provisions of 2 U.S.C. § 437(g)(A)(1), as cited to me in your letter of March 20, 1987.

I appreciate your providing us with the description of the preliminary procedures for processing complaints filed with the FEC. I will await further notification by the FEC of its proceedings.

Sincerely yours,

Michael E. Withey

MICHAEL E. WITHEY

MEW/mkw
Enclosure

88040710092

MAR 11 11:45

FEDERAL ELECTION COMMISSION COMPLAINT

COMPLAINANT: Michael E. Withey
540 Central Bldg.
Seattle, WA 98104
Telephone: (206) 622-8500

RESPONDENT: Ferdinand E. Marcos
2337 Makiki Hts.
Honolulu, HI 96822

Dr. Leonilo Malabed
145 Mountain Spring Ave.
San Francisco, CA 94114

General Fabian Ver
Former Chief of Staff
Armed Forces of the Philippines
Address Unknown

I, MICHAEL E. WITHEY, hereby submit the following Complaint in accordance with the guidelines of the Federal Election Campaign Act:

1. Dr. Leonilo Malabed made campaign contributions to the campaigns of various candidates through the Mabuhay Corporation and its bank account on behalf of another, foreign national Ferdinand Marcos. In doing so, both Malabed and Marcos were in violation of 2 U.S.C. § 441(e), the prohibition on contributions by foreign nationals, and 2 U.S.C. § 441(f), the prohibition on making contributions

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in the name of another, and other provisions of the law.

2. The contributions were knowingly made by Malabed on behalf of Marcos is documented most clearly in Attachment A to Exhibit 1, "Memorandum," the "Mabuhay Corporation Statement of Expenses" (Mabuhay Statement), a document seized from Marcos by U.S. Customs shortly after his entry into the United States in 1985. The Mabuhay Statement itemizes the expenditure of over \$750,000 from the Philippine National Bank by the Mabuhay Corporation, including the following political contributions:

Dianne Feinstein	\$ 2,500
Quentin Kopp	\$ 500
Larry Asera	\$50,000
Alan Cranston	\$10,000
Leo McCarthy	\$10,000
Carter-Mondale Committee	\$ 1,500
Jimmy Carter	\$50,000
Ronald Reagan	\$50,000

3. The handwritten acknowledgement on the Mabuhay Statement of receipt of funds from the Philippine National Bank under the authority of General Fabian Ver has been admitted by Malabed to be his. He claimed he authorized the document while in Malacanang Palace in the Philippines. He had formerly claimed "everything is false" about the document, since it was not signed. (See Attachment I.) Malabed is the incorporator of the Mabuhay Corporation. (See Attachment D.) He is also its president, one of the directors, and the sole signatory of the corporation's bank account at the Philippine Bank of California. (See Attach-

ment E.) Attachment H provides documentary evidence that Malabed received \$190,000 from the Philippine National Bank prior to the campaign contributions listed.

4. That some of the contributions were actually made to the various political campaigns is documented by copies of the original checks and by the Federal Election Commission's own records (Attachment K). His attorney has stated publicly, on Dr. Malabed's behalf, that Dr. Malabed had received over \$500,000 cash from a secret Philippine government courier.

5. Judge William Orrick (U.S. District Court, Northern District of California) has ruled in open court that the Mabuhay Statement is authentic. His conclusion was based in part on the Declaration of Bonifacio Gillego (see Attachment C), who states, based on his training and service in the Philippine Intelligence Agency, that the document is what it purports to be, and that the Mabuhay Corporation was used as a cover to avoid detection of the true source of funds, i.e., the government of the Philippines under Marcos and General Ver.

6. The Federal Election Commission considered this matter in MUR No. 2156, where Deputy General Counsel Lawrence M. Noble recommended, solely on the basis of the Mabuhay Statement, a finding of reason to believe violations by Ferdinand Marcos of §§ 441(e) and (f), and by Leonilo Malabed of § 441(e). (See Attachment B.) The above-stated

corroborative evidence was not made available when the prior complaint was filed, and the Federal Election Commission did not at that time adopt the recommendations. Dr. Malabed may have made representations to the Commission which were false.

In conclusion, this complaint provides the necessary documentation to confirm the violations of §§ 441(e) and (f), and other provisions of law, by respondents Ferdinand Marcos, General Fabian Ver and Leonilo Malabed.

DATED at Seattle, Washington, on May 8, 1987.

Michael E. Withey
MICHAEL E. WITHEY

SIGNED before me this 8th day of May, 1987.

Elizabeth D. Cole
NOTARY PUBLIC in and for
the State of California,
residing at Lent.
My Commission Expires:
9/22/90.

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Lawrence M. Noble
May 28, 1987
Page Two

According to Docket Chief Retha Dixon, whom I spoke with yesterday, this letter will suffice to establish the necessary notarization of the FEC complaint previously filed.

Sincerely yours,

Michael E. Withey
MICHAEL E. WITHEY
Complainant

MEW/mkth

88040710098



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 20, 1987

Michael E. Withey, Esquire
Schroeter, Goldmark, & Bender
540 Central Building
Third and Columbia
Seattle, WA 98104

Dear Mr. Withey:

We have received your letter of March 9, 1987, regarding the possibility of a violation of the Federal Election Campaign Act of 1971, as amended ("the Act").

The 1976 amendments to the Act and Federal Election Commission regulations require that a complaint meet certain specific requirements. Your letter does not meet these requirements. Consequently, the Commission can take no action at this time to investigate this matter.

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

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

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statute of law over which the Commission has jurisdiction. (11 C.F.R. § 111.4).

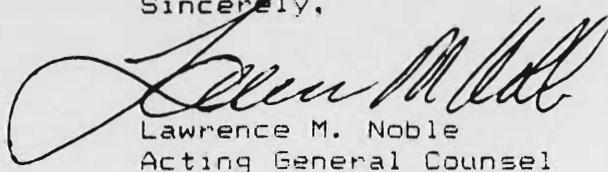
- (7) A formal complaint should be accompanied by supporting documentation if known and available to the person making the complaint. (11 C.F.R. § 111.4).

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

Enclosed is a copy of Commission regulations, and your attention is directed to 11 C.F.R. § 111.4 through § 111.10 that deal with preliminary enforcement procedures. Also, enclosed is a compilation of Federal Election Campaign laws on which these regulations are promulgated. I trust these materials will be helpful to you should you wish to file a legally sufficient complaint with the Commission. The file regarding this correspondence will remain confidential for a 15 day time period during which you may file an amended complaint as specified above.

If we can be of any further assistance, please do not hesitate to contact me at (202) 376-5690.

Sincerely,



Lawrence M. Noble
Acting General Counsel

Enclosures
Excerpts
Procedures

cc: respondent

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 20, 1987

Dr. Leonilo Malabed
145 Mountain Spring Avenue
San Francisco, CA 94114

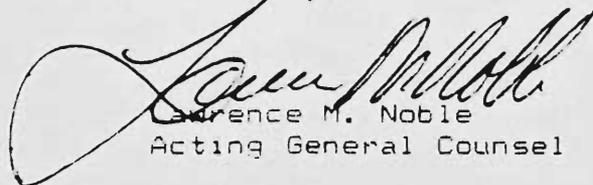
Dear Mr. Malabed:

On March 9, 1987, the Federal Election Commission received a letter alleging that you violated sections of the Federal Election Campaign Act of 1971, as amended. As indicated from the copy of the enclosed letter addressed to the complainant, those allegations do not meet certain specified requirements for the proper filing of a complaint. Thus, no action will be taken on this matter unless the allegations are refiled meeting the requirements for a properly filed complaint. If the matter is refiled, you will be notified at that time.

This matter will remain confidential for 15 days to allow for the correction of the defects. If the defects are not cured and the allegations are not refiled, no additional notification will be provided and the file will be closed.

If you have any questions, please call Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,



Lawrence M. Noble
Acting General Counsel

Enclosures

Copy of Complaint
Copy of letter to the Complainant

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

April 10, 1987

The Honorable Ronald V. Dellums
House of Representatives
201 13th Street, Suite 105
Oakland, CA 94617

Dear Representative Dellums:

This is to acknowledge receipt of your letter dated March 17, 1987, which we received on March 23, 1987, with respect to information submitted to the Commission regarding possible violations of the Federal Election Campaign Act of 1971, as amended ("the Act"), by Dr. Leonilo Malabed.

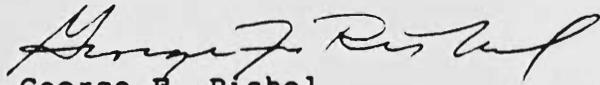
The 1976 amendments to the Act and Federal Election Commission regulations require that a complaint meet certain specific requirements. The complaint submitted on March 9, 1987, by Michael E. Withey of Schroeter, Goldmark & Bender, did not meet these requirements. Specifically, the complaint was not sworn to and signed in the presence of a notary public; was not notarized; and did not fully identify any respondents by name and provide their addresses.

In keeping with the Commission's policies, Mr. Withey was informed by letter dated March 20, 1987, of these deficiencies in his complaint. He was further informed that the file regarding his correspondence would remain confidential for a 15-day time period during which he could file an amended complaint. This time period has now elapsed. If Mr. Withey, or any other person, should file a legally sufficient complaint, it will be duly processed and will receive our prompt consideration.

If we can be of any further assistance, please do not hesitate to contact me at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Acting General Counsel


By: George F. Rishel
Acting Associate General Counsel

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plm

CCC# 3336
RECEIVED AT THE FEC

LAW OFFICES

SCHROETER, GOLDMARK & BENDER, P.S.
540 CENTRAL BUILDING
THIRD & COLUMBIA
SEATTLE, WASHINGTON 98104

Telephone:
(206) 622-8506

FROM BREMERTON (TOLL FREE)
479-1271

87 MAY 11 10:45

L. R. ROBINSON
VIRGINIA M. ROBINSON
WILLIAM RUTZICK
LEONARD W. SCHROETER
SIDNEY STILLERMAN SWAN
PAUL W. WHELAN
MICHAEL WITHEY
JOHN GOLDMARK
(1917-1979)
Of Counsel
DAVID DANIELSKI
PAUL O'NEIL

CROIL ANDERSON
WILLIAM S. BAILEY
DEAN BENDER
C. STEVEN FURY
JAMES D. HAILEY
KRISTIN HOUSER
YVONNE HUGGINS-McLEAN
MATTHEW G. KNOPP
J. KATHLEEN LEARNED
DOUGLAS D. McBROOM
ROBERT E. McCLUSKEY
JUDY I. MASSONG
KIRK I. MORTENSEN

May 7, 1987

Lawrence M. Noble
Acting General Counsel
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Noble:

Enclosed you will please find the Federal Election Commission complaint signed by me. This notarized affidavit and the accompanying memorandum complies with the relevant provisions of 2 U.S.C. § 437(g)(A)(1), as cited to me in your letter of March 20, 1987.

I appreciate your providing us with the description of the preliminary procedures for processing complaints filed with the FEC. I will await further notification by the FEC of its proceedings.

Sincerely yours,

Michael E. Withey

MICHAEL E. WITHEY

MEW/mkw
Enclosure

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87 MAY 11 10:35

RECEIVED
GENERAL COUNSEL

FEDERAL ELECTION COMMISSION COMPLAINT

COMPLAINANT: Michael E. Withey
540 Central Bldg.
Seattle, WA 98104
Telephone: (206) 622-8500

RESPONDENT: Ferdinand E. Marcos
2337 Makiki Hts.
Honolulu, HI 96822

Dr. Leonilo Malabed
145 Mountain Spring Ave.
San Francisco, CA 94114

General Fabian Ver
Former Chief of Staff
Armed Forces of the Philippines
Address Unknown

07 MAY 11 10:35

RECEIVED
GENERAL INVESTIGATIVE
DIVISION

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I, MICHAEL E. WITHEY, hereby submit the following Complaint in accordance with the guidelines of the Federal Election Campaign Act:

1. Dr. Leonilo Malabed made campaign contributions to the campaigns of various candidates through the Mabuhay Corporation and its bank account on behalf of another, foreign national Ferdinand Marcos. In doing so, both Malabed and Marcos were in violation of 2 U.S.C. § 441(e), the prohibition on contributions by foreign nationals, and 2 U.S.C. § 441(f), the prohibition on making contributions

in the name of another, and other provisions of the law.

2. The contributions were knowingly made by Malabed on behalf of Marcos is documented most clearly in Attachment A to Exhibit 1, "Memorandum," the "Mabuhay Corporation Statement of Expenses" (Mabuhay Statement), a document seized from Marcos by U.S. Customs shortly after his entry into the United States in 1985. The Mabuhay Statement itemizes the expenditure of over \$750,000 from the Philippine National Bank by the Mabuhay Corporation, including the following political contributions:

Dianne Feinstein	\$ 2,500
Quentin Kopp	\$ 500
Larry Asera	\$50,000
Alan Cranston	\$10,000
Leo McCarthy	\$10,000
Carter-Mondale Committee	\$ 1,500
Jimmy Carter	\$50,000
Ronald Reagan	\$50,000

3. The handwritten acknowledgement on the Mabuhay Statement of receipt of funds from the Philippine National Bank under the authority of General Fabian Ver has been admitted by Malabed to be his. He claimed he authorized the document while in Malacanang Palace in the Philippines. He had formerly claimed "everything is false" about the document, since it was not signed. (See Attachment I.) Malabed is the incorporator of the Mabuhay Corporation. (See Attachment D.) He is also its president, one of the directors, and the sole signatory of the corporation's bank account at the Philippine Bank of California. (See Attach-

ment E.) Attachment H provides documentary evidence that Malabed received \$190,000 from the Philippine National Bank prior to the campaign contributions listed.

4. That some of the contributions were actually made to the various political campaigns is documented by copies of the original checks and by the Federal Election Commission's own records (Attachment K). His attorney has stated publicly, on Dr. Malabed's behalf, that Dr. Malabed had received over \$500,000 cash from a secret Philippine government courier.

5. Judge William Orrick (U.S. District Court, Northern District of California) has ruled in open court that the Mabuhay Statement is authentic. His conclusion was based in part on the Declaration of Bonifacio Gillego (see Attachment C), who states, based on his training and service in the Philippine Intelligence Agency, that the document is what it purports to be, and that the Mabuhay Corporation was used as a cover to avoid detection of the true source of funds, i.e., the government of the Philippines under Marcos and General Ver.

6. The Federal Election Commission considered this matter in MUR No. 2156, where Deputy General Counsel Lawrence M. Noble recommended, solely on the basis of the Mabuhay Statement, a finding of reason to believe violations by Ferdinand Marcos of §§ 441(e) and (f), and by Leonilo Malabed of § 441(e). (See Attachment B.) The above-stated

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corroborative evidence was not made available when the prior complaint was filed, and the Federal Election Commission did not at that time adopt the recommendations. Dr. Malabed may have made representations to the Commission which were false.

In conclusion, this complaint provides the necessary documentation to confirm the violations of §§ 441(e) and (f), and other provisions of law, by respondents Ferdinand Marcos, General Fabian Ver and Leonilo Malabed.

DATED at Seattle, Washington, on May 8, 1987.

Michael E. Withey
MICHAEL E. WITHEY

SIGNED before me this 8th day of May, 1987.

Elizabeth D. Cole
NOTARY PUBLIC in and for
the State of California,
residing at Kent.
My Commission Expires:
9/22/90.

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M E M O R A N D U M

INTRODUCTION

This memorandum summarizes evidence of a secret intelligence slush fund created in the United States by Ferdinand Marcos and his chief of staff General Fabian Ver. Marcos' childhood friend and long-time crony, Dr. Leonilo Malabed of San Francisco, controlled the fund and used it to extend Marcos's political influence and propaganda presence. It was also used to conduct covert intelligence operations against the anti-Marcos opposition movement in the United States in the late 1970s and early 1980s. Documents which have been authenticated in federal court point to strong circumstantial evidence that this slush fund was used to pay for the June 1981 Seattle murders of anti-Marcos union officials Gene Viernes and Silme Domingo. The use of foreign funds to promote the Marcos regime, purchase propaganda vehicles, contribute to local, state and federal candidates, and violate the civil and constitutional rights of American citizens is against the law. A full, impartial and vigorous investigation of this evidence is called for. Such criminal charges, as are warranted by the evidence obtained, should be brought. Marcos' continued activities, now carried out in this country, establish that the evidence summarized here

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is not of mere historical interest. Direct and decisive action is needed.

BACKGROUND

The new government in the Philippines under President Corazon Aquino has undertaken extraordinary efforts to retrieve the vast wealth illegally accumulated and invested abroad by deposed president Marcos and his wife Imelda. Considerable attention has focussed on secret Swiss and American bank accounts, shadowy middlemen and surrogate real estate purchasers. A federal grand jury in Alexandria, Virginia, has subpoenaed Marcos and his former chief of staff and intelligence head, General Fabian Ver. Ver has also been linked to the Iranscam/Contragate investigation as having signed for the receipt of an arms shipment whose real destination was Iran.

Shortly after Marcos fled to Hawaii, the U.S. Customs Service seized a number of important documents from Marcos, which detail past expenditures and financial transactions in the United States. Of particular political interest was an explosive document, the "Mabuhay Corporation Statement of Expenses." (Attachment A). This document itemizes the expenditure of over \$750,000 from the Philippines National Bank, under the authority of General Ver. It was spent on the attempted purchase of a Bay Area radio station, political campaign contributions to candidates in California and

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national elections, identified "special missions," and the most sinister -- "special security projects."

The release of this document created a public stir but has since been largely forgotten. The Federal Election Commission started an investigation, and based on the document alone, even without the corroborative evidence provided herewith, its General Counsel recommended that the Commission find reason to believe that Marcos and Dr. Leonilo Malabed violated federal election laws. (See Attachment B.)

The president of the now-defunct Mabuhay Corporation was Dr. Leonilo Malabed, a San Francisco physician. Dr. Malabed, while publicly denying any wrongdoing, has repeatedly asserted the Fifth Amendment privilege against self-incrimination, both in hearings of the California State Legislative Committee on Real Estate Practices and in private depositions.

Malabed was questioned under oath, and his financial records were subpoenaed in the federal civil rights lawsuit, Estates of Domingo and Viernes v. Republic of the Philippines, No. C-82-1055V (Western District of Washington). His deposition was taken May 15 and October 24, 1986.

This case alleges that two anti-Marcos leaders of the Seattle-based Local 37 -- ILWU (Cannery Workers) were murdered on June 1, 1981, upon the orders of Marcos and Ver. Viernes had traveled to the Philippines in March and April

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of 1981 and had met with top leadership in the anti-Marcos trade union movement, as well as with student and peasant groups. He was surveilled by Marcos agents. Viernes joined forces with Domingo as a delegate to the 1981 convention of the ILWU, and they engineered the passage of a hotly contested resolution critical of the Marcos regime's treatment of Filipino workers and authorizing an investigative team to look into conditions there. Opposition to the resolution was organized by the local Philippine Consul General. A month later, the two men were gunned down in their union hall.

Three hitmen have been convicted in local courts; also implicated, but never charged, is Tony Baruso, former Local 37 president and a close ally of Marcos. According to sworn testimony in the hitmen trial, Baruso's .45 Mac-10 "execution piece" was the murder weapon; he promised to pay \$5,000 for the murders; and he met with hitman/gangleader Tony Dictado two days before the murders.

Armed with subpoena power, attorneys for the slain men's estates have investigated the use of Dr. Malabed's Mabuhay Corporation to pay Baruso for the Seattle murders. They have uncovered documentation that confirms the authenticity of the Mabuhay statement of expenses and implicates Malabed in a variety of illegal activities. Not the least of these activities is the expenditure of \$15,000 on May

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17, 1981, just two weeks before the Domingo/Viernes murders.

The rest of this memorandum summarizes this evidence and the federal criminal statutes believed to be violated.

I. THE EVIDENCE AGAINST DR. MALABED

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The Mabuhay Corporation Statement of Expenses speaks for itself. Corroborative evidence, summarized here, proves that it is exactly what it appears to be. Federal court Judge William Orrick (Northern District of California) stated in open court that the document is authentic for the purposes of his ruling on Dr. Malabed's assertion of the Fifth Amendment. Judge Orrick relied in part upon the declaration of Bonifacio Gillego, then a leading officer with the Philippine Presidential Commission on Good Government. The Gillego declaration explains various notations on the document and, based on his CIA training and service in the Philippine intelligence agencies, concludes that the Mabuhay Corporation was used as a "cover" and a conduit for Marcos' intelligence operations in the U.S. (See Attachment C.)

The Mabuhay Corporation was incorporated in California in 1978 by Dr. Malabed as its president. Other officers included Demetrio Jayme, Zoilo Inacay, Al Bitanga, and Romeo Esperanza, all Bay Area residents and friends of Dr. Malabed. (See Attachment D.) The Corporation maintained numerous bank accounts, including at the Philippine Bank of

California, now the Century Bank, 455 Montgomery Street, San Francisco. Dr. Malabed was the sole signatory. The first account was opened July 7, 1977. (See Attachment E). Other bank accounts undoubtedly exist, but Dr. Malabed has asserted the Fifth Amendment as to their locations.

The Philippine Bank of California was itself incorporated on March 7, 1977, by five Philippine government agencies. Its board of directors included former Philippine defense minister Juan Ponce Enrile, Dr. Malabed, and other Mabuhay incorporators. Placido Mapa, president of the Philippine National Bank, was also on the board. (See Attachment F).¹

A. The Source Of The Funds

The note at the bottom of the Statement of Expenses is without question Dr. Malabed's handwriting.² The note

¹ Another document seized from Marcos bears Mapa's signature and is a memorandum to Marcos indicating over \$9 million in U.S. currency will be placed in the "Philippine intelligence fund" out of "PNB profits." (See Attachment G.)

² Dr. Malabed's initial press interviews quote him as saying "Who signed it? If it is not signed, let us treat it as a useless document. Everything is false." Subsequent press efforts to substantiate the document and the Domingo disclosures forced Malabed to eventually admit signing it, albeit claiming, through his attorney, Patrick Hallanan, that he had been "duped" into signing it by Marcos. (See Attachment I.) Dr. Malabed's alibi, that he signed a "bogus" report of illegal campaign contributions and intelligence "security projects" as a cover for the less sinister propaganda purchases defies common sense. It is further belied by the proof of actual expenditures from the Mabuhay bank accounts

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acknowledges receipt of \$1 million from the Philippine National Bank for intelligence purposes minus \$762,478.52 withdrawn by the Armed Forces by authority of Chief of Staff (General Ver), leaving a balance of about \$230,000.

Philippine National Bank records subpoenaed in the Domingo/Viernes case provide the hardest evidence to date that Malabed received funds from the Philippines. Attachment H is th notarized declaration of Paciano F. Dizon, which documents Malabed's receipt of \$150,000 from PNB-San Francisco Agency on January 31, 1979, and \$40,000 on February 12, 1979. These receipts came shortly before major Mabuhay expenditures in February 1979. Other PNB records are being subpoenaed and will be analyzed.

In addition, a June 1986 interview with KRON-TV reporter Brian McTigue quotes Dr. Malabed's attorney Patrick Hallinan as claiming Malabed acknowledged receiving over \$500,000 in unreported cash stuffed in diplomatic pouches from Philippine couriers attached to the ministry of media affairs. Hallinan claimed the money was used solely for "propaganda purposes."

B. Specific Expenditures

The Mabuhay statement lists several categories of expenditures. Bank records have verified, at least in part,

described below.

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expenditures for each category:

1. Expenditures out of Mabuhay Corporation accounts for the purchase of KJAZ radio station in 1978 (the first seven items on the statement) have been admitted by Dr. Malabed and are easily provable through subpoenaed bank records and other documents. (See Attachment J.) Malabed's attorney told the KRON-TV reporter in June 1986 that Malabed discussed the purchase of KJAZ directly with Marcos, and that it was to be used for "pro-Philippine broadcasts." Dr. Malabed also owns the pro-Marcos Filipine-American newspaper, formerly Bataan News, and has testified that representatives of the Philippine government's Ministry of Media Affairs worked on his newspaper staff. (Deposition, October 24, 1986.)

2. Expenditures for political contributions cleared through "PSC-CG" (Presidential Security Command -- Commanding General Ver) -- have been verified in part. Some of the \$175,200 itemized can be verified through subpoenaed bank records and FEC documents. (See Attachment K.)

Dr. Malabed has in fact admitted making many of these contributions, but claims they were out of his own funds. This is contradicted by the Mabuhay documents themselves and other evidence that he received PNB funds.

3. Payments for special missions in 1980 and 1981 have also been verified, at least to the extent that Dr. Malabed and others traveled to the locations listed in Honolulu and New York for the Democratic National Convention. Bank records verified at least some of these expenditures. (See Attachment K.) Both Honolulu trips coincided with visits of Marcos to the U.S. Discovery in the Domingo case has produced a Honolulu consulate's list of pro-Marcos loyalists to be contacted to perform airport security for Marcos. This list includes Dr. Malabed's name.

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4. "Advances to CG" (again, Commanding General Ver) for "special security projects" is by far the most sinister item appearing on the document and alone justifies substantial investigative effort. The Gillego declaration concludes that these expenditures were "undertaken on behalf of Marcos and Ver and were used, in part, to counter the influence of anti-Marcos opposition in the United States, and to monitor and operate³ against them and for other propaganda and political purposes." (See Attachment C.) Whether these substantial payments were used as a payroll for Marcos intelligence agents and/or used for particular projects justifies further federal investigation.

At least one expenditure listed on 2/7/79 for \$9,900 was paid in cash to Dr. Malabed out of the Philippine Bank of California account. (See Attachment K.)

5. May 17, 1981. Of all of the items on the document, it is the May 17, 1981, expenditure of \$15,000 for a special security project which has the most significance for the Domingo case.

³ Both the Senate Foreign Relations Committee in 1979 and the Defense Intelligence Agency in 1982 (see Attachment L) have documented U.S. government knowledge of the efforts by Marcos agents in the U.S. to "monitor and operate against" the anti-Marcos Philippine dissidents exercising their First Amendment right and freedom of association in this country. Furthermore, Ferdinand Marcos, in his July 1986 deposition in the Domingo case, admitted that four Philippine government agencies -- National Intelligence Security Authority (NISA), the Intelligence Section of the Armed Forces of the Philippines, the Presidential Security Command (PSC), and the National Bureau of Investigation (NBI) collected information on anti-Marcos organizations in the United States. Marcos testified these agents collected such information through the use of military attaches in Philippine consulates and the embassy. He admitted knowledge as to some of the organizations and individuals that were targets of the intelligence operation, including the (KDP) Union of Democratic Filipinos, to which both Domingo and Viernes belonged.

The day after returning to Seattle from the ILWU convention in Hawaii, Tony Baruso purchased a plane ticket to San Francisco for May 16 and a return on May 17. Subpoenaed travel records reveal Baruso did indeed fly to San Francisco where he stayed at the Sutter Hotel. (See Attachment M.) This hotel is within blocks of the Philippine Consulate at 450 Sutter Street. Within days of his return, the Domingo/Viernes murder contract was put out, and hitmen Ramil, Guloy, and Dominguez were provided with Baruso's gun. The murders were carried out on June 1, 1981.

Baruso, in his January 1983 deposition in the Domingo case, answered, "I can't remember" to all questions regarding this Bay Area trip, including his purchase of the tickets, where he stayed, who he met with, etc. He further took the Fifth Amendment as to all questions about the murders.

Sworn testimony at the trial of Ramil, Guloy and Dictado⁴ established that the hitmen were to be paid \$5,000. Baruso's own bank records show cash deposits between June and November 1981 of just under \$10,000 in amounts of between \$200 and \$1,000. Baruso also made a 24-hour trip to Los Angeles in August 1981 just prior to the start of the hitmen trial. In the same month, another \$15,000 was expended from the Mabuhay Corporation for a "special security project."

Both Dr. Malabed and Baruso are well-known political figures within pro-Marcos circles in the U.S. Baruso was the master of ceremonies at Philippine Consular events in Seattle. Although Dr. Malabed has admitted to talking to Baruso only after the murders, "to get his side of the story," there is substantial reason to believe that these two strong Marcos supporters had close ties. Further, although Malabed denies giving \$15,000 to Baruso on May 17, 1981, he asserted the Fifth Amendment when asked whether he paid anyone \$15,000 on that date.

⁴ The other hitman, Dominguez, was found murdered in Seattle two days after Baruso's deposition in the Domingo case. One suspect, Esteban Ablang, fled shortly thereafter to the Philippines.

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C. Conclusion

Solid documentary evidence exists that Dr. Malabed controlled a secret intelligence fund operated by him and General Ver, which used Philippine government funds to seek purchase of a propaganda voice, contribute to local, state and federal elections, and fund a Marcos intelligence apparatus in the U.S. Highly probative and admissible, even though circumstantial, evidence exists that this fund was also used to pay for the Domingo/Viernes murders.

Evidence of this kind cries out for a full and fair investigation. The numerous leads which have a high probability of yielding positive should all be investigated. Other Malabed bank accounts should be subpoenaed. Witnesses close to Dr. Malabed, Mabuhay Corporation incorporators, and former San Francisco Consulate employees should be questioned. U.S. Customs and Immigration files should be examined to identify the Philippine diplomatic couriers, including officials with Marcos's Ministry of Media Affairs, who may have delivered the unreported cash to Malabed. A prime suspect for this courier is Lito Gorospe, formerly in Marcos' Media Affairs who made numerous trips to the Bay Area, and who, at least on one occasion, was provided with \$10,000 cash by The Philippines National Bank. (See Attachment H, pp. 4-5.) Dr. Malabed's ties to Baruso also bear further investigation.

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II. CRIMINAL LAWS INVOLVED

The evidence summarized above against Dr. Malabed suggests that numerous federal criminal laws are implicated justifying a full federal investigation and the reopening of the federal election commission hearings. This section summarizes those laws.

A. Violations Of The Law Of Foreign Relations:

One who acts as an agent of a foreign government without notifying the attorney general is in violation of 18 U.S.C. § 951, et seq. The Department of Justice has publicly stated that Dr. Malabed has not so registered.

One who disseminates "political propaganda" on behalf of a foreign government, party or principal, violates 22 U.S.C. § 611, et seq. Strict registration requirements exist.

B. Violations of Federal Election Laws

The prohibition on political contributions by foreign nationals is found within 2 U.S.C. § 441(e). A "foreign principal" is defined in § 611(b) to include a government or foreign political party as well as persons outside the United States who are not citizens or domiciled within the U.S. Clearly this definition applies to Marcos, as the FEC so found.

The prohibition on making contributions in the name of another person is contained in 2 U.S.C. § 441(f). The FEC

report states: "If the information contained in that document (the Mabuhay Corporation Statement of Expenses) is correct, contributions were made by Marcos through the Mabuhay Corporation, with Leonilo Malabed serving as conduit, as agent of the Mabuhay Corporation, then such activities would violate 2 U.S.C. § 441(e)." (See Attachment B.)

C. Violations Of Civil, Constitutional and International Human Rights.

18 U.S.C. § 241 makes it a federal offense to conspire to "injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States" The use of a Marcos intelligence slush fund for "special security projects" directed against the anti-Marcos opposition clearly implicates the civil rights acts.

The U.N. Charter prohibits foreign states from interfering in the internal affairs of another country, and international law prohibits states from engaging in police actions, summary executions, and terrorist acts abroad.

D. Other Federal Violations

Finally, Malabed's attorney's admission that Malabed received over \$500,000 in unreported cash from a foreign courier raises substantial questions regarding violation of U.S. Customs disclosure requirements.

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CONCLUSION

This memorandum ends with a call for justice. The solid evidence of wrongdoing, coupled with the clear intent of numerous federal statutes, mandates that responsible federal and state authorities insure that full protection of the laws shall be afforded to all citizens. It is vital to bring to justice all of those who subvert our democratic rights no matter how powerful or influential they might be or may have been. Marcos' recent efforts to charter a plane and return to the Philippines to topple the government of Corazon Aquino all demonstrate that the evidence summarized here is not of mere historical interest. To investigate the Marcos/Ver/Malabed/Baruso connection, and to seek criminal charges, as the evidence warrants, will send a powerful message to other governments, friend and foe alike, who may be tempted to engage in covert and terrorist operations and to subvert our laws and constitutional protections.

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MAHINIAT CONVENTION
STATEMENT OF EXPENSES
As of February 25, 1982

LOCAL FEES:-

1. David F. Kelly	\$16,649.99	
2. Farrant, Mueli, Spillane & O'Quinn	<u>1,522.20</u>	\$ 18,222.49
GOOD FAITH DEPOSIT		25,000.00
FINDER'S FEE & SALON (John Gillian)		3,000.00
APRAISER'S FEE (John F. Hardisty & Associates)		1,800.00
REPRESENTATION EXPENSES		<u>1,320.83</u>
TELEPHONE		91.52
MISCELLANEOUS EXPENSES		250.00

POLITICAL CONTRIBUTIONS (Cleared through FEC - CG):-

LOCAL ELECTIONS:-

1. Ft Meyer DP	\$ 2,500.00	
2. District App	500.00	
3. Supervisors (All Candidates)	200.00	
4. School Board (Tang & Miner)	<u>500.00</u>	\$ 3,700.00

STATE ELECTIONS:-

1. Larry Avera	\$50,000.00	
2. Senator Alan Cranston	10,000.00	
3. Speaker Leo McCarthy	<u>10,000.00</u>	70,000.00

NATIONAL ELECTIONS:-

1. Carter-Vandale Committee	\$ 1,500.00	
2. Democrats (Carter)	50,000.00	
3. Republican (Reagan)	<u>50,000.00</u>	101,500.00
		175,200.00

SPECIAL MISSIONS:-

1. 1980 ANA Convention - Honolulu	\$ 6,000.00	
2. 1980 KKK 10th District Party Convention	10,000.00	
3. 1981 Trip to Honolulu (Kukui) (Kukui)	<u>3,500.00</u>	19,500.00

ADVANCES TO C.G. (Special Security Projects):-

1. 2-7-79	\$ 9,900.00	
2. February 1979	66,000.00	
3. October 1979	66,000.00	
4. December 1979	33,000.00	
5. January 1980	33,000.00	
6. March 1980	66,000.00	
7. April 1980	33,000.00	
8. June 1980	33,000.00	
9. August 1980	33,000.00	
10. September 1980	10,000.00	
11. 1-21-81	33,000.00	
12. 5-17-81	15,000.00	
13. 5-17-81 (Palang-Palung, USA)	40,783.68	
14. August 1981	15,000.00	
15. 9-25-81 (Cancun, Mexico)	<u>20,000.00</u>	506,683.68

TOTAL As of February 25, 1982 ----- \$757,279.52

3-11-82 (Education Project) 10,000.00
3-11-82 - Miscellaneous travel expenses (Education) 200.00

EXHIBIT C
Case No. 157
Date of 3/2

\$762,976.52

April 11, 1982

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A checkbook has been received
BIM from INB for intelligence purposes
minus \$762,478.52 withdrawn by AF
by authority of the Chief of Staff
in a value of about \$750,000

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

Date and Time of Transmittal By
OGC to the Commission _____

MUR # 2156
Date Complaint Received
By OGC March 28, 1986
Date of Notification to
Respondent April 3, 1986
Staff Eric Kleinfeld

Complainant's Name: Mary Jane Freeman

Respondents' Names: Reagan-Bush
Angela M. Buchanan Jackson, treasurer
Carter/Mondale Presidential Committee
S. Lee Kling, treasurer
Senator Alan Cranston
Democratic National Committee
Sharon Pratt Dixon, treasurer
Leonilo Malabed
Government of the Philippines
Ferdinand Marcos

Relevant Statutes: 2 U.S.C. § 441e and § 441f

Internal Reports Checked: Disclosure Reports
Contributor Lists

Federal Agencies Checked: None

Summary of Allegations

On March 28, 1986, the Office of General Counsel received a signed, sworn and notarized complaint from Mary Jane Freeman, alleging violations of the Federal Election Campaign Act of 1971, as amended, ("Act"). Specifically, the complaint alleges that the 1980 Presidential campaigns of Ronald Reagan and Jimmy Carter plus United States Senator Alan Cranston and the Democratic National Committee may have accepted contributions made by a foreign national, in the form of contributions made in the name of another.

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Factual and Legal Analysis

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Complainant submitted a one page complaint accompanied by several newspaper articles concerning the allegations. The subject of the complaint are alleged contributions made by an unnamed foreign national (or the Government of the Philippines) to the following: the 1980 Presidential campaign of Ronald Reagan ("Reagan-Bush"), the 1980 Presidential campaign of Jimmy Carter ("Carter-Mondale"), United States Senator Alan Cranston and the Democratic National Committee ("DNC"). Complainant alleges that these contributions may have been made "in the name of another" and also may have been made in "excess of the federally imposed limits from these sources."

The two newspaper articles submitted with the complaint provide more details as to the circumstances surrounding the complaint's allegations. According to the articles, a document brought to this country by former President Ferdinand Marcos of the Philippines purportedly shows that contributions were made to the following candidates in the following amounts: Jimmy Carter - \$51,500, Ronald Reagan - \$50,000, and Alan Cranston - \$10,000. The contributions were supposedly made through the Mabuhay Corporation of California, whose director at the time was Dr. Leonilo Malabed, a boyhood friend of Marcos'.

Notification of complaint letters were mailed to the alleged recipients of these contributions and to Dr. Leonilo Malabed. 1/

1/ Letters were also sent to Ferdinand Marcos in Hawaii and to the Embassy of the Philippines, as a representative of the Philippine Government. The Marcos letter was not responded to nor was it returned undelivered. The Embassy responded through the United States Department of State.

All of these parties responded in writing.

The Reagan-Bush response requests that the Commission take no action on this matter, since the complaint has no basis to support the allegations, inasmuch as it lacks any evidence that the contributions were ever made.

The Carter-Mondale response denied knowingly receiving either contributions from foreign nationals or contributions made in the name of another.

Senator Cranston's response denies having ever received a campaign contribution from Ferdinand Marcos or any of Marcos' agents or from the Philippine government. Cranston admits that in 1980 his Senate campaign received \$500 from Dr. Malabed, but states that he had no reason to connect this with Marcos or the Philippine Government.

The DNC's response denies any violation with regard to complainant's allegations. The DNC admits receiving a contribution from Leonilo Malabed in the amount of \$4125, but states that the contribution appeared on its face "to be a legal contribution from a resident of California, and the DNC properly reported it as such." The DNC states that the complaint contains insufficient evidence to support its allegations, and that the DNC did not knowingly accept an illegal contribution of funds obtained by Mr. Malabed from prohibited sources.

In Malabed's response, he claims to not be "aware of any foreign (Philippine) sources of money contributed to politicians through me or any corporation under my control or ownership."

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The prohibition on contributions by foreign nationals is contained at 2 U.S.C. § 441e:

It shall be unlawful for a foreign national directly or through any other person to make any contribution of money or other thing of value... in connection with an election to any political office;... or for any person to solicit, accept, or receive any such contribution from a foreign national.

The term "foreign national" is defined by 2 U.S.C. § 441e(b)(1) to mean a "foreign principal" as this term is defined specifically by 22 U.S.C. § 611(b). Section 611(b) defines a "foreign principal" as including:

- (1) a government of a foreign country and a foreign political party.
- (2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business in the United States, and
- (3) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business is a foreign country.

The prohibition on making contributions in the name of another is contained at 2 U.S.C. § 441f:

No person shall knowingly make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

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Recipients

The evidence supporting complainant's allegations is limited at this stage of the matter. An examination of committee records on file with the Commission fails to disclose any direct contributions by Ferdinand Marcos (or for that matter, the Government of the Philippines) to any of the alleged recipients named in the complaint. Mr. Malabed made several contributions with regard to the 1980 elections, as follows:

<u>Recipient</u>	<u>Amount</u>	<u>Election</u>
Carter-Mondale	\$125	1980 Primary
Carter-Mondale	875	1980 Primary
DNC	4125	1980 Primary

The reports also indicate that a Mrs. Malabed made the following contributions: 2/

<u>Recipient</u>	<u>Amount</u> <u>3/</u>	<u>Election</u>
Carter-Mondale	\$500	1980 Primary
Carter-Mondale	625	1980 Primary
Carter-Mondale	300	1980 Primary

No evidence was submitted establishing a link between the contributions made by Malabed and any foreign national. The

2/ Mrs. Malabed was listed as "Mrs. Leonilo," "Mrs. Patrice" and "Mrs. L." with the same addresses as Leonilo Malabed.

3/ Although the aggregate amount contributed is \$1400, consistent with past Commission actions, the Office of General Counsel is recommending no action at this time on a possible 2 U.S.C. § 441a(a)(1)(A) violation.

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allegations are based on the existence of a document which purportedly shows intended contributions by Marcos. However, as each of the recipients expressly or implicitly contend, nothing from the face of the contributions received from Malabed indicates that they were made in the name of another or had originated from foreign sources. Both 2 U.S.C. § 441e and § 441f require knowing acceptance of these prohibited contributions, yet complainant supplies no evidence to establish that the recipients had any knowledge that the source of the contributions may have been someone other than whose name appeared on the checks.

With respect to each of the responses submitted by the recipients, the arguments made go to the sufficiency of the evidence submitted with the complaint. Counsel for Reagan-Bush contends that since the complaint supplies no evidence that the particular contributions were ever made, there is no basis for making a reason to believe determination. Counsel for Carter-Mondale states that that Committee has no knowledge regarding any of the contributions referred to in the complaint.

Senator Cranston states that he has no knowledge of ever receiving a campaign contribution from Marcos or any of his agents or from the Philippine government. Senator Cranston admits receiving a \$500 contribution from Leonilo Malabed in 1980, but states that he does not know Malabed and had no reason to connect him with Marcos.

The DNC states that while it too received a contribution from Leonilo Malabed in 1980, the contribution appeared on its fact to be a legal contribution from a resident of California and was properly reported as such.

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Because of the limited evidence submitted with the complaint regarding the recipients of the contributions at issue, the Office of General Counsel recommends that the Commission find no reason to believe that Reagan-Bush and Angela M. Buchanan Jackson, as treasurer, Carter-Mondale and S. Lee Kling, as treasurer, Senator Alan Cranston, and the Democratic National Committee and Sharon Pratt Dixon, as treasurer violated 2 U.S.C. § 441e and § 441f.

Contributors

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The making of the contributions, by Ferdinand Marcos through a conduit, possibly either by Leonilo Malabed or by a corporation under his control, the Mabuhay Corporation, is purportedly evidenced by a document brought to the United States by Marcos and currently in the possession of the House Committee on Foreign Affairs, Subcommittee on Asian and Pacific Affairs. A copy of the document was received by the Commission. The document is labelled "Mabuhay Corporation Statement of Expenses" and dated February 15, 1982. It purports to show expenses of \$51,500 paid to Carter, \$50,000 paid to Reagan, and \$10,000 paid to Cranston. The document also contains a handwritten note, by an unidentified person, stating that the money was received from PNB 4/ for intelligence purposes. If the information contained in that document is correct, contributions were made by Marcos through the Mabuhay Corporation, with Leonilo Malabed serving as conduit as agent of the Mabuhay Corporation, then such activities

4/ Possibly, the Philippine National Bank, according to news accounts attached to the complaint.

would violate 2 U.S.C. § 441e. Marcos, by virtue of his foreign citizenship, is a foreign national within the meaning of 2 U.S.C. § 441e. A foreign national may not through any person contribute to any election for political office. Additionally, if the actual contributions were made in the name of Mr. Malabed and others, this activity would violate 2 U.S.C. § 441f, which prohibits any person from allowing his name to be used for a contribution by another.

Ferdinand Marcos was notified of the complaint but failed to respond. 5/ Mr. Malabed responded to the complaint, stating in an unsworn response, that he is "not aware of any foreign (Philippines) sources of money contributed to politicians in this county through me or any corporation under my control or ownership." This denial was accompanied by what Mr. Malabed terms a list of his political contributions made from 1979 to 1983, on a document apparently filed with a San Francisco city official. However, the list is not an accurate disclosure record. This list includes the 1980 contribution by Malabed to the DNC, but reports the amount as \$5000, whereas both Commission and DNC records show the amount as \$4125. The list also fails to include any of the contributions previously cited as having been made in 1980 by Malabed to Carter-Mondale.

5/ Mr. Marcos' notification letter was mailed to him in Hawaii by regular first class mail. Although no response was received, the letter itself was not returned to the Commission, giving rise to the presumption of delivery of the mails.

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In light of these circumstances, the Office of General Counsel recommends that the Commission find reason to believe that Ferdinand Marcos violated 2 U.S.C. § 441e and § 441f and that Leonilo Malabed 6/ violated 2 U.S.C. § 441f. 7/ In addition, the Office of General Counsel recommends that the Commission authorize the sending of the attached letter to the Chairman of the House Sub-committee on Asian and Pacific Affairs requesting any information they may have.

Recommendations

The Office of General Counsel recommends that the Commission:

1. Find reason to believe that Ferdinand Marcos violated 2 U.S.C. § 441e and § 441f.
2. Find reason to believe that Leonilo Malabed violated 2 U.S.C. § 441f.
3. Find no reason to believe that Reagan-Bush and Angela M. Buchanan Jackson, as treasurer, violated 2 U.S.C. § 441e and § 441f.
4. Find no reason to believe that the Carter-Mondale Presidential Committee and S. Lee Kling, as treasurer, violated 2 U.S.C. § 441e and § 441f.
5. Find no reason to believe that Senator Alan Cranston violated 2 U.S.C. § 441e and § 441f.

6/ Because the Mabuhay Corporation was dissolved in 1982, the Office of General Counsel is recommending that this determination name Leonilo Malabed, who was agent for and director of the corporation, and who, it is alleged, may have actually made the contributions.

7/ The Office of General Counsel is making no recommendation with regard to the Government of the Philippines, since the newspaper articles specify Ferdinand Marcos as the contributor. Additionally, no recommendation is being made with regard to the excessive amount of the contribution, since the entire amount of the contributions is presumably prohibited by 2 U.S.C. § 441e and § 441f.

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8. Approve the attached letters.

Charles N. Steele
General Counsel

June 16, 1986
Date

BY: *Lawrence M. Noble*
Lawrence M. Noble
Deputy General Counsel

Attachments
A. Responses
B. Letters

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CHARLES O. MORGAN, JR.
450 Sansome Street
Suite 1310
San Francisco, CA 94111-3382
(415) 392-2037

MICHAEL E. WITHEY
Schroeter, Goldmark & Bender, P.S.
540 Central Building
Seattle, WA 98104
(206) 622-8506

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re Deposition of)
Dr. Leonilo Malabed)
ESTATE OF SILME G. DOMINGO,) Misc No. 8688 WHO
et al.,) For. Dep. 86-215
Plaintiffs,) For. Dep. 86-362
v.) DECLARATION OF BONIFACIO
REPUBLIC OF THE PHILIPPINES,) GILLEGO. RE PLAINTIFFS'
et al.,) MOTION TO COMPEL DR.
Defendants.) MALABED

I, BONIFACIO GILLEGO, depose and declare:

1. I am the U.S. based representative of the Philippine government's Presidential Commission on Good Government (PCGG) with offices in New York City and in Washington, D.C. at the Philippine Embassy. I have been commissioned and authorized by Philippine

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President Corazon Aquino to investigate and bring legal action to retrieve property owned and/or controlled by Ferdinand Marcos in the United States. The chairman of the Presidential Commission on Good Government is Jovita Salonga.

2. As part of my official duties on behalf of the PCGG, I travelled to Washington, D.C. with Jovita Salonga in March of 1986, and was physically present when U.S. Under-Secretary of State for Political Affairs, Mr. Michael Armacost, physically delivered over 2,500 documents to Mr. Jovita Salonga. These documents provided to myself and Mr. Salonga were seized from Ferdinand Marcos by the U.S. Customs Service in Honolulu, Hawaii after Marcos fled to Hawaii from the Philippines following his removal from office by Corazon Aquino.

3. The originals of these documents are retained by the U.S. government.

4. I maintain in my office in New York a full set of copies of all the documents provided.

5. The attached document, Exhibit B, entitled "Mabuhay Corporation Statement of Expenses" (hereinafter "Mabuhay Statement") is a true and authentic copy one of the documents provided to Jovita Salonga and myself by Under-Secretary Armacost in my presence; it is maintained in our files in the New York City office of the PCGG.

6. The Mabuhay Statement is but one of hundreds of other similar documents in my possession which detail, itemize, and document the expenditure by Ferdinand Marcos and others for the

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purchase of real estate, transfer of funds, expenditures of monies, establishment of accounts, etc., in the United States.

7. For over 20 years I was I a military intelligence officer in the Armed Forces of the Philippines and conducted extensive military intelligence services on behalf of that government abroad. I received training from the United States Central Intelligence Agency. I worked on foreign assignments on behalf of the Philippine military. In the course of these duties and since then, I have investigated, researched and studied Philippine intelligence activities and agencies abroad, including those in the United States. I am personally familiar with the Philippine intelligence operation abroad, including its major agencies, means of operations, methods of gathering intelligence, and use of "covers" and funding sources to accomplish its missions and tasks.

8. I left the Armed Forces of the Philippines in the mid-seventies and came to the United States. Since that time, I have studied, researched and investigated the role of Philippine intelligence agencies in the United States and, in particular, their activities on behalf of the Marcos regime to monitor and operate against the anti-Marcos opposition in the United States from the period of the mid-seventies through the present. I have written papers and reports on Marcos intelligence operatives, and have provided their names, military history, duties and activities to the present government of Cory Aquino. Since being appointed U.S.

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representative to the PCGG, I have had access to the documents of the Armed Forces of the Philippines, the National Intelligence and Security Authority (NISA), and other intelligence agencies. I have further had conversations with leading officers of the Philippine military establishment, including General Fidel Ramos, regarding the presence and operations and funding sources of the Marcos intelligence apparatus in the United States. I have a first name familiarity with the names of Marcos intelligence agents in the U.S., including during the time period 1978 through 1986.

9. The major focus of our investigation of Marcos' financial and real estate holdings in the United States are the financial activities of Dr. Leonilo Malabed of San Francisco, California.

10. I have studied the the Mabuhay Statement carefully. It is a statement of expenses which itemizes expenditures for a part of the Marcos intelligence operations in the United States. To further explain the document for the court, the handwritten statement at the bottom reflects the withdrawal of \$1,000,000 from the "PNB" -- Philippine National Bank for "intelligence purposes". The Philippine National Bank, whose headquarters is in Manila, operates offices in the United States, including California. The handwritten note further indicates that the withdrawal of this \$1,000,000 was under the "authority of the Chief of Staff. This refers to Chief of Staff General Ver, who headed up the Armed Forces of the Philippines Intelligence Section, the National Intelligence and Security

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Authority, and the Presidential Security Command (PSC). Each of these agencies conducted intelligence operations in the United States for the last 15 years. These operations included collecting information about the anti-Marcos opposition, including such organizations as the Union of Democratic Filipinos (KDP), the Coalition Against a Marcos Dictatorship (CAMD), and the Movement for A Free Philippines, amongst others. Each of these organizations conducted activities, had meetings and conferences and engaged in anti-Marcos protests in the Bay Area and in California.

11. It was a routine and normal intelligence procedure for General Ver to authorize the expenditure of funds for intelligence activities in the United States, including for "special security projects".

12. The PSC-CG referred to in the Mabuhay Statement refers to the Presidential Security Command -- Commanding General, again General Ver. The statement "advances to CG" indicates the funds were used on behalf of the CG -- again General Fabian Ver, for special security projects. This phrase refers to, amongst other things, intelligence operations, including operations against the anti-Marcos opposition in the U.S.

13. Based on my former position as a Philippine military intelligence officer, my studies and research of Philippine intelligence in the U.S., my duties and responsibilities in my current position, my review of documents of the present Philippine military,

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and of the documents brought by Ferdinand Marcos to the U.S. and provided to myself by the U.S. State Department, I am of the following opinions:

a. The expenditures listed as "special security projects" in the Mabuhay Statement were payments made by or through the Mabuhay Corporation and were part of the funding sources for Marcos intelligence activities against the anti-Marcos opposition movement in the U.S.

b. That the use of the Mabuhay Corporation was to provide a suitable cover in order to avoid detection of the true source of the funds for such intelligence purposes, i.e., the former government of the Philippines under Ferdinand Marcos and General Ver. That the use of such a cover is a routine intelligence device, utilized by all intelligence services including the Philippines.

c. I am firmly of the opinion that the "special security projects" were undertaken on behalf of Ferdinand Marcos, General Ver, and were used, in part, to counter the influence of anti-Marcos opposition in the U.S. to monitor and operate against them and for his other propaganda and political purposes.

d. That the Mabuhay Statement is exactly what it purports to be; such corporation was used by Dr. Malabed as a cover and as a conduit for intelligence operations and funds in the United States.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

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EXECUTED ON THIS _____ day of _____, 1986, at Wash ^{505 FIFTH AVENUE} ~~NEW YORK, N.Y.~~ ^{D.C.}

MAY 22 1986

CONSULATE GENERAL OF THE PHILIPPINES
505 FIFTH AVENUE
NEW YORK, N.Y. D.C.

Bonifacio Gillego
BONIFACIO GILLEGO

Consulate General of the Philippines
New York, N.Y., U.S.A.

MAY 22 1986

SUBSCRIBED AND SWORN to before me this _____ day
of _____ 19 _____ in the City of New York, N.Y., U.S.A.

Ariston E. Barsana
ARISTON E. BARSANA
Consul



DOC. NO. 7310
SN. NO. GRATIS
SERIES OF 1986
~~FEES~~

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902373

ENDORSED
FILED

In the office of the Secretary of State
of the State of California

NOV 9 1978

MARCH FUNG EU, Secretary of State

Phyllis E. Blaggi
Deputy

ARTICLES OF INCORPORATION
OF
MABUHAY CORPORATION

ONE: The name of this corporation is
MABUHAY CORPORATION.

TWO: The purpose of this corporation is to engage in
any lawful act or activity for which a corporation may be
organized under the General Corporation Law of California
other than the banking business, the trust company business,
or the practice of a profession permitted to be incorporated
by the California Corporations Code.

THREE: The name and address in this state of this corpora-
tion's initial agent for service of process is:

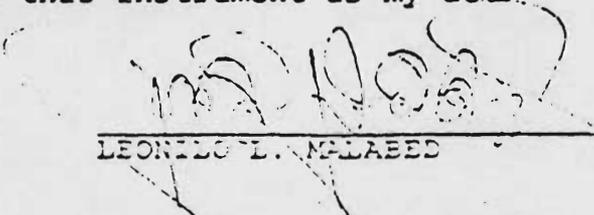
DANIEL F. REIDY, Esquire
703 Market Street, Suite 1506
San Francisco, California 94103.

FOUR: This corporation is authorized to issue One
Hundred (100) shares, all of the same class, designated
"Common Shares."

Dated: November 6, 1978.


LEONILO L. MALABED
Incorporator

I declare that I am the person who executed the above
Articles of Incorporation, and this instrument is my act
and deed.


LEONILO L. MALABED

ATTACHMENT D

EXHIBIT A

880407140

MINUTES OF ACTION OF INCORPORATOR
TAKEN WITHOUT A MEETING BY WRITTEN CONSENT

The following action is taken by the incorporator of MABUHAY CORPORATION, a California corporation, by written consent, without a meeting, on November 27, 1978 under sections 210 and 307(c) of the General Corporation Law of the State of California.

The following resolutions are adopted:

RESOLVED that LEONILO MALABED shall enter into an agreement whereby MABUHAY CORPORATION agrees to purchase radio broadcast station KJAZ of Alameda, California for One Million Six Hundred and Seventy-Five Thousand Dollars (\$1,675,000.00), subject to appropriate conditions.

RESOLVED that LEONILO MALABED shall loan MABUHAY CORPORATION the sum of Twenty Five Thousand Dollars (\$25,000.00) as an earnest money deposit for the KJAZ agreement.

RESOLVED that DANIEL REIDY shall coordinate the preparation of an application to the Federal Communications Commission whereby MABUHAY CORPORATION could receive FCC approval for the assignment of the KJAZ license.

The undersigned, the incorporator of this corporation, consents to the foregoing action.

Dated: November 27, 1978

LEONILO MALABED
Incorporator of MABUHAY CORPORATION

FYHIRIT B

STATE OF CALIFORNIA STATEMENT BY DOMESTIC STOCK CORPORATION

THIS STATEMENT MUST BE FILED WITH CALIFORNIA SECRETARY OF STATE (SEC 1502 CORPORATIONS CODE)

PLEASE READ INSTRUCTIONS ON BACK OF FORM

CORPORATION NAMED HEREIN, ORGANIZED UNDER THE LAWS OF THE STATE OF CALIFORNIA,
MAKES THE FOLLOWING STATEMENT:

1 STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 145 Mountain Spring Avenue (DO NOT USE P.O. BOX NO.)	SUITE OR ROOM 1A	San Francisco, CA CITY & STATE	1B 94114 ZIP CODE
2 STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIF. (IF ANY) Same (DO NOT USE P.O. BOX NO.)	SUITE OR ROOM 2A	CALIF. CITY	2B ZIP CODE
MAILING ADDRESS (OPTIONAL)	SUITE OR ROOM 3A	CITY & STATE	3B ZIP CODE

NAMES OF THE FOLLOWING OFFICERS ARE:

L CHIEF EXECUTIVE OFFICER Daniel F. Reidy	4A 145 Mountain Spring Ave BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	4B San Francisco CA CITY & STATE	4C 94114 ZIP CODE
S SECRETARY Demetrio Jayme	5A 703 Market, Suite 1506 BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	5B San Francisco, CA CITY & STATE	5C 94103 ZIP CODE
D CHIEF FINANCIAL OFFICER Daniel F. Reidy	6A 100 California, #1060 BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	6B San Francisco, CA CITY & STATE	6C 94111 ZIP CODE

PRESENTLY AUTHORIZED NUMBER OF DIRECTORS, INCLUDING VACANCIES

NAMES AND COMPLETE BUSINESS OR RESIDENCE ADDRESS OF INCUMBENT DIRECTORS INCLUDING THOSE DIRECTORS WHO ARE ALSO OFFICERS (Attach a supplemental list of directors if needed).

A NAME Leonilo Malabed	BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX) 145 Mountain Spring	CITY & STATE San Francisco, CA	ZIP CODE 94114
B NAME Lomeo Esperanza	BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX) 717 Edge Lane	CITY & STATE Los Altos, CA	ZIP CODE 94022
C NAME Rev. Fred Al. Bitanga	BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX) 756 Mission Street	CITY & STATE San Francisco, CA	ZIP CODE 94103
D NAME Demetrio Jayme	BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX) 100 California, # 1060	CITY & STATE San Francisco, CA	ZIP CODE 94111
E NAME Zoilo R. Inacay	BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX) 565 Junipero Serra Blvd	CITY & STATE San Francisco, CA	ZIP CODE 94127

DO NOT WRITE IN THIS SPACE

AGENT FOR SERVICE OF PROCESS: Daniel F. Reidy, Attorney at Law,
703 Market Street, Suite 1506, San Francisco, CA 94103
Business or residence address if an individual. DO NOT ADDRESS IF AGENT IS A CORPORATION.

EXPLANATION MUST BE BRIEF:

TYPE OF BUSINESS: Purchase and operate a radio station

I DECLARE THAT I HAVE EXAMINED THIS STATEMENT AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT IS TRUE, CORRECT AND COMPLETE.

02/05/79 DATE
Secretary TITLE
Daniel F. Reidy SIGNATURE OF CORPORATE OFFICER OR AGENT

~~FEE FOR FILING THIS STATEMENT - \$5.00~~

12 9023730 DUE DATE 02/07/79 354

MABUHAY CORPORATION
X DANIEL REIDY
703 MARKET ST STE 1506
SAN FRANCISCO, CA 94103

PLABUNAY CORPORATION
 (Malabed, Dr. Leonilo L.)

One

WE AGREE WITH PHILIPPINE BANK OF CALIFORNIA AS TO THE TERMS AND CONDITIONS SET FORTH BELOW

1 SIGNATURE *[Signature]* SOCIAL SECURITY NO. 563-66-0849
 2 SIGNATURE

TYPE OF ACCOUNT	ACCOUNT NUMBER	DATE OPENED	INITIAL DEP.	OPENED BY	DATE CLOSED
CHECKING <input checked="" type="checkbox"/> REG. <input type="checkbox"/> SPEC	01-100-084-30 01-088-30	7-7-77	\$200.00	JG	
REGULAR SAVINGS	01-100-084-30				

ACCOUNT CLOSED

With respect to each account opened at the time of signing this signature card, and with respect to each account opened subsequently in person, upon telephonic, or written request, each account will have the same account title indicated above and each depositor agrees to the terms of this signature card, the Rules for Personal Checking and Regular Savings Accounts of PHILIPPINE BANK OF CALIFORNIA (Bank) in effect, all amendments or additions thereto, all applicable laws and regulations, and the practices of the Bank in effect from time to time. If more than one signature appears above, all sums in each account shall be owned as joint tenants with right of survivorship, subject to the check, order or receipt signed by either or both, except that in the event of conflicting demands the Bank may require the signature of both of the above.

Each depositor agrees that each account opened with Bank shall be subject to the right of setoff for the liabilities to Bank of any such depositor to the extent legally permissible, and ACKNOWLEDGES RECEIPT OF A COPY OF BANK'S RULES FOR PERSONAL CHECKING ACCOUNTS & REGULAR SAVINGS ACCOUNTS

THE BANK IS AUTHORIZED TO
 MAIL ALL STATEMENTS AND VOUCHERS HOLD ALL STATEMENTS AND VOUCHERS UNTIL CALLED FOR

ACCOUNT CLOSED

AUTHORIZATION TO TRANSFER FUNDS

THE BANK IS AUTHORIZED TO CHARGE THE CHECKING ACCOUNT SHOWN ABOVE AND CREDIT AS FOLLOWS

ACCOUNT OR LOAN NO.	TYPE ACC.	AMOUNT	FREQUENCY	AUTH. DATE	DATE CANCELLED

MS-178 6-76

880407143

STATE OF CALIFORNIA
STATE BANKING DEPARTMENT

I, PATRICK CARROLL, Staff Services Analyst of the State Banking Department, do hereby certify that the attached documents are true and correct copies of documents on file with this Department.

Dated: June 3, 1986



LOUIS CARTER
Superintendent of Banks

By

Patrick C. Carroll
PATRICK C. CARROLL
Staff Services Analyst

880407144

APPLICATION FOR AUTHORITY TO ORGANIZE BANK

To: Superintendent of Banks

Date: March 3, 1976

The following persons:

Name: Juan Ponce Enrile
Philippine National Bank, PNB Bldg.
 Address: Ercolita, Manila, Philippines

Business or Occupation: Chairman of the Board, Philippine National Bank
 Name: Leonides Virata
Development Bank of the Philippines, DBP Bldg.
 Address: Buendia, Makati, Rizal, Philippines

Business or Occupation: Chairman of the Board, Development Bank of the Philippine
 Name: Roman Cruz, Jr.
Government Service Insurance System, GSIS Bldg.
 Address: Aroceros, Manila, Philippines

Business or Occupation: General Manager, Government Service Insurance System
 Name: Gilberto Teodoro
Social Security System, SSS Bldg.
 Address: East Avenue, Quezon City, Philippines

Business or Occupation: Administrator, Social Security System
 Name: Basilio Estanislao
Land Bank of the Philippines, B. F. Condominium
 Address: Aduana, Manila, Philippines

Business or Occupation: President, Land Bank of the Philippines
 (If additional space is required, continue on attached sheet)

hereby apply for authority to organize and establish a corporation under the laws of the State of California to engage in commercial banking business trust business
 (Check one or both)

at Vicinity of Montgomery and Sacramento Streets
 (Street address or vicinity)

San Francisco City, San Francisco County
 (City) (County)

under the name PHILIPPINE BANK OF CALIFORNIA

with total capitalization of \$5,000,000.00

The person authorized to represent the applicants in connection with this application is:

Name: Reynaldo C. Santos Telephone: (415) 483-2191

Address: 235 Montgomery St., San Francisco, California 94104

SIXTY-EIGHTH ANNUAL REPORT

B-261

Philippine Bank of California

Incorporated March 7, 1977

455 Montgomery St., San Francisco 94104

Tel (415) 981-7070

Principal Officers: A. F. Benavente, Executive Vice President; G. F. Powers, Senior Vice President; Frank Chang, Cashier.

Directors: A. F. Benavente, Frank Chang, Ramon Cruz, Jr., Juan Ponce Enrile, Ruffie L. Escobedo, Zelle E. Insua, Renato S. Joyan, Leticia Malibran, Ricardo L. Mapa, Jr., G. F. Powers, Gilberto Tardona.

STATEMENT OF CONDITION, as of June 30, 1977

(In thousands of dollars)

ASSETS

Cash and due from banks	4,337
U.S. Treasury securities	301
Trading accounts receivable	404
Federal funds sold, out	434
Loans (including unearned income)	3,700
LESS: Reserve for possible loan losses	
Loans (net)	3,700
Real property, furniture and fixtures	313
Other assets	73
Total Assets	10,046

LIABILITIES

Demand deposits (DPC)	131
Time and savings deposits (DPC)	246
Deposits of U.S. Government	2
Deposits of foreign governments	2,000
Deposits of nonfinancial banks	2,271
Cardinal and officers' deposits	50
Total Domestic Deposits	4,711
Unearned deposits	465
Time and savings deposits	4,346
Total Domestic and Foreign Deposits	4,711
Other liabilities	13
Total Liabilities	4,724

EQUITY CAPITAL

Common stock	3,575
Surplus	1,778
Unearned profits	-31
Total Capital Accounts	5,322
Total Liabilities and Capital Accounts	10,046

Parent company: Owned in equal amounts by the following Philippine Government Agencies: Development Bank of the Philippines, Government Service Insurance System, Land Bank of the Philippines, Philippine National Bank, and Social Security System.

ATTACHMENT F

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HEAD OFFICE
ESCOLTA, MANILA
PHILIPPINES

PHILIPPINE NATIONAL BANK
OFFICIAL DEPOSITORY OF THE REPUBLIC OF THE PHILIPPINES

PLACIDO L. MAPA, JR.
PRESIDENT

March 25, 1983

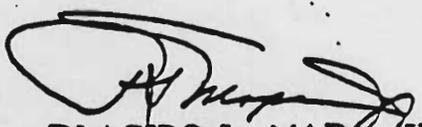
MEMORANDUM for -

President Ferdinand E. Marcos

Subject: - PHILIPPINE INTELLIGENCE FUND -

May I request your approval to charge temporarily against Accounts Receivable (Office of the President) the unliquidated advances from our New York Branch totalling US\$9,805,371.98.

~~Disposition of the receivable will subsequently be made from the Philippine Intelligence Fund to be provided out of PNE profits when the income on profit position of PNE can absorb it.~~


PLACIDO L. MAPA, JR.

ATTACHMENT G

880407147

SUMMARY OF RECONCILING ITEMS
WITH PNB NEW YORK BRANCH

88040Z JUL 48

<u>YEAR</u>	<u>NO. OF ITEMS</u>	<u>US\$AMOUNT</u>
1976	24	761,491.20 ✓
1977	42	1,044,433.98 ✓
1978	28	1,358,541.80 ✓
1979	3	170,000.00 ✓
1980	1	177,000.00 ✓
1981	3	1,340,000.00 ✓
1982	13	4,855,905.00
Total	114	\$ 9,805,371.98

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3

4	ESTATE OF SILME G. DOMINGO,)	CASE NO. Misc. 17745
5	et al.,)	(RELATED CASE NO. C82-1055V,
6	Plaintiffs,)	U.S.D.C., W.D. Washington)
7	vs.)	DECLARATION OF PACIANO F.
8	REPUBLIC OF THE PHILIPPINES,)	DIZON IN RESPONSE TO SUBPOENA
9	et al.,)	DUCES TECUM SERVED UPON THE
	)	PHILIPPINE NATIONAL BANK, LOS
	)	ANGELES BRANCH
)	

10 I, Paciano F. Dizon, declare:

11 1. I am Assistant Manager of the Los Angeles Branch
12 of the Philippine National Bank ("PNB/LA") and I have authority
13 to certify the records produced herewith. I make the
14 statements in the following paragraphs based on my present
15 knowledge, information and belief.

16 2. PNB/LA is licensed by the State of California as
17 a wholesale branch office and is the successor to the
18 Philippine National Bank San Francisco Agency ("PNB/SF"). In
19 March, 1981, PNB/SF moved its offices to Los Angeles, and in
20 May, 1982, converted such offices from an agency to a branch
21 office.

22 3. The documents attached hereto as Exhibits A, B, C
23 and D are true copies of all of the records of PNB/LA and
24 PNB/SF described in the attachment to the subpoena duces tecum,
25 dated July 18, 1986 served upon PNB/LA on or about July 22,
26 1986.

880407149

880407150

1 4. Such documents as were prepared by PPNB/LA and/or
2 PNB/SF were prepared by its personnel in the ordinary course of
3 PNB/LA's or PNB/SF's business at or near the time of the act,
4 condition or event.

5 5. Such documents constitute all documents
6 responsive to the subpoena duces tecum served upon PNB/LA which
7 were found by PNB/LA as a result of a diligent and
8 comprehensive search of its records and of its files and of all
9 of the records and files of PNB/SF which it has in its
10 possession, custody or control.

11 6. Exhibit A consists of three pages. On the top of
12 the first page is a copy of an entry form used by PNB/SF used
13 for internal accounting purposes which describes a payment made
14 by PNB/SF to Dr. Leonilo Malabed in the amount of \$150,000.00
15 by the issuance of a check drawn on PNB/SF's account with
16 Lloyds Bank of California. At the bottom of the first page of
17 Exhibit A is a copy of the check issued by PNB/SF to Dr.
18 Malabed in the amount of \$150,000.00. This copy of the check
19 serves as PNB/SF's credit ticket on the transaction.

20 The second page of Exhibit A is a copy of both
21 sides of the cancelled check in the amount of \$150,000.00
22 issued by PNB/SF payable to the order of Dr. Malabed.

23 The third page of Exhibit A is a copy of a telex
24 received by PNB/SF from PNB's Head Office in Manila advising
25 that instructions had been received by PNB's Head Office from
26 Dr. Malabed or someone acting on his behalf to issue a check in
27 the amount of \$150,000.00 payable to Dr. Malabed by PNB/SF in
28 U.S. dollars.

880407151

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7. Exhibit B consists of two pages. On the top of the first page is a copy of an entry form used by PNB/SF used for internal accounting purposes which describes a payment made by PNB/SF to Dr. Leonilo Malabed in the amount of \$40,000.00 by the issuance of a check drawn on PNB/SF's account with Lloyds Bank of California pursuant to cable received from PNB/SF's Head Office in Manila by order of Dr. Malabed or persons acting on his behalf. At the bottom of the first page of Exhibit B is a copy of the check issued by PNB/SF to Dr. Malabed in the amount of \$40,000.00. This copy of the check serves as PNB/SF's credit ticket on the transaction. The second page of Exhibit B is a copy of both sides of the cancelled check in the amount of \$40,000.00 issued by PNB/SF payable to the order of Dr. Malabed.

8. Exhibit C consists of two pages. On the top of the first page is a copy of an entry form used by PNB/SF used for internal accounting purposes which describes a payment made by PNB/SF to Conrado Rubio, Jr. in the amount of \$5,000.00 by the issuance of a check drawn on PNB/SF's account with Lloyds Bank of California pursuant to cable received from PNB/SF's Head Office in Manila by order of Mr. Rubio or persons acting on his behalf. At the bottom of the first page of Exhibit C is a copy of the check issued by PNB/SF to Mr. Rubio in the amount of \$5,000.00. This copy of the check serves as PNB/SF's credit ticket on the transaction. The second page of Exhibit C is a copy of both sides of the cancelled check in the amount of \$5,000.00 issued by PNB/SF payable to the order of Mr. Rubio.

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9. Exhibit D consists of two pages. The first page of Exhibit D is a credit ticket which is an entry form used for internal accounting purposes by PNB/LA which describes a \$10,000.00 disbursement which was made pursuant to instructions from PNB's Head Office in Manila. The bottom of the first page of Exhibit D consists of a debit ticket which is an entry form used by PNB/LA for internal accounting purposes that describes a debit for a \$10,000.00 disbursement made pursuant to instructions from PNB in Manila's Head Office which payment was made against PNB/LA's account with the Philippine Bank of California.

The second page of Exhibit D is a "Debit Advice Form" which I am informed and believe was issued by the Philippine Bank of California and was sent to PNB/LA indicating that the Philippine Bank of California charged PNB/LA's account with the Philippine Bank of California pursuant to PNB/LA's instructions which were received from PNB/LA's home office in Manila, and that pursuant to those instructions a \$10,000.00 payment was made to Mr. Lito Gorespe. I am informed and believe that Mr. Buenaventura referred to on the second page of Exhibit D was an officer of Philippine Bank of California. Ms. Amy Gella referred on the second page of Exhibit D was an Assistant Agent of PNB/LA as of the date of this document.

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I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that this declaration was executed this 10th day of September, 1986 at Los Angeles, California.

Paciano F. Dizon

PACIANO F. DIZON

88040710153

88040710154

We charged your account for the payee described below.

PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

PO No 2646

DATE

DEBIT TICKET

by our check No.

AMOUNT	
FOREIGN	U.S. DOLLARS
DATE	



PAID TO

WEST. BANK OF CAL. Contra/

<input type="checkbox"/> CABLE	DATED	NUMBER
<input type="checkbox"/> MAIL TRANSFER		

BY ORDER OF

REMARKS

DUE TO DUE FROM

AUTHORIZED SIGNATURE

83040715

DEBIT THE ACCOUNT OF:

WESTERN BANK OF CALIFORNIA
SAN FRANCISCO, CALIFORNIA

CREDIT
DEPOSITS WITH LOCAL BANKS
LOYDS BANK CALIFORNIA

PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 16820

~~NO. 31~~ 19 ~~75~~

\$ ~~130,000.00~~

PAY _____ DOLLARS

CHECK TO ORDER OF

MR. LORENZO DELANO
145 Mountain Spring Avenue
San Francisco, Ca. 94114

FOR ACCOUNT OF



PHILIPPINE NATIONAL BANK
 SAN FRANCISCO AGENCY
 235 MONTGOMERY STREET
 SAN FRANCISCO, CALIFORNIA 94104

MULTINATIONAL DIVISION
 LLOYDS BANK CALIFORNIA
 SAN FRANCISCO, CALIFORNIA

No 16820

JAN. 31 1979

\$150,000.00

11-40/1210

PAY P. N. B. 1500000 DOLLARS

TO THE ORDER OF

DR. LEONILLO MALABED
 145 Mountain Spring Avenue
 San Francisco, Ca. 94114



AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

⑈016820⑈ ⑆121000400⑆ 5522⑈12545⑈

⑈0015000000⑈

8 9 0 4 0 7 1 5 6

Handwritten notes and signatures

FEB 2

1007... 13290

11-85
 BRANCH
 SAN FRANCISCO
 CALIFORNIA
 11-1

MAR 2 1979

FEB 2

NSG-2

6/31

ADVISE PAY

DR. LEONILLO MALABED

145 MOUNTAIN SPRING AVENUE

SAN FRANCISCO, CALIF. 94114

USDLRS 150,000.00

ORDER HIMSELF.

DOMREM - INTL

880407157

8804071158

The payment describes below.

DEPOSIT

SAN FRANCISCO AGENCY
35 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

PO No 2652

DATE
2-12-79

paid by our check No.

1101 1000000000

AMOUNT	
FOREIGN	U.S. DOLLARS
	10,000.00
PAID	



PAID
10,000.00
25 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA

<input type="checkbox"/> CABLE	DATED	NUMBER
<input type="checkbox"/> MAIL TRANSFER	2-12-79	

BY ORDER OF

DEBIT THE ACCOUNT OF:

Philippine National Bank
International Dept.
3000 St. Francis
Philippines 2600
Attn: Boston.

REMARKS:

DUE TO DUE FROM

8040710159

COL-2 (10-66)

AUTHORIZED SIGNATURE

CHECK
DEPOSITS WITH LOCAL BANKS
LLOYDS BANK CALIFORNIA

PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 16934

1979

PAY 40000.00 DOLLARS

CHECK TO ORDER OF

DR. HENRI HALL
150 MONTGOMERY STREET
SAN FRANCISCO, CALIF. 94104

FOR ACCOUNT OF

ACCOUNT ~~NO.~~

PO No. 2652

ATTACHMENT H



PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
 255 MONTGOMERY STREET
 SAN FRANCISCO, CALIFORNIA 94104

NATIONAL DIVISION
 LLOYDS BANK CALIFORNIA
 SAN FRANCISCO, CALIFORNIA

No 16934

19

P. N. B. 400



PAY

DOLLARS

TO THE ORDER OF

SAN FRANCISCO, CALIF. 94104

AUTHORIZED SIGNATURE
 AUTHORIZED SIGNATURE

⑆016934⑆ ⑆121000400⑆ 5522⑆12545⑆

⑆0004000000⑆

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1979
 BANK OF CALIFORNIA
 SAN FRANCISCO

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 CALIFORNIA
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 BANK OF CALIFORNIA
 SAN FRANCISCO

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880407109161

We charged your account for
the payment described below.

PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY

235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

PO No 2677

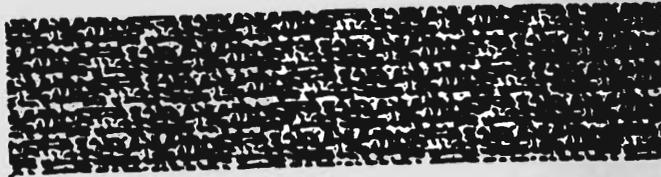
DEBIT TICKET

DATE

Paid by our check No.

11474 ck no 17617

AMOUNT	
PAYMENT	U.S. DOLLARS



PAID TO

<input type="checkbox"/> CABLE	DATED	NUMBER
<input type="checkbox"/> MAIL TRANSFER	3-79	

BY ORDER OF

REMARKS

DUE TO DUE FROM

AUTHORIZED SIGNATURE

3040710152

DEBIT THE ACCOUNT OF:

Philippine National Bank
Cebu Branch
Munoz Plaza, Cebu
Munoz City, Philippines 3005

COL-2 (9-68)

CREDIT
DEPOSITS WITH LOCAL BANKS
LLOYDS BANK CALIFORNIA

PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY

235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 17617

19 79

~~8 400.00~~

PAY

5000.00

DOLLARS

CHECK TO ORDER OF

ISSUED BY
CHARLES A. HENRI JR.
See credit card no 001-0017

FOR ACCOUNT OF

ATTACHMENT H



PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY
285 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

MULTIBANK DIVISION
LLOYDS BANK CALIFORNIA
SAN FRANCISCO, CALIFORNIA

No 17617

4-23 1979 \$ -5,000.00-

11-40/1210

P. N. B. 5000 DOLLS 00 DOLLARS

PAY TO THE ORDER OF

LLOYDS BANK ACCT OF
CONRADO A. MURIO JR.
for credit acct no 0661-10137



AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

⑆017617⑆ ⑆121000400⑆ 5522⑆12545⑆ ⑆0000500000⑆

830407163
for A/c NO 0661-10137

CREDIT TO THE ACCOUNT OF
WITHIN NAMED PAYEE

Lack of Endorsement 970

Lloyds Bank California

APR 23 1979

CHECK CENTER
Lloyds Bank California

APR 23 1979

88040710164



PHILIPPINE NATIONAL BANK

LOS ANGELES AGENCY
LOS ANGELES CALIFORNIA 90017

CREDIT - DUE FROM LOCAL BANKS DEMAND (PBC)

5/13/81 19

AMOUNT U.S. DOLLARS

TEN THOUSAND ONLY

\$10,000.00

PREPARED BY

CHECKED BY

APPROVED BY

DISBURSEMENT PER H.O. INSTRUCTIONS.

830407165

DEBIT H.O.

AUTHORIZED SIGNATURE



PHILIPPINE NATIONAL BANK

LOS ANGELES AGENCY
LOS ANGELES CALIFORNIA 90017

DEBIT PNB, MANILA (ATEX: 000)

5/13/81 19

AMOUNT U.S. DOLLARS

TEN THOUSAND ONLY

\$10,000.00

PREPARED BY

CHECKED BY

APPROVED BY

DISBURSEMENT PER H.O. INSTRUCTIONS.

[Handwritten signature]

CREDIT DUE FROM LOCAL BANKS DEMAND (PBC)

AUTHORIZED SIGNATURE

DEBIT ADVICE

PHILIPPINE BANK OF CALIFORNIA
488 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA 94104

DATE May 13, 1981

DETAILS:

YOUR REF. #01103156-83

OUR NO.

VALUE DATE	AMOUNT DEBITED
5/13/81	\$10,000.00

Per telephone instructions with Mr. Buenaventura, from Ms. Amy Galla, we are debiting your account for the amount of \$10,000.00 dollars. Payable to Mr. Lito Gutierrez.

25:6V 81 1W 1B

TO

Philippine National Bank L.A.
700 South Flower Street St. #2516
Los Angeles, Calif, 90017

WE HAVE DEBITED YOUR

ACCOUNT #01103156-83 CONTRA: ~~C/C~~ *CHST*

PREPARED BY:

APPROVED BY:

[Signature]
#0103156-83

[Signature]

8304071

S.F. Doctor 'Duped' by Marcos

By Leslie Guevarra

The San Francisco doctor implicated in numerous investigations of Ferdinand Marcos' so-called "hidden wealth" was duped by Marcos officials into becoming the scapegoat for the probes, his attorney said yesterday.

In an exclusive interview with The Chronicle, attorney Patrick Hallinan said Dr. Leonilo Malabed is being "victimized" because he was pressured to sign a document that falsely claims his now-defunct Mabuhay Corp. received \$1 million in Philippine intelligence funds to pay for covert operations in this country.

Malabed scrawled an unsigned handwritten message at the bottom of the document drafted four years ago to vouch for its authenticity after being told he was doing a favor for his boyhood friend, Marcos, Hallinan said.

"Dr. Malabed never received any intelligence money. ... He is completely innocent of any wrongdoing," the lawyer said.

The disclosure marked the first time that Malabed, through his attorney, has admitted that he has personal knowledge of the controversial document and that he wrote the mysterious note on it.

Malabed opted to release the information through his attorney because he fears any public statement he makes about the document might be used against him in court.

among 2,000 that U.S. Customs officials seized from Marcos on February 26 when he arrived in Hawaii after fleeing Manila.

The document is of key importance in half a dozen state, federal and Philippine investigations of Marcos activities in this country. It is also a major issue in several feder-

al lawsuits against the deposed leader. being held here because Malabed lives here.

Three members of a Seattle gang were convicted of the murders, but the victims' families contend that Marcos' government was responsible. The pretrial hearing is

For the first time, Malabed through his lawyer admitted to knowing about a controversial document

al lawsuits against the deposed leader.

Malabed has not been charged or sued in connection with any of the cases. However, investigators and lawyers for Marcos foes allege the Mabuhay document is genuine.

Opponents of Marcos claim it proves Marcos used Malabed's firm to launder Philippine money that provided funds for a 1981 double-murder of Marcos foes in Seattle and a variety of other illegal schemes in this country.

U.S. District Court Judge William Orrick in San Francisco ruled yesterday that the document is "authentic only for court purposes."

The ruling was part of a pretrial hearing in a suit filed in Seattle by families of Silme Domingo and Gene Viernes. The two were oppo-

The masterminds of the plot, whom Hallinan declined to name, used the phony expense sheet to "steal and double-dip" at least \$500,000 from the Philippine government, the attorney claimed. "Dr. Malabed didn't know anything about it," he said.

Between 1979 and 1981, Malabed received about \$500,000 from a Philippine government media fund to pay for pro-Marcos television and radio programs, social events and other "innocent activities" in this country and Mexico, Hallinan said. "It wasn't intelligence money ... and none of it was for bit-man stuff or spying or dirty tricks," he said.

Malabed agreed to act as the conduit for the money because Philippine officials feared opponents of Marcos would have a "propaganda field day" if the government directly paid for the promotional programs, according to Hallinan.

Malabed told Hallinan he first learned of the bogus expense sheet in April 1982, when he met with other Marcos supporters at the government palace in Manila.

The paper, which Malabed claims he saw only in its final form, falsely listed that the Mabuhay Corp. made \$175,000 in political contributions to U.S. politicians — an amount 20 times the actual \$8,750 political donations Malabed made in his own name and his own money — according to copies of Malabed's canceled checks made available to The Chronicle.

Orrick is expected to rule next week on a request that Malabed hand over all records of Mabuhay business.

Facts Back the Mabuhay List

By Michael Winos and Ronald J. Ostrow
Los Angeles Times

Washington

A 1982 document seized from Ferdinand Marcos that states that a California company funneled more than \$700,000 in Philippines military money into U.S. political campaigns and "security missions," appears to be genuine despite charges that the paper was faked.

The document, a "statement of expenses" for the San Francisco-based Mabuhay Corp., includes many nonpolitical spending entries that have proven genuine. It also includes cryptic entries from 1981 and 1982 that parallel diplomatic and publicity initiatives in the United States and Mexico by the deposed Philippines president.

The factual support for the expense items that could be checked contrasts with assertions by politicians and Mabuhay officials that the document is a fraud.

Much of the one-page sheet purports to recount spending of Philippines military intelligence money in the United States as approved by Fabian and Irwin Ver, former leaders of the Philippines' military and security forces.

Among other items, it lists \$175,000 in contributions to 10 U.S. politicians, including Jimmy Carter and Ronald Reagan, and \$608,883 in unidentified "special security" spending.

Senator Alan Cranston, D-Calif., another of the politicians said to have received contributions, branded the sheet "somebody's fake expense account." Investigators for the new Philippines government of President Corason Aquino also voiced doubts about its authenticity.

Dr. Ledillo Malabed, a wealthy San Francisco physician and friend of Marcos' who founded Mabuhay with five other Filipino

that he was "shocked" by news that the document was among Marcos' private papers. He denied that any political or intelligence activity took place within the company.

Two days of cross-checking produced both circumstantial and physical evidence suggesting parts of the \$762,478 listed on the seized document were indeed related to Mabuhay, a company created by Malabed to buy an Alameda radio station.

Federal Communications Commission re-

Some of the gifts on the list seized from Marcos have been proven genuine

records show that plans to purchase station KJAZ-FM fell through in October 1979. A listing on the seized document of about \$61,000 in legal fees, good-faith deposits and other purchase-related expenses was checked and found to correspond with information in FCC records and with the general recollections of attorneys involved in the purchase and whose names appear on the statement.

Daniel Reddy, a former attorney for Mabuhay, recalls earning fees of about \$14,000 in the failed effort to buy KJAZ but says "it could have been more." The record indicated he was paid \$16,050. Attorney Stephen Farrand's firm is listed as receiving \$1582 from Mabuhay, a sum he said was an FCC filing fee paid by the law firm.

However, public records trace a parallel between politicians on the list and donations by Mabuhay, Malabed or its five other directors from February 1979 to March 1982.

The document lists \$50,000 donations to Reagan, Carter and to Larry Avera, a former Solano County supervisor who ran for the California Assembly. Lesser amounts were listed for seven others, including Cranston, San Francisco Mayor Dianne Feinstein, California Lieutenant Governor Leo McCarthy and even two school board candidates.

All but Reagan and San Francisco Community College board member Judy Tang have since reported legal donations from Mabuhay or its six principals. Tang had not fully checked election records by yesterday.

Besides political activities, more obscure entries on the Mabuhay document — both large and small — coincide with events in the United States and Mexico clearly linked to Marcos' Philippines rule:

■ A September 25, 1981, entry of \$20,000 under "Special Security Projects," labeled "Cancun, Mexico," occurs roughly a month before Marcos attended an economic summit of rich and poor nations in Cancun, where he met briefly with Reagan. Filipino expatriates say a second \$40,783 entry, titled "Pulong-Pulong, USA" appears to refer to an attempt by Marcos officials to rouse Filipino-American support for an October 1982 state visit by the leader.

■ Handwritten entries of \$16,000 and \$200, labeled "3-11-82 Camellia Festival," appear to refer to the annual Camellia Festival in Sacramento, which in March 1982 paid tribute to the Philippines.

Roy Herburger, director of the festival that year, is an Elk Grove publisher who also prints a pro-Marcos newspaper owned by Malabed, the Philippine-American. He said Marcos' press secretary and two Philippines actresses came to the festival that year, but he said he does not know who paid their traveling expenses and knows nothing about expenses by Mabuhay.

Rights Comm

Aquino May Be

Manila

The newly appointed Philippine Human Rights Commission decided yesterday to examine new evidence that reopened the 1983 assassination of President Corason Aquino's husband, opposition leader and signee Aquino.

It also said it will review reports of mass graves that are believed to contain bodies of de President Ferdinand Marcos cronies.

Commission Chairman Diokno said at a news conference that the investigation will open and "go as high as necessary." Diokno said "it all depends what evidence shows whether we let go" Defense Minister Juan Eclaro and General Fidel Ramos.

Eclaro had served many years under Marcos in the military last month that re in his ouster.

Diokno said the commission will investigate possible "collusion" between the judiciary and military officers who defended the 25 military officials and one civilian character connection with Aquino's assassination. The official included General Genet Ver, the armed forces chief staff under Marcos.

Reopening the Aquino case could add to tensions between civilian and military leaders.

QUESTIONS ARISE OVER ...

Malabed-Marcos ties

Political contributions eyed

NEWS ANALYSIS

By ALEX A. SACLANABO/Publisher & Editor-in-Chief



THE CADETS of the Philippine Military Academy were presented by President Corason Aquino with their Certificates of Appreciation for their service during the recent visit to the United States.

SAN FRANCISCO, March 24 - Leonido Malabed, the Filipino physician who is proud of his reputation as the "eyes and ears" of Ferdinand B. Marcos in the United States, is the center of intense inquiry from various sources in relation to his reported connections to U.S. politicians.

Did Dr. Malabed spend his own money in making his long political contributions or was he reimbursed by the Marcos government for all his political activities and for all his expenses in his pro-Marcos activities in the United States?

The answer to these questions will determine if Malabed is a

true political philanthropist or an illegal front of the Marcoses.

The Malabedy Corporation which Malabed organized in 1979 to purchase radio station KQAZ in Alameda, California, for \$1,675,000.00, was listed as a recipient of substantial sums from the Foreign Intelligence Fund of the government of deposed Philippine ruler Marcos. The purchase did not materialize when Philippine news publisher Alex A. Saclanabro brought to the attention of the Federal Communications Commission (FCC) the fact that the Malabedy Corporation was a front for the

To page 12

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SANTA ANA WEEK OF MARCH 26-APRIL 1, 1986

Malabed-Marcos ties

Contributions to U.S. politicians eyed

on page 1

government of Marcos. It is illegal for any foreign entity to own broadcast rights in America.

In documents found among the 100 pages recovered from the Marcos party in Hawaii which was turned over to the new government of President Corason Aquino, a "Statement of Expenditures" under the heading "Mabuhay Corporation for the period from 1979 to 1982" was found.

The document itemized, among other things, alleged political contributions to the administration of former President Jimmy Carter, President Ronald Reagan and former candidate for

Assemblyman Larry Asera at \$4,000.00 each. Other smaller amounts were reported to have been contributed to the political campaigns of California Senator Alan Cranston, San Francisco Mayor Dianne Feinstein, California Lieutenant Governor Leo McCarthy, San Francisco Supervisor Quintin Kopp, and to two members of the Board of Education of San Francisco. All these politicians denied any knowledge of contributions from the Marcos government to their campaigns. However, they admitted having received the following sums from Dr. Leonilo Malabed:

1. Larry Asera, during his unsuccessful campaign for Assemblyman in California - \$32,000.00;
2. Carter Campaign - \$2,125.00 in 1979;
3. Senator Cranston - \$500.00 in 1980;

Commentary:

From page 4

in surmounting the problems of their profession in the U.S. Thus, they should be resolute in joining the AP... The time has come when they should at long last... end. What they should have done years before, they should do at once with steadfast determination; it is better late than never!

To join the APPPA should be their first important decision during the year 1986, a decision that they will assuredly never come to regret!

4. McCarthy - then Assembly Speaker of California - \$2,500.00;

5. Mayor Feinstein - \$1,500.00 in 1979; \$300.00 in 1982; \$450.00 in 1983; and \$50.00 in 1983 recall campaign;

Records in Washington, D.C. also indicate that Malabed contributed 4,125.00 to the Democratic National Committee in 1980 and \$2,500.00 in 1983. The Reagan campaign has not acknowledged any contribution received from Malabed.

Senator Cranston told the *Philippine News*, at press time, that he has never met Malabed nor does he remember having received any funds from him directly.

"He may have bought some tickets to my numerous political functions," Cranston said. "I see no point for Malabed to try to influence my actions knowing how strongly I was committed to putting an end to the Marcos dictatorship," Cranston said.

The Mabuhay Corporation which was apparently used by Malabed as a source of funding for his pro-Marcos activities at the time was run by a Board of Directors who were known to be Marcos supporters. Aside from Malabed, the other members were: Demetrio S. Jayme, former owners' representative of the defunct Maritime Company of the Philippines; Zoilo Inocay, comptroller of the San Francisco Jewish Home for the Aged; Father Fred Al Bitanga, associate pastor of the St. Joseph's Church in San Francisco. A fifth member, Romeo Esperanza, was non-political and served as professional inventor.

In papers filed with the State and Federal authorities, the other Board members of the Mabuhay corporation were also shown as having contributed to certain political campaigns at the same time that Malabed made his contributions.

At press time, however, Demetrio S. Jayme, in an interview with Bryan McGuire of KRON-TV, Channel 4, denied having contributed to the campaign of Carter although his name was shown in the filing reports.

"The reason I am upset is because it was in the context that

the money given by me of \$1,500.00, to Carter was from Marcos - that is what made me feel bad," Jayme angrily told a reporter.

When asked how his name and that of his wife appeared as contributors to the Carter campaign, as shown in the Federal Election Commission documents presented to him, Jayme retorted:

"How this happened to appear here is beyond me... With this size of the contributions..." Jayme asserted.

Another member of the Board who refused to be identified publicly confirmed to *Philippine News* that he did not contribute to the Carter campaign although his name may have been reported as a contributor.

"If my name appeared as a huge contributor to the political campaigns in which Malabed was involved, my name must have been used by Malabed without my knowledge or approval," said the former Mabuhay board member.

The authenticity of the document which was found among the possessions of the Marcos party, was impugned by Malabed as "meaningless," he told a *San Francisco Examiner* reporter that the document should not be treated with any value because it was not signed.

"Who signed it?" he asked. "If it is not signed, let us treat it as a useless document. Everything is false..." Malabed asserted. Malabed has maintained that "I am not a conduit... All of the money I contributed was my own."

However, the document which Malabed denied any knowledge about was virtually authenticated when certain entries in the "Statement of Expenditures" were deemed accurate. Among the expenses mentioned in the document which were verified as made by the Mabuhay Corporation and/or by Malabed himself, were:

1. Attorney's fees given to Daniel Reidy, a former attorney of the Mabuhay Corporation who told newsmen that he received over \$14,000.00 in fees for handling the failed radio licensing effort. Another lawyer, Attorney Stephen Farran, was also listed as having received \$1,582.00 for refund of expenses for filing the papers. The seized document indicated that about \$51,000.00 was spent by Mabuhay Corporation for legal fees.



OLD FRIENDS Ferdinand Marcos and Leonilo Malabed in Philippine News photo.

good-faith deposit and other purchase-related expenses. The lawyer fees claimed by Reidy and Farran tallied with records of the Federal Communications Commission.

2. A \$20,000.00 entry on September 25, 1981, under "Special Security Project" is labeled "Cancun, Mexico" was made about a month before Marcos attended the economic summit of rich and poor nations in Cancun, Mexico where Marcos met Reagan for the first time after the latter's election as U.S. President.

3. A \$40,783 entry entitled "Pulong-Pulong, U.S.A." could refer to a special gathering which Malabed organized in San Jose, California, where Filipino leaders were invited to a "Chat with President Marcos via Satellite." Consul General Romeo Arguelles confirmed to *Philippine News* that the activity was a project of Dr. Malabed.

4. \$10,000.00 and \$200.00 entries labeled "3/11/82 Camellia Festival," apparently refers to donations made to the Camellia Festival Committee, headed by Malabed's printer, Roy Herburger of Elk Grove. The festival is

an annual project of the City of Sacramento and in March 1982 the festival paid tribute to the Philippines.

According to the document, some \$700,000.00 in Philippine intelligence funds was funneled to the Mabuhay Corporation of Malabed. Much of the money went reported to have been spent for political campaigns and "security missions."

A total of \$175,200.00 was reported to have been given to 10 U.S. politicians, all of whom denied awareness of contributions made by Marcos or his government. The Carter and Reagan campaigns categorically denied having received \$50,000.00 each from Malabed although Asera reported having received \$32,000.00 of a supposed \$50,000.00 contribution. Some \$506,683.00 represented unidentified "special security" spending by Mabuhay of Malabed.

Under U.S. laws, it is illegal to conceal the source of political contributions. It is also illegal for foreign corporations or governments to contribute to any U.S. political campaign.

ATTACHMENT J

MABUHAY/MALABED BANK RECORDS RE PURCHASE OF KJAZ RADIO STATION

880407171

BANK OF MALABED
DIRECTOR

DR. LEONILLO L. MALABED
140 DEL PILAR STREET, SUITE 100
SAN FRANCISCO, CA 94134

126

March 15, 1979

Check # 1075

Amount \$ 1,277.00

000136740-36740 01-00019-6

BANK OF MALABED
DIRECTOR

DR. LEONILLO L. MALABED
140 DEL PILAR STREET, SUITE 100
SAN FRANCISCO, CA 94134

126

March 15, 1979

Check # 1075

Amount \$ 1,277.00

000136740-36740 01-00019-6

8 8 0 4 0 7 1 1 7 2

BANK DIRECTOR

DR. DONALD L. MALONE
100 CALIFORNIA STREET, SUITE 100
SAN FRANCISCO, CA 94104

100

March 19 1975
Daniel F. Reidy

\$2367.54

Three Thousand Three Hundred Sixty Seven and 50/100



Postmarked Mar 19, 1975

[Handwritten signature]

000108-62710-35790 01-00019-6

0000216754

BANK DIRECTOR

DR. DONALD L. MALONE
100 CALIFORNIA STREET, SUITE 100
SAN FRANCISCO, CA 94104

108

December 23 1978

\$3034.90.00

50/100 ONLY



DONALD L. MALONE

000108-62710-35790 01-00019-6

0000303450

110

Feb 7 1979

Daniel Reidy

\$3,117.63

Three Thousand One Hundred Seventeen and 63/100

[Handwritten signature]

000108-62710-35790 01-00019-6

0000311763

8 3 0 4 0 7 1 0 1 7 3

BANK DIRECTOR

PAID TO ORDER OF 075 3-70 JK

Atty. Daniel F. Reid \$3162.17

One thousand One hundred Sixty Two and 17/100

K 1000170-41160-16708 8. 0001-1 000033167807

BANK DIRECTOR

PAID TO ORDER OF 112 7-6-15 TH

Farrand, Nell Spillane + Camp \$1,582.50

One thousand Five hundred Eighty Two and 50/100

K 000113-41160-16708 01-00019-67 00001582507

8 8 0 4 0 7 1 1 7 4

BANK DIRECTOR 104

DR. LEONARD L. ...

Pay to the order of Richard Gilliam \$ 5,000.00

Five Thousand 00/100

[Signature]

⑈00010⑈-⑈10-⑈887⑈-⑈01-⑈00019-⑈⑈ ⑈0000100000⑈

BANK DIRECTOR 104

December 13, 1964

Pay to the order of John J. Burgess & Associates \$ 1,000.00

One Thousand 00/100

[Signature]

⑈00010⑈-⑈10-⑈887⑈-⑈01-⑈00019-⑈⑈ ⑈0000100000⑈

ATTACHMENT K

MABUHAY/MALABED BANK RECORDS SHOWING PAYMENTS FOR
POLITICAL CAMPAIGN CONTRIBUTIONS, "SPECIAL MISSIONS"
AND "SPECIAL SECURITY PROJECTS"

- A. CAMPAIGN CONTRIBUTIONS
- B. SPECIAL MISSIONS AND SECURITY

880407109175

8 8 0 4 0 7 1 1 7 7

DR. LEONARD L. GALANTZ
 DIRECTOR

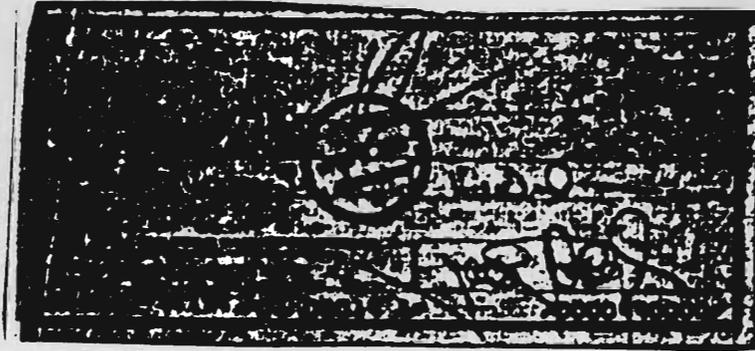
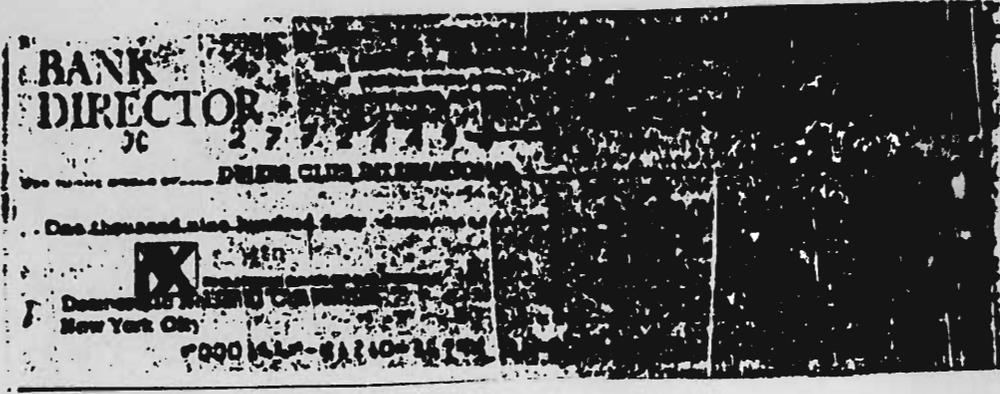
Center for Health Services Committee

13

000132 12103679 01/000146 046

0000150000

88040710178



ON PAYMENT TO THE ACCOUNT OF

NAME *John F. ...*

ACCOUNT NO. *19-6*

DATE *10/2 1960*

NY FEDERAL RESERVE BANK OF NEW YORK

2121157796 001 0000 54 70015533223

FEDERAL ELECTION COMMISSION

SELECTED LIST OF RECEIPTS & EXPENDITURES (G) (79-8)
SECTION 1 - INDIVIDUAL CONTRIBUTIONS

CONTRIBUTOR/LENDER/TRANSFERRER REPORTING ENTITY MICROFILM LOCATION	STREET ADDRESS TRANSACTION TYPE	CITY
MALABED, PATRICE S MRS CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/110/4720 #330764 CONTRIBUTION	145 MT SPRINGS AVE	SAN FRANCISCO
MALACHUK, DANIEL JR CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/100/4398 #191103 CONTRIBUTION	5313 GLENWOOD ROAD	BETHESDA WHITE HOUSE
MALAD, RICHARD M BIRCH BAYH FOR SENATOR COMMITTEE 80SEN/017/0022 #522811 CONTRIBUTION		INDIANAPOLIS DILLON HARDAMON & COH
MALAGA, ROGER CITIZENS FOR LAROCHE 80FEC/105/1171 #175013 CONTRIBUTION	4000 HUMPHREY	RICHFIELD UNEMPLOYED
MALAFIS, GEORGE KENNEDY FOR PRESIDENT COMMITTEE 80FEC/105/2190 #195866 CONTRIBUTION	1721 70TH ST	BROOKLYN SELF-EMPLOYED
MALAKOFF, M E KAZEN FOR CONGRESS COMMITTEE 80HSE/176/1694 #337539 CONTRIBUTION	P O BOX 1668	LAREDO PHYSICIAN
MALAMENT, WILLIAM CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/110/0209 #207520 CONTRIBUTION	410 GRANT AVE	ORADELL LINCOLN TICKET AGENCY
MALAMENT, WILLIAM BILL BRADLEY FOR U.S. SENATE 81SEN/002/0027 #665813 CONTRIBUTION		UNION CITY LINCOLN TICKET AGENCY
MALAMUD, H/FRIENDS OF LIZ HOLTZMAN INC COUNCIL FOR A LIVABLE WORLD 80FEC/152/3643 #307478 EARMARKED INTERMEDIARY OUT		
MALAN, FRED CENTURY CLUB, THE (AKA ONE HUNDRED CLUB) 79FEC/126/5075 #011876 CONTRIBUTION	2960 VAN BUREN AVE	OGDEN
MALANAPHY, V MR COMMITTEE FOR SENATOR GRIFFIN 79SEN/003/2013 #039732 CONTRIBUTION	PO BOX 619	OWOSSO CHAIRMAN ANN HARBOR R.
MALANAPHY, VINCENT LEN FOR CONGRESS 79HSE/169/3316 #129654 CONTRIBUTION	PO BOX 619	OWOSSO ANN ARBOR RAILROAD

FEDERAL ELECTION COMMISSION

SELECTED LIST OF RECEIPTS & EXPENDITURES (G)
SECTION I - INDIVIDUAL CONTR

CONTRIBUTOR/LENDER/TRANSFERRER REPORTING ENTITY MICROFILM LOCATION	STREET ADDRESS TRANSACTION TYPE	CITY
MAKOVITZ, BERNARD PEOPLE FOR JOHN HEINZ COMMITTEE 79SEN/006/1648 #132670 CONTRIBUTION	480 CHAPEL COURT	PITTSBURGH MARKOVITZ & VITT
MAKOWSKI, FRANK T/BIRCH BAYH FOR SENATOR COMMITTEE COUNCIL FOR A LIVABLE WORLD 80FEC/152/3515 #283213 EARMARKED INTERMEDIARY OUT		
MAKRIANES, JAMES K JR NATIONAL REPUBLICAN SENATORIAL COMMITTEE - CONTRIBUTIONS * 80SEN/015/4096 #544145 CONTRIBUTION		NEW YORK BUSINESS COUNSUL
MAKRIANES, JUDITH E ANDERSON FOR PRESIDENT COMMITTEE 80FEC/108/3945 #242612 CONTRIBUTION	60 E END AV	NEW YORK HOUSE WIFE
MAKSIM, JOHN MR NATIONAL UNITY CAMPAIGN FOR JOHN ANDERSON 80FEC/114/4309 #467437 CONTRIBUTION		ETIWANDA
MALABED, L MRS CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/100/4398 #191100 CONTRIBUTION	3085 24TH ST	SAN FRANCISCO HOMEMAKER
MALABED, LEONILO DR CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 79FEC/100/2362 #048548 CONTRIBUTION	3085 24TH	SAN FRANCISCO INMAN TI BATA C A
MALABED, LEONILO L CRANSTON FOR SENATE COMMITTEE 80SEN/005/2312 #318476 CONTRIBUTION	145 MOUNTIAN SPRING AVE	SAN FRANCISCO PHYSICIAN
MALABED, LEONILO L DR CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 79FEC/100/2709 #100734 CONTRIBUTION	145 MOUNTAIN SPRING	SAN FRANCISCO ANNAC TI BATA C A
MALABED, LEONILO L DR DNC SERVICES CORPORATION/DEMOCRATIC NATIONAL COMMITTEE 80FEC/172/4224 #480526 CONTRIBUTION		SAN FRANCISCO PHYSICIAN
MALABED, LEONILO L MRS CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 79FEC/100/2708 #100731 CONTRIBUTION	145 MOUNTAIN SPRING AVE	SAN FRANCISCO HOMEMAKER
MALABED, PATRICE S MRS CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/110/4134 #302839 CONTRIBUTION	145 MT SPRINGS AVE	SAN FRANCISCO

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FEDERAL ELECTION COMMISSION

SELECTED LIST OF RECEIPTS & EXPENDITURES (G) (79-
SECTION I - INDIVIDUAL CONTRIBUT

CONTRIBUTOR/LENDER/TRANSFERRER REPORTING ENTITY MICROFILM LOCATION	STREET ADDRESS TRANSACTION TYPE	CITY
JAY, LYNDA AIKENS BROWN FOR PRESIDENT (1980 PCC) 80FEC/104/2857 #156009 CONTRIBUTION	92 SALMON BEACH	TACOMA HOUSE WIFE
JAY, RICHARD A MR OHIO REPUBLICAN FINANCE COMMITTEE 80FEC/154/3771 #289956 CONTRIBUTION	889 EATON AVE	AKROM GOODYEAR T & R CO
JAY, VINCENT E MR REPUBLICAN NATIONAL COMMITTEE - CONTRIBUTIONS (AKA REPUBLICAN NATIONAL FINANCE COMMITTEE REQUESTED) 79FEC/137/3034 #123164 CONTRIBUTION	618 SOUTH 19TH STREET	ARLINGTON
JAY, WEBB DONELON FOR CONGRESS CAMPAIGN COMMITTEE 80HSE/174/3079 #334810 CONTRIBUTION	10121 IDLEWILD PLACE	RIVER RIDGE CONSULTING ENGINEER
JAYAPATHY, B DR KENNEDY FOR PRESIDENT COMMITTEE 80FEC/103/5003 #165002 CONTRIBUTION	9 SOURIS CT	MINOT PHYSICIAN
JAYAPATHY, B DR KENNEDY FOR PRESIDENT COMMITTEE 80FEC/106/3994 #203543 CONTRIBUTION	9 SOURIS CT	MINOT PHYSICIAN
JAYAPATHY, B MD MCGOVERN CAMPAIGN COMMITTEE 80SEN/001/1116 #230815 CONTRIBUTION	123 2ND AVE SE	MINOT PHYSICIAN
JAYCE, LAWRENCE OBERSTAR FOR CONGRESS VOLUNTEER COMMITTEE 80HSE/176/2579 #308876 CONTRIBUTION	1746 MILLWOOD AVE	ROSEVILLE M R BOLIN AGENCY
JAYKO, MARSHA B KENNEDY FOR PRESIDENT COMMITTEE 80FEC/107/2941 #234153 CONTRIBUTION	28 BARKER ST APT F3	MT KISCO TEACHER
JAYME, DEMETRIO MR CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/100/4337 #192194 CONTRIBUTION	150 32ND AVE	SAN FRANCISCO FILIPINO-AM CHAMBER
JAYME, DEMETRIO, S MR CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 79FEC/100/2690 #099460 CONTRIBUTION	100 CALIFORNIA ST/STE 1060	SAN FRANCISCO SELF-EMPLOYED
JAYME, JUSTINA R MRS CARTER/MONDALE PRESIDENTIAL COMMITTEE INC 80FEC/100/4337 #192193 CONTRIBUTION	150 32ND AVE	SAN FRANCISCO HOMEMAKER

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... 9th Division... and 13th SWC Brigades... internal political tensions are greatly

... review on 12 July 02

CPT Alan Lynn, USA.
S/A Neil Duman, USA.

NEW PHILIPPINE DEFENSE ATTACHE TEAM IS ASSIGNED (U)

UNCLASSIFIED

(S/NHAKU) A new Philippine defense attaché team, headed by the first flag officer in that post since July 1946, has arrived in Washington. The team will help manage President Marcos' forthcoming visit to the US, try to expand ties between the Philippine Embassy and the US Department of Defense, and monitor anti-Marcos Philippine activists residing in the US.

(C/NOFORN) Philippine Army Brig Gen Angel Kanapi, defense attaché designate to the US, arrived on station on 1 July. He will soon succeed CAPT Ernesto Arzaga as Manila's principal military representative in Washington. Kanapi, 50, served with the Philippine Civic Action Group in Vietnam in 1966, graduated from the US Army Command and General Staff College in 1971, and was Superintendent of the Philippine Military Academy (PMA) from 1978 until recently. While at the PMA, Kanapi's leadership came under some criticism as a result of a hazing incident in which the cadet son of another general officer died.

(C/NOFORN) A new team of subordinates will assist Kanapi in his duties in the US. They include CIDR Domingo Tucay, 39, as assistant defense and naval attaché; Constabulary LTC Roman Maddela, 35, as ground forces attaché; Lt Col Melchor Rosales, 37, as air attaché; and LTC Narciso Abaya, 32, as assistant ground forces attaché. Maddela has been in the US since November, and Rosales and Tucay 2 months or less. Abaya is expected to arrive soon.

(S/NOFORN) The new attaché team was selected by Benjamin Romualdez, Ambassador-designate and brother of First Lady Imelda Marcos, and confirmed by Armed Forces Chief of Staff Gen Fabian Ver. The attaches appear to be well-qualified; four are PMA graduates and the fifth, Abaya, is a West Pointer. Maddela is a highly decorated combat of-



BRIG GEN KANAPI
DEFENSE ATTACHE



LTC MADD
GROUND FORCES ATTACHE

ficer. More striking than their professional credentials are their ties to President and Mrs. Marcos. All have served in the Presidential Security Command, a military organization that is responsible for the security of the First Family and recently was commanded by Gen Ver. In that

25 Jul 82

10
SECRET

ATTACHMENT L

8804071182

Kanapi, Maddela, and Rosales have in the past accompanied Mrs. Marcos on foreign visits. At least two of the attaches - Kanapi, Abaya, Maddela, and Rosales - are known regionalists of Gen Ver and President Marcos. Kanapi is also a member of the 1933 PMA Class, one of two classes must relied upon by Marcos to execute and administer martial law between 1972 and 1981. LTC Abaya is the son of one of Marcos' generals and the grandson of the former Senator, National Defense Secretary, and Vice Chief of Staff Eulogio Dalao, a key Marcos associate since the 1930s.

(S/NOFORN) This new group of military representatives is the most impressive Manila has dispatched to the US in years. Kanapi, for example, is the first Philippine flag officer attache sent to Washington since Brig Gen Vicente Yngente departed in July 1966. With their rank and experience, Kanapi and his subordinates will undoubtedly hold major roles in the security and other aspects of

President Marcos' official visit to the US in September, his first since 1966. Of greater importance, Ambassador-designate Romualdez probably wants his new attaches to establish a strong relationship between the Philippine Embassy in Washington and the US Department of Defense, a relationship the Philippines has allowed to languish in recent years. Such enhanced ties would undoubtedly be valuable to Manila during the bilateral review of the 1947 Military Bases Agreement beginning in summer 1983. Participation by Brig Gen Kanapi in these negotiations is likely. The new team is also expected to monitor Philippine dissident activity in the US. Given the backgrounds of Lieutenant Colonels Rosales and Maddela - the latter was a guard and interrogator of an American involved in a series of bombings in Manila in 1980 - the attaches will undoubtedly report on, and possibly operate against, anti-Marcos Philippine activists in the US. (Classified by multiple sources; review on 9 Jul 82)

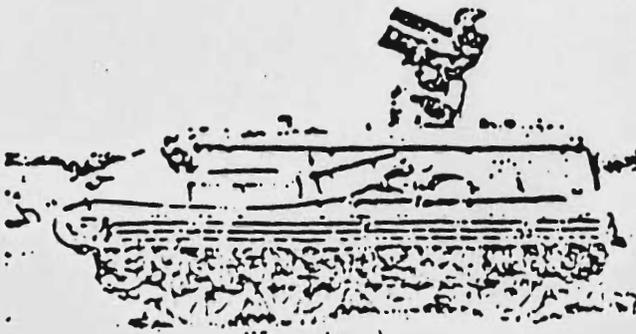
88040710183

TRACKED MULTIPLE ROCKET LAUNCHERS NOTED IN BEIJING MILITARY REGION (C)

(S/WNINTEL/NOFORN) Tracked multiple rocket launchers (MRLs) mounted on a Type 63 (M-1967) armored personnel carrier (APC) chassis were recently observed with a main force infantry division in Beijing Military Region (MR) for the first time.

(S/WNINTEL/NOFORN) Eighteen tracked MRLs were sighted with the 359th Artillery Regiment of

UNCLASSIFIED



(U) TYPE 63 (M-1967)
MULTIPLE ROCKET LAUNCHER

the 79th Infantry Division, 27th Army, at Xingtai, Hebei, on 18 May. This is the second Chinese infantry



21 Jul 82

BARUSO/c. (Tony) MW

14 MAY 81

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SEA 4/8 2:22 86

FANTASY TRAVEL
INC
SEATTLE WASH
80 64802 8 S

FLIGHT	CLASS	FARE BASIS	ORIGIN	DESTINATION	DATE	TIME
1	Y	WA	SEA	SEA	14	7:30 AM
2	R	WA	SEA	SEA	14	7:30 AM
3	Y	WA	SEA	SEA	14	7:30 AM
4	Y	WA	SEA	SEA	14	7:30 AM
5	Y	WA	SEA	SEA	14	7:30 AM
6	Y	WA	SEA	SEA	14	7:30 AM
7	Y	WA	SEA	SEA	14	7:30 AM
8	Y	WA	SEA	SEA	14	7:30 AM
9	Y	WA	SEA	SEA	14	7:30 AM

AGENT CIL

Western Airlines
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\$ 268.56
\$ 13.44
\$ 276.00

FLIGHT	CLASS	FARE BASIS	ORIGIN	DESTINATION	DATE	TIME
1	Y-2	WA	SEA	SEA	10	7:50 AM
2	Y-2	WA	SEA	SEA	10	7:50 AM
3	Y-2	WA	SEA	SEA	10	7:50 AM
4	Y-2	WA	SEA	SEA	10	7:50 AM
5	Y-2	WA	SEA	SEA	10	7:50 AM
6	Y-2	WA	SEA	SEA	10	7:50 AM
7	Y-2	WA	SEA	SEA	10	7:50 AM
8	Y-2	WA	SEA	SEA	10	7:50 AM
9	Y-2	WA	SEA	SEA	10	7:50 AM
10	Y-2	WA	SEA	SEA	10	7:50 AM

1224:941:328

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LAX WA 511 2-24
SEA WA 511 2-24
FANTASY TRAVEL
INC
SEATTLE WASH
80 64802 3

FLIGHT	CLASS	FARE BASIS	ORIGIN	DESTINATION	DATE	TIME
1	Y-2	WA	SEA	SEA	11	5:20 PM
2	Y-2	WA	SEA	SEA	11	5:20 PM
3	Y-2	WA	SEA	SEA	11	5:20 PM
4	Y-2	WA	SEA	SEA	11	5:20 PM
5	Y-2	WA	SEA	SEA	11	5:20 PM
6	Y-2	WA	SEA	SEA	11	5:20 PM
7	Y-2	WA	SEA	SEA	11	5:20 PM
8	Y-2	WA	SEA	SEA	11	5:20 PM
9	Y-2	WA	SEA	SEA	11	5:20 PM
10	Y-2	WA	SEA	SEA	11	5:20 PM

Western Airlines
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\$ 230.48
\$ 11.52
\$ 242.00

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ATTACHMENT M



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 18, 1987

Michael E. Withey, Esquire
Schroeter, Goldmark & Bender, P.S.
540 Central Building
Third and Columbia
Seattle, WA 98104

Dear Mr. Withey:

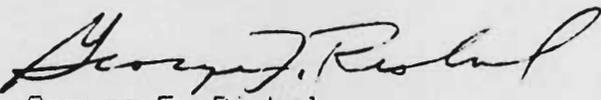
This is to acknowledge receipt of your letter, which we received on May 11, 1987. Your letter was not properly sworn to.

You must swear before a notary that the contents of your complaint are true to the best of your knowledge and the notary must represent as part of the jurat that such swearing occurred. A statement by the notary that the complaint was sworn to and subscribed before her will be sufficient. We are sorry for the inconvenience that these requirements may cause you, but we are not statutorily empowered to proceed with the handling of a compliance action unless all the statutory requirements are fulfilled. See 2 U.S.C. § 437g.

If you have any questions concerning this matter, please contact Setha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
Acting General Counsel


By: George F. Rishel
Acting Associate General Counsel

cc: To Respondents

88040710186



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 18, 1987

Dr. Leonilo Malabed
145 Mountain Spring Avenue
San Francisco, CA 94114

Dear Mr. Malabed:

On May 11, 1987, the Federal Election Commission received a letter alleging that you violated sections of the Federal Election Campaign Act of 1971, as amended. As indicated from the copy of the enclosed letter addressed to the complainant, those allegations do not meet certain specified requirements for the proper filing of a complaint. Thus, no action will be taken on this matter unless the allegations are refiled meeting the requirements for a properly filed complaint. If the matter is refiled, you will be notified at that time.

This matter will remain confidential for 15 days to allow for the correction of the defects. If the defects are not cured and the allegations are not refiled, no additional notification will be provided and the file closed.

If you have any questions, please do not hesitate to call me at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Acting General Counsel

A handwritten signature in cursive script, appearing to read "George F. Rishel".

By: George F. Rishel
Acting Associate General Counsel

Enclosures

- Copy of Complaint
- Copy of Letter to Complainant

88040710187



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 18, 1987

Mr. Ferdinand Marcos
2337 Makiki Heights
Honolulu, HI 96822

Dear Mr. Marcos:

On May 11, 1987, the Federal Election Commission received a letter alleging that you violated sections of the Federal Election Campaign Act of 1971, as amended. As indicated from the copy of the enclosed letter addressed to the complainant, those allegations do not meet certain specified requirements for the proper filing of a complaint. Thus, no action will be taken on this matter unless the allegations are refiled meeting the requirements for a properly filed complaint. If the matter is refiled, you will be notified at that time.

This matter will remain confidential for 15 days to allow for the correction of the defects. If the defects are not cured and the allegations are not refiled, no additional notification will be provided and the file closed.

If you have any questions, please do not hesitate to call me at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Acting General Counsel


By: George F. Rishel
Acting Associate General Counsel

Enclosures

- Copy of Complaint
- Copy of Letter to Complainant

88040710188



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 18, 1987

General Fabian Ver
c/o Ferdinand Marcos
2337 Makiki Heights
Honolulu, HI 96822

Dear General Ver:

On May 11, 1987, the Federal Election Commission received a letter alleging that you violated sections of the Federal Election Campaign Act of 1971, as amended. As indicated from the copy of the enclosed letter addressed to the complainant, those allegations do not meet certain specified requirements for the proper filing of a complaint. Thus, no action will be taken on this matter unless the allegations are refiled meeting the requirements for a properly filed complaint. If the matter is refiled, you will be notified at that time.

This matter will remain confidential for 15 days to allow for the correction of the defects. If the defects are not cured and the allegations are not refiled, no additional notification will be provided and the file closed.

If you have any questions, please do not hesitate to call me at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Acting General Counsel

By: George F. Rishel
Acting Associate General Counsel

Enclosures
Copy of Complaint
Copy of Letter to Complainant

8 3 0 4 0 7 1 0 1 8 9

RECEIVED AT THE FEC
GCC# 3504

87 JUN 1 9:29

JANET L. RICE
VIRGINIA M. ROBINSON
WILLIAM RUTZICK
LEONARD W. SCHROETER
SIDNEY STILLERMAN SWAN
PAUL W. WHELAN
MICHAEL WITHEY

JOHN GOLDMARK
(1917-1979)

Of Counsel
DAVID DANIELSKI
PAUL O'NEIL

87 JUN 1 11:02

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

LAW OFFICES
SCHROETER, GOLDMARK & BENDER, P.S.
540 CENTRAL BUILDING
THIRD & COLUMBIA
SEATTLE, WASHINGTON 98104

Telephone:
(206) 622-8506

FROM BREMERTON (TOLL FREE)
479-1271

CROIL ANDERSON
WILLIAM S. BAILEY
DEAN BENDER
C. STEVEN FURY
JAMES D. HAILEY
KRISTIN HOUSER
YVONNE HUGGINS-McLEAN
MATTHEW G. KNOPP
J. KATHLEEN LEARNED
DOUGLAS D. McBROOM
ROBERT E. McCLUSKEY
JUDY I. MASSONG
KIRK I. MORTENSEN

May 28, 1987

Lawrence M. Noble
Acting General Council
Federal Election Commission
Washington, D.C. 20463

Dear Mr. Noble:

Re: Federal Election Commission Complaint

As per your letter of May 18, 1987, requesting my notarized signature affirming the truth of the complaint filed by myself against Ferdinand E. Marcos, Dr. Leonilo Malabed, and General Fabian Ver, I hereby state as follows:

MICHAEL E. WITHEY, being first duly sworn upon oath, deposes and says:

I am the complainant and swear that the contents of the Federal Election Commission Complaint previously filed is true and accurate to the best of my knowledge.

Michael E. Withey
MICHAEL E. WITHEY

SUBSCRIBED AND SWORN TO before me this 29 day of May, 1987.

Leddie H. Simons
NOTARY PUBLIC in and for
the State of Washington,
residing at *Belleme* My
commission expires 2-14-88.

98040710190

Lawrence M. Noble
May 28, 1987
Page Two

According to Docket Chief Retha Dixson, whom I spoke with yesterday, this letter will suffice to establish the necessary notarization of the FEC complaint previously filed.

Sincerely yours,

Michael E. Withey
MICHAEL E. WITHEY
Complainant

MEW/mkth

83040710191

Talm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1987

Gen. Fabian Ver
2701 Eucalyptus Avenue
Long Beach, CA 90806

RE: MUR 2453
Gen. Fabian Ver

Dear Gen. Ver:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2453. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

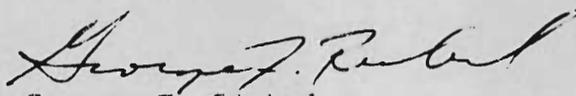
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

88040710192

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
Acting General Counsel



By: George F. Rishel
Acting Associate General Counsel

Enclosures

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

88040710193

Plan



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1987

Gen. Fabian Ver
94-1069 Kahuamoku
Waipahu, HI 96797

RE: MUR 2453
Gen. Fabian Ver

Dear Gen. Ver:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2453. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

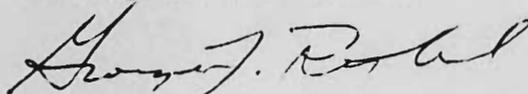
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

88040710194

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-3200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
Acting General Counsel



By: George F. Rishel
Acting Associate General Counsel

Enclosures

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

88040710195



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1987

Mr. Ferdinand Marcos
2337 Makiki Heights
Honolulu, HI 96822

RE: MUR 2453
Ferdinand Marcos

Dear Mr. Marcos:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2453. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

This matter will remain confidential in accordance with 2 U.S.C. § 437a(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

88040710196

plm

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
Acting General Counsel



By: George F. Rishel
Acting Associate General Counsel

Enclosures

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

88040710197

Plan



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

June 8, 1987

Dr. Leonilo Malabed
145 Mountain Spring Avenue
San Francisco, CA 94114

RE: MUR 2453
Dr. Leonilo Malabed

Dear Dr. Malabed:

The Federal Election Commission received a complaint which alleges that you may have violated the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint is enclosed. We have numbered this matter MUR 2453. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against you in this matter. Please submit any factual or legal materials which you believe are relevant to the Commission's analysis of this matter. Where appropriate, statements should be submitted under oath. Your response, which should be addressed to the General Counsel's Office, must be submitted within 15 days of receipt of this letter. If no response is received within 15 days, the Commission may take further action based on the available information.

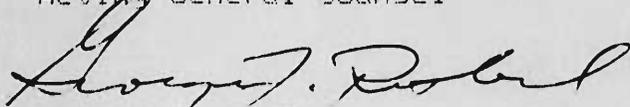
This matter will remain confidential in accordance with 2 U.S.C. § 437g(a)(4)(B) and § 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public. If you intend to be represented by counsel in this matter, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and authorizing such counsel to receive any notifications and other communications from the Commission.

88040710198

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter, at (202) 376-8200. For your information, we have attached a brief description of the Commission's procedures for handling complaints.

Sincerely,

Lawrence M. Noble
Acting General Counsel



By: George F. Rishel
Acting Associate General Counsel

Enclosures

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

88040710199



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Ram

June 8, 1987

Michael E. Withey, Esquire
Schroeter, Goldmark & Bender, P.S.
540 Central Building
Third & Columbia
Seattle, WA 98104

RE: MUR 2453

Dear Mr. Withey:

This letter acknowledges receipt of your complaint, received on June 1, 1987, alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by Dr. Leonilo Malabed, Mr. Ferdinand Marcos, and Gen. Fabian Ver. The respondents will be notified of this complaint within five days.

You will be notified as soon as the Federal Election Commission takes final action on your complaint. Should you receive any additional information in this matter, please forward it to the Office of the General Counsel. Such information must be sworn to in the same manner as the original complaint. We have numbered this matter MUR 2453. Please refer to this number in all future correspondence. For your information, we have attached a brief description of the Commission's procedures for handling complaints. If you have any questions, please contact Betha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble
Acting General Counsel

By: George F. Rishel
Acting Associate General Counsel

Enclosures
Procedures

88040710200

RECEIVED AT THE FEC
GCC# 3654
B7 JUN 22 AM: 09

145 Mt. Spring Avenue
San Francisco, Ca. 94114
June 16, 1987

Mr. George F. Rishel
Acting Associate General Counsel
For:
Lawrence M. Noble
Acting General Counsel

RECEIVED
GENERAL COUNSEL
B7 JUN 22 P 3: 29

RE: MUR 2453

Dear Honorable Counsel:

I received your latest letter dated June 8, 1987.

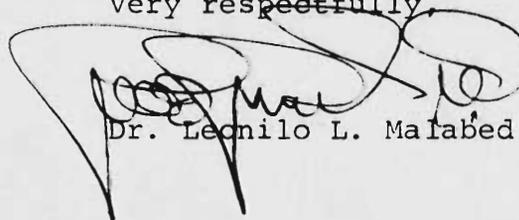
You mentioned that a complaint which alleges that I may have violated the Federal Election Campaign Act of 1971 was received, and a copy of the complaint was enclosed.

The Commission should take no action against me because, the complainant failed to submit any proof to back up his allegations.

I have previously written to the Commission that the political contributions I made during the period in question were my personal funds. The claimant failed to prove with documents that the large contributions mentioned were actually made.

I pray that the case remains closed.

Very respectfully,



Dr. Leonilo L. Malabed

88040710201

6000 3752

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HAND DELIVERED

87 JUN 29 P 3: 01

ANDERSON, HIBEY, NAUHEIM & BLAIR

1708 NEW HAMPSHIRE AVENUE, N. W.

WASHINGTON, D. C. 20009

(202) 483-1900

TELEX: 845089

AHNS UR

TELECOPIER: (808) 483-7468

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS
ATTORNEY'S DIRECT DIAL NUMBER

June 29, 1987

Celia Jacoby, Esq.
Federal Election Commission
Washington, D.C. 20463

Re: MUR 2453

Dear Ms. Jacoby:

Further to our telephone conversation last week, we, as counsel to and on behalf of Ferdinand E. Marcos, hereby request a twenty (20)-day extension in which to file a response to the Commission's letter dated June 8, 1987. As I told you, the Commission's letter was received on or about June 16, 1987.

Please advise as soon as possible whether this request has been granted.

Thank you.

Sincerely yours,

Timothy Broas
Timothy Broas

87 JUN 30 A10: 36

RECEIVED
GENERAL COUNSEL

88040710202



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

Date July 1, 1987

MEMORANDUM

TO: Lois G. Lerner
Associate General Counsel

FROM: Celia Jacoby

SUBJECT: Extension of time - MUR 2453

Respondents: Ferdinand E. Marcos
Dr. Leonilo Malabed
General Fabian Ver

Original Due Date: July 1, 1987

Extended Due Date: July 21, 1987

Number of Days Extended: 20

cc: The File
R. Lee Andersen

88040710203

OK



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

plm

July 1, 1987

CONFIDENTIAL

Timothy Broas, Esquire
Anderson, Hibey, Nauheim & Blair
1708 New Hampshire Avenue, N.W.
Washington, D.C. 20009

RE: MUR 2453
Ferdinand E. Marcos

Dear Mr. Broas:

This is in response to your letter dated June 29, 1987, which we received on June 29, 1987, requesting an extension of 20 days to respond to the complaint in the above referenced matter. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by close of business on July 21, 1987.

If you have any questions, please contact Celia Jacoby, the attorney assigned to this matter at (202) 376-8200.

Sincerely,

Lawrence M. Noble
Acting General Counsel

By: 
Lois G. Lerner
Associate General Counsel

88040710204

QCC# 3980

ANDERSON, HIBEY, NAUHEIM & BLAIR

1708 NEW HAMPSHIRE AVENUE, N. W.

WASHINGTON, D. C. 20009

(202) 486-1900

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS
ATTORNEY'S DIRECT DIAL NUMBER

TELEX: 840000
AHNB UR
TELECOPIER (202) 486-7469

July 21, 1998

RECEIVED
GENERAL COUNSEL
JUL 21 4:02 PM '98

Lawrence M. Noble, Esq.
Lois G. Lerner, Esq.
Celia Jacoby, Esq.
Federal Election Commission
Washington, D.C. 20463

RE: MUR 2453-Ferdinand E. Marcos

Dear Sir and Madams:

This letter constitutes the response of our client, Ferdinand E. Marcos, to the complaint in the above-captioned matter. To the extent the statements made herein rely upon factual support as opposed to legal argument, they are based on discussions with Ferdinand Marcos and as to each he would, if called to testify, swear under oath the truth of each. For the following reasons, Ferdinand E. Marcos respectfully urges that no further action be taken with regard to the matter under consideration.

First, the evidence submitted by the complainant does not support the allegation that Mr. Marcos either personally contributed to the subject political campaigns or that he contributed in the name of another. On this point alone, this complaint is no different than the complaint filed last year, which the Commission ultimately declined to pursue.

Secondly, even if the alleged contributions were made to the subject political candidates or campaigns while he was President of the Republic of the Philippines, Ferdinand E. Marcos did not knowingly or willfully make such contributions. Thus, the critical element of a violation under 2 U.S.C. § 437d(1)(A) is absent.

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ANDERSON, HIBEY, NAUHEIM & BLAIR
A PARTNERSHIP OF PROFESSIONAL CORPORATIONS

July 21, 1987
Page 2

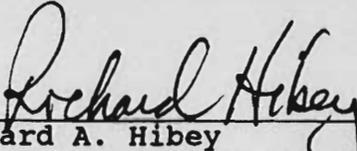
Finally, even if there was adequate proof of a violation and the contribution had been made knowingly and willfully, an action nevertheless would be time-barred inasmuch as the purported contributions were made more than three years ago. 2 U.S.C. § 455.

For the foregoing reasons, Ferdinand E. Marcos respectfully requests that the Commission take no further action with regard to MUR 2453.

Very truly yours,

ANDERSON, HIBEY, NAUHEIM & BLAIR

By:


Richard A. Hibey
1708 New Hampshire Avenue, N.W.
Washington, D.C. 20009
(202) 483-1900

Attorneys for Ferdinand E. Marcos

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ANDERSON, HIBEY, NAUHEIM & BLAIR

1708 NEW HAMPSHIRE AVENUE, N. W.

WASHINGTON, D. C. 20009

(202) 483-1900

A PARTNERSHIP OF PROFESSIONAL CORPORATIONS
ATTORNEY'S DIRECT DIAL NUMBER

TELEK: 240020
TELEPHONE: 483-7469
TELECOPIER: 483-7469

July 27, 1998

RECEIVED
OFFICE OF THE
GENERAL COUNSEL
JUL 27 10:42

BY HAND

Celia Jacoby, Esq.
Federal Election Commission
999 E Street, N.W.
Washington, D.C. 20463

RE: MUR 2453-Ferdinand E. Marcos

Dear Ms. Jacoby:

This letter replaces and supersedes the previous letter dated July 21, 1987, and constitutes the response of Ferdinand E. Marcos to the Commission's June 8 letter and the charges in the attached complaint. To the extent the statements made herein rely upon factual support as opposed to legal argument, they are based on discussions with Ferdinand Marcos and as to each he would, if called to testify, swear under oath the truth of each. For the following reasons, Ferdinand E. Marcos respectfully urges that no further action be taken with regard to the matter under consideration.

First, the evidence submitted by the complainant does not support the allegations that Mr. Marcos either personally contributed to the subject political campaigns or that he contributed in the name of another. On this point alone, this complaint is no different than the complaint filed last year, which the Commission ultimately declined to pursue.

Secondly, even if the alleged contributions were made to the subject political candidates or campaigns while he was President of the Republic of the Philippines, Ferdinand E. Marcos did not knowingly or willfully make such contributions. Thus, the critical element of a violation under 2 U.S.C. §§437g(a)(5)(B) and (C), §437g(a)(6)(C) and §§437g(d)(1)(A), (B) and (C) is absent.

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July 27, 1987
Page 2

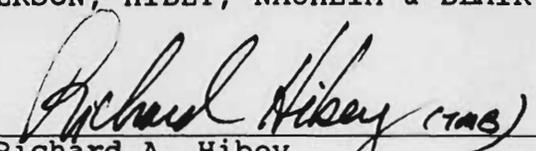
To the extent the Commission might investigate potential violations carrying penalties that do not require a showing of knowledge and willfulness, Ferdinand E. Marcos denies that he personally made or caused to be made any of the alleged contributions. If any such contributions were made by the government of the Republic of the Philippines, then this complaint properly should be brought against that entity.

Finally, even if there was adequate proof of a violation and the contribution had been made knowingly and willfully, an action nevertheless would be time-barred inasmuch as the purported contributions were made more than three years ago. 2 U.S.C. § 455. To the extent the three year limitations period does not apply to civil actions, such an action would nevertheless be barred by the equitable doctrine of laches.

For the foregoing reasons, Ferdinand E. Marcos respectfully requests that the Commission take no further action with regard to MUR 2453.

Very truly yours,

ANDERSON, HIBEY, NAUHEIM & BLAIR

By: 

Richard A. Hibey
1708 New Hampshire Avenue, N.W.
Washington, D.C. 20009
(202) 483-1900

Attorneys for Ferdinand E. Marcos

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July 17, 1987

B7 JUL 30 P 4: 41

RECEIVED
OFFICE OF THE
GENERAL COUNSEL

Honorable Don Edwards
Chairman
Subcommittee on Civil and
Constitutional Rights
Committee on the Judiciary
House of Representatives
Washington, D. C. 20515

Dear Mr. Chairman:

This letter is to provide additional information in connection with your February 19th inquiry on behalf of Michael E. Withey, Esq., and my June 2nd response.

Mr. Withey expresses concern that a secret intelligence slush fund controlled by a close associate of Ferdinand Marcos paid for the murders of Silme G. Domingo and Gene A. Viernes. Copies of the material he furnished have previously been brought to our attention, and that information was provided to our Seattle Office for review to determine if additional investigation was warranted. In addition, other allegations bearing upon possible violations of Federal criminal law were furnished to our San Francisco Office.

An investigation by the Seattle Police Department and our Seattle Office resulted in the local prosecution and conviction of Jimmy Bulosan Ramil and Pompeyo Benito Guloy in 1981 for the first degree murders of Messrs. Domingo and Viernes. In addition, Fortunato Dictado was convicted of conspiracy of the murders in 1982. Evidence developed during the investigation and during the trials indicates that the murders were committed as a result of disagreements within the Cannery Workers Local 37 of the International Longshoremen and Warehousemen's Union in which Messrs. Domingo and Viernes were officers. No evidence was developed during the investigation or the trial that would substantiate the claim by Mr. Withey, who represents the estates of Messrs. Domingo and Viernes, that former Philippines President Ferdinand Marcos had any involvement in the murders.

The documentation provided by Mr. Withey was presented to the United States Attorney's Office at Seattle with a response that there did not appear to be any violations in that jurisdiction suitable for prosecution concerning the murders at this time. Although no further investigation is being conducted by the FBI at this time,

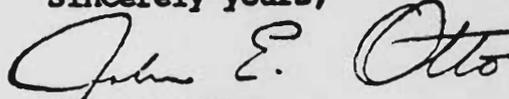
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Honorable Don Edwards

should additional information develop concerning the murders for which the FBI has jurisdiction, we will again address this matter. In addition, the United States Attorney's Office at Seattle has advised that Mr. Withey's information is being forwarded to the King County District Attorney's Office for review concerning local jurisdiction.

In addition, allegations furnished by Mr. Withey were discussed with representatives of the United States Attorney's Office, Northern District of California, who declined prosecution within their area of jurisdiction unless new or additional information is received. During the course of our inquiry, it was determined that the Federal Election Commission, which has primary jurisdiction over illegal campaign contributions involving foreign nationals, had reviewed the matter with a decision not to pursue an investigation.

Sincerely yours,



John E. Otto
Acting Director

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MEMORANDUM

INTRODUCTION

This memorandum summarizes evidence of a secret intelligence slush fund created in the United States by Ferdinand Marcos and his chief of staff General Fabian Ver. Marcos' childhood friend and long-time crony, Dr. Leonilo Malabed of San Francisco, controlled the fund and used it to extend Marcos's political influence and propaganda presence. It was also used to conduct covert intelligence operations against the anti-Marcos opposition movement in the United States in the late 1970s and early 1980s. Documents which have been authenticated in federal court point to strong circumstantial evidence that this slush fund was used to pay for the June 1981 Seattle murders of anti-Marcos union officials Gene Viernes and Silme Domingo. The use of foreign funds to promote the Marcos regime, purchase propaganda vehicles, contribute to local, state and federal candidates, and violate the civil and constitutional rights of American citizens is against the law. A full, impartial and vigorous investigation of this evidence is called for. Such criminal charges, as are warranted by the evidence obtained, should be brought. Marcos' continued activities, now carried out in this country, establish that the evidence summarized here

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is not of mere historical interest. Direct and decisive action is needed.

BACKGROUND

The new government in the Philippines under President Corazon Aquino has undertaken extraordinary efforts to retrieve the vast wealth illegally accumulated and invested abroad by deposed president Marcos and his wife Imelda. Considerable attention has focussed on secret Swiss and American bank accounts, shadowy middlemen and surrogate real estate purchasers. A federal grand jury in Alexandria, Virginia, has subpoenaed Marcos and his former chief of staff and intelligence head, General Fabian Ver. Ver has also been linked to the Iranscam/Contragate investigation as having signed for the receipt of an arms shipment whose real destination was Iran.

Shortly after Marcos fled to Hawaii, the U.S. Customs Service seized a number of important documents from Marcos, which detail past expenditures and financial transactions in the United States. Of particular political interest was an explosive document, the "Mabuhay Corporation Statement of Expenses." (Attachment A). This document itemizes the expenditure of over \$750,000 from the Philippines National Bank, under the authority of General Ver. It was spent on the attempted purchase of a Bay Area radio station, political campaign contributions to candidates in California and

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national elections, identified "special missions," and the most sinister -- "special security projects."

The release of this document created a public stir but has since been largely forgotten. The Federal Election Commission started an investigation, and based on the document alone, even without the corroborative evidence provided herewith, its General Counsel recommended that the Commission find reason to believe that Marcos and Dr. Leonilo Malabed violated federal election laws. (See Attachment B.)

The president of the now-defunct Mabuhay Corporation was Dr. Leonilo Malabed, a San Francisco physician. Dr. Malabed, while publicly denying any wrongdoing, has repeatedly asserted the Fifth Amendment privilege against self-incrimination, both in hearings of the California State Legislative Committee on Real Estate Practices and in private depositions.

Malabed was questioned under oath, and his financial records were subpoenaed in the federal civil rights lawsuit, Estates of Domingo and Viernes v. Republic of the Philippines, No. C-82-1055V (Western District of Washington). His deposition was taken May 15 and October 24, 1986.

This case alleges that two anti-Marcos leaders of the Seattle-based Local 37 -- ILWU (Cannery Workers) were murdered on June 1, 1981, upon the orders of Marcos and Ver. Viernes had traveled to the Philippines in March and April

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of 1981 and had met with top leadership in the anti-Marcos trade union movement, as well as with student and peasant groups. He was surveilled by Marcos agents. Viernes joined forces with Domingo as a delegate to the 1981 convention of the ILWU, and they engineered the passage of a hotly contested resolution critical of the Marcos regime's treatment of Filipino workers and authorizing an investigative team to look into conditions there. Opposition to the resolution was organized by the local Philippine Consul General. A month later, the two men were gunned down in their union hall.

Three hitmen have been convicted in local courts; also implicated, but never charged, is Tony Baruso, former Local 37 president and a close ally of Marcos. According to sworn testimony in the hitmen trial, Baruso's .45 Mac-10 "execution piece" was the murder weapon; he promised to pay \$5,000 for the murders; and he met with hitman/gangleader Tony Dictado two days before the murders.

Armed with subpoena power, attorneys for the slain men's estates have investigated the use of Dr. Malabed's Mabuhay Corporation to pay Baruso for the Seattle murders. They have uncovered documentation that confirms the authenticity of the Mabuhay statement of expenses and implicates Malabed in a variety of illegal activities. Not the least of these activities is the expenditure of \$15,000 on May

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17, 1981, just two weeks before the Domingo/Viernes murders.

The rest of this memorandum summarizes this evidence and the federal criminal statutes believed to be violated.

I. THE EVIDENCE AGAINST DR. MALABED

The Mabuhay Corporation Statement of Expenses speaks for itself. Corroborative evidence, summarized here, proves that it is exactly what it appears to be. Federal court Judge William Orrick (Northern District of California) stated in open court that the document is authentic for the purposes of his ruling on Dr. Malabed's assertion of the Fifth Amendment. Judge Orrick relied in part upon the declaration of Bonifacio Gillego, then a leading officer with the Philippine Presidential Commission on Good Government. The Gillego declaration explains various notations on the document and, based on his CIA training and service in the Philippine intelligence agencies, concludes that the Mabuhay Corporation was used as a "cover" and a conduit for Marcos' intelligence operations in the U.S. (See Attachment C.)

The Mabuhay Corporation was incorporated in California in 1978 by Dr. Malabed as its president. Other officers included Demetrio Jayme, Zoilo Inacay, Al Bitanga, and Romeo Esperanza, all Bay Area residents and friends of Dr. Malabed. (See Attachment D.) The Corporation maintained numerous bank accounts, including at the Philippine Bank of

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California, now the Century Bank, 455 Montgomery Street, San Francisco. Dr. Malabed was the sole signatory. The first account was opened July 7, 1977. (See Attachment E). Other bank accounts undoubtedly exist, but Dr. Malabed has asserted the Fifth Amendment as to their locations.

The Philippine Bank of California was itself incorporated on March 7, 1977, by five Philippine government agencies. Its board of directors included former Philippine defense minister Juan Ponce Enrile, Dr. Malabed, and other Mabuhay incorporators. Placido Mapa, president of the Philippine National Bank, was also on the board. (See Attachment F).¹

A. The Source Of The Funds

The note at the bottom of the Statement of Expenses is without question Dr. Malabed's handwriting.² The note

¹ Another document seized from Marcos bears Mapa's signature and is a memorandum to Marcos indicating over \$9 million in U.S. currency will be placed in the "Philippine intelligence fund" out of "PNB profits." (See Attachment G.)

² Dr. Malabed's initial press interviews quote him as saying "Who signed it? If it is not signed, let us treat it as a useless document. Everything is false." Subsequent press efforts to substantiate the document and the Domingo disclosures forced Malabed to eventually admit signing it, albeit claiming, through his attorney, Patrick Hallanan, that he had been "duped" into signing it by Marcos. (See Attachment I.) Dr. Malabed's alibi, that he signed a "bogus" report of illegal campaign contributions and intelligence "security projects" as a cover for the less sinister propaganda purchases defies common sense. It is further belied by the proof of actual expenditures from the Mabuhay bank accounts

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acknowledges receipt of \$1 million from the Philippine National Bank for intelligence purposes minus \$762,478.52 withdrawn by the Armed Forces by authority of Chief of Staff (General Ver), leaving a balance of about \$230,000.

Philippine National Bank records subpoenaed in the Domingo/Viernes case provide the hardest evidence to date that Malabed received funds from the Philippines. Attachment H is th notarized declaration of Paciano F. Dizon, which documents Malabed's receipt of \$150,000 from PNB-San Francisco Agency on January 31, 1979, and \$40,000 on February 12, 1979. These receipts came shortly before major Mabuhay expenditures in February 1979. Other PNB records are being subpoenaed and will be analyzed.

In addition, a June 1986 interview with KRON-TV reporter Brian McTigue quotes Dr. Malabed's attorney Patrick Hallinan as claiming Malabed acknowledged receiving over \$500,000 in unreported cash stuffed in diplomatic pouches from Philippine couriers attached to the ministry of media affairs. Hallinan claimed the money was used solely for "propaganda purposes."

B. Specific Expenditures

The Mabuhay statement lists several categories of expenditures. Bank records have verified, at least in part,

described below.

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expenditures for each category:

1. Expenditures out of Mabuhay Corporation accounts for the purchase of KJAZ radio station in 1978 (the first seven items on the statement) have been admitted by Dr. Malabed and are easily provable through subpoenaed bank records and other documents. (See Attachment J.) Malabed's attorney told the KRON-TV reporter in June 1986 that Malabed discussed the purchase of KJAZ directly with Marcos, and that it was to be used for "pro-Philippine broadcasts." Dr. Malabed also owns the pro-Marcos Filipine-American newspaper, formerly Bataan News, and has testified that representatives of the Philippine government's Ministry of Media Affairs worked on his newspaper staff. (Deposition, October 24, 1986.)

2. Expenditures for political contributions cleared through "PSC-CG" (Presidential Security Command -- Commanding General Ver) -- have been verified in part. Some of the \$175,200 itemized can be verified through subpoenaed bank records and FEC documents. (See Attachment K.)

Dr. Malabed has in fact admitted making many of these contributions, but claims they were out of his own funds. This is contradicted by the Mabuhay documents themselves and other evidence that he received PNB funds.

3. Payments for special missions in 1980 and 1981 have also been verified, at least to the extent that Dr. Malabed and others traveled to the locations listed in Honolulu and New York for the Democratic National Convention. Bank records verified at least some of these expenditures. (See Attachment K.) Both Honolulu trips coincided with visits of Marcos to the U.S. Discovery in the Domingo case has produced a Honolulu consulate's list of pro-Marcos loyalists to be contacted to perform airport security for Marcos. This list includes Dr. Malabed's name.

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4. "Advances to CG" (again, Commanding General Ver) for "special security projects" is by far the most sinister item appearing on the document and alone justifies substantial investigative effort. The Gillego declaration concludes that these expenditures were "undertaken on behalf of Marcos and Ver and were used, in part, to counter the influence of anti-Marcos opposition in the United States, and to monitor and operate³ against them and for other propaganda and political purposes." (See Attachment C.) Whether these substantial payments were used as a payroll for Marcos intelligence agents and/or used for particular projects justifies further federal investigation.

At least one expenditure listed on 2/7/79 for \$9,900 was paid in cash to Dr. Malabed out of the Philippine Bank of California account. (See Attachment K.)

5. May 17, 1981. Of all of the items on the document, it is the May 17, 1981, expenditure of \$15,000 for a special security project which has the most significance for the Domingo case.

³ Both the Senate Foreign Relations Committee in 1979 and the Defense Intelligence Agency in 1982 (see Attachment L) have documented U.S. government knowledge of the efforts by Marcos agents in the U.S. to "monitor and operate against" the anti-Marcos Philippine dissidents exercising their First Amendment right and freedom of association in this country. Furthermore, Ferdinand Marcos, in his July 1986 deposition in the Domingo case, admitted that four Philippine government agencies -- National Intelligence Security Authority (NISA), the Intelligence Section of the Armed Forces of the Philippines, the Presidential Security Command (PSC), and the National Bureau of Investigation (NBI) collected information on anti-Marcos organizations in the United States. Marcos testified these agents collected such information through the use of military attaches in Philippine consulates and the embassy. He admitted knowledge as to some of the organizations and individuals that were targets of the intelligence operation, including the (KDP) Union of Democratic Filipinos, to which both Domingo and Viernes belonged.

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The day after returning to Seattle from the ILWU convention in Hawaii, Tony Baruso purchased a plane ticket to San Francisco for May 16 and a return on May 17. Subpoenaed travel records reveal Baruso did indeed fly to San Francisco where he stayed at the Sutter Hotel. (See Attachment M.) This hotel is within blocks of the Philippine Consulate at 450 Sutter Street. Within days of his return, the Domingo/Viernes murder contract was put out, and hitmen Ramil, Guloy, and Dominguez were provided with Baruso's gun. The murders were carried out on June 1, 1981.

Baruso, in his January 1983 deposition in the Domingo case, answered, "I can't remember" to all questions regarding this Bay Area trip, including his purchase of the tickets, where he stayed, who he met with, etc. He further took the Fifth Amendment as to all questions about the murders.

Sworn testimony at the trial of Ramil, Guloy and Dictado⁴ established that the hitmen were to be paid \$5,000. Baruso's own bank records show cash deposits between June and November 1981 of just under \$10,000 in amounts of between \$200 and \$1,000. Baruso also made a 24-hour trip to Los Angeles in August 1981 just prior to the start of the hitmen trial. In the same month, another \$15,000 was expended from the Mabuhay Corporation for a "special security project."

Both Dr. Malabed and Baruso are well-known political figures within pro-Marcos circles in the U.S. Baruso was the master of ceremonies at Philippine Consular events in Seattle. Although Dr. Malabed has admitted to talking to Baruso only after the murders, "to get his side of the story," there is substantial reason to believe that these two strong Marcos supporters had close ties. Further, although Malabed denies giving \$15,000 to Baruso on May 17, 1981, he asserted the Fifth Amendment when asked whether he paid anyone \$15,000 on that date.

⁴ The other hitman, Dominguez, was found murdered in Seattle two days after Baruso's deposition in the Domingo case. One suspect, Esteban Ablang, fled shortly thereafter to the Philippines.

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C. Conclusion

Solid documentary evidence exists that Dr. Malabed controlled a secret intelligence fund operated by him and General Ver, which used Philippine government funds to seek purchase of a propaganda voice, contribute to local, state and federal elections, and fund a Marcos intelligence apparatus in the U.S. Highly probative and admissible, even though circumstantial, evidence exists that this fund was also used to pay for the Domingo/Viernes murders.

Evidence of this kind cries out for a full and fair investigation. The numerous leads which have a high probability of yielding positive should all be investigated. Other Malabed bank accounts should be subpoenaed. Witnesses close to Dr. Malabed, Mabuhay Corporation incorporators, and former San Francisco Consulate employees should be questioned. U.S. Customs and Immigration files should be examined to identify the Philippine diplomatic couriers, including officials with Marcos's Ministry of Media Affairs, who may have delivered the unreported cash to Malabed. A prime suspect for this courier is Lito Gorospe, formerly in Marcos' Media Affairs who made numerous trips to the Bay Area, and who, at least on one occasion, was provided with \$10,000 cash by The Philippines National Bank. (See Attachment H, pp. 4-5.) Dr. Malabed's ties to Baruso also bear further investigation.

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II. CRIMINAL LAWS INVOLVED

The evidence summarized above against Dr. Malabed suggests that numerous federal criminal laws are implicated justifying a full federal investigation and the reopening of the federal election commission hearings. This section summarizes those laws.

A. Violations Of The Law Of Foreign Relations:

One who acts as an agent of a foreign government without notifying the attorney general is in violation of 18 U.S.C. § 951, et seq. The Department of Justice has publicly stated that Dr. Malabed has not so registered.

One who disseminates "political propaganda" on behalf of a foreign government, party or principal, violates 22 U.S.C. § 611, et seq. Strict registration requirements exist.

B. Violations of Federal Election Laws

The prohibition on political contributions by foreign nationals is found within 2 U.S.C. § 441(e). A "foreign principal" is defined in § 611(b) to include a government or foreign political party as well as persons outside the United States who are not citizens or domiciled within the U.S. Clearly this definition applies to Marcos, as the FEC so found.

The prohibition on making contributions in the name of another person is contained in 2 U.S.C. § 441(f). The FEC

report states: "If the information contained in that document (the Mabuhay Corporation Statement of Expenses) is correct, contributions were made by Marcos through the Mabuhay Corporation, with Leonilo Malabed serving as conduit, as agent of the Mabuhay Corporation, then such activities would violate 2 U.S.C. § 441(e)." (See Attachment B.)

C. Violations Of Civil, Constitutional and International Human Rights.

18 U.S.C. § 241 makes it a federal offense to conspire to "injure, oppress, threaten, or intimidate any citizen in the free exercise or enjoyment of any right or privilege secured to him by the Constitution or laws of the United States" The use of a Marcos intelligence slush fund for "special security projects" directed against the anti-Marcos opposition clearly implicates the civil rights acts.

The U.N. Charter prohibits foreign states from interfering in the internal affairs of another country, and international law prohibits states from engaging in police actions, summary executions, and terrorist acts abroad.

D. Other Federal Violations

Finally, Malabed's attorney's admission that Malabed received over \$500,000 in unreported cash from a foreign courier raises substantial questions regarding violation of U.S. Customs disclosure requirements.

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CONCLUSION

This memorandum ends with a call for justice. The solid evidence of wrongdoing, coupled with the clear intent of numerous federal statutes, mandates that responsible federal and state authorities insure that full protection of the laws shall be afforded to all citizens. It is vital to bring to justice all of those who subvert our democratic rights no matter how powerful or influential they might be or may have been. Marcos' recent efforts to charter a plane and return to the Philippines to topple the government of Corazon Aquino all demonstrate that the evidence summarized here is not of mere historical interest. To investigate the Marcos/Ver/Malabed/Baruso connection, and to seek criminal charges, as the evidence warrants, will send a powerful message to other governments, friend and foe alike, who may be tempted to engage in covert and terrorist operations and to subvert our laws and constitutional protections.

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MAINTAIN CONFIDENTIAL
STATEMENT OF EXPENSES
As of February 25, 1982

LOCAL FEES:-			
1. David F. Reilly		\$16,649.99	
2. Bartard, Hotel, Spillane & O'Quinn		<u>1,922.20</u>	\$ 18,572.19
GOOD FAITH DEPOSIT			25,000.00
FOUNDER'S FEE & SALON (John Gillian)			8,000.00
APRAISER'S FEE (John F. Hardisty & Associates)			1,000.00
REPRESENTATION EXPENSES			1,329.83
TELEPHONE			91.52
MISCELLANEOUS EXPENSES			250.00
POLITICAL CONTRIBUTIONS (Cleared through FEC - CG):-			
LOCAL ELECTIONS:-			
1. Ft Meyer DP	\$ 2,500.00		
2. O'Sullivan RFP	500.00		
3. Supervisors (All Candidates)	300.00		
4. School Board (Tang & Muter)	<u>500.00</u>	\$ 3,700.00	
STATE ELECTIONS:-			
1. Lacey Avers	\$50,000.00		
2. Senator Alan Cranston	30,000.00		
3. Speaker Leo McCarthy	<u>30,000.00</u>	70,000.00	
NATIONAL ELECTIONS:-			
1. Carter-Vandele Creditors	\$ 1,500.00		
2. Democrats (Carter)	50,000.00		
3. Republican (Casper)	<u>50,000.00</u>	101,500.00	175,200.00
SPECIAL MEETINGS:-			
1. 1980 NSA Convention - Honolulu	\$ 6,000.00		
2. 1980 NC: 1979 Democrat Party Convention	10,000.00		
3. 1981 Trip to Honolulu City - West (Honolulu)	<u>3,500.00</u>		19,500.00
TRAVEL TO C.C. (Special Security Projects):-			
1. 2-7-79	\$ 9,900.00		
2. February 1979	66,000.00		
3. October 1979	66,000.00		
4. December 1979	33,000.00		
5. January 1980	33,000.00		
6. March 1980	66,000.00		
7. April 1980	33,000.00		
8. June 1980	33,000.00		
9. August 1980	33,000.00		
10. September 1980	33,000.00		
11. 1-21-81	25,000.00		
12. 5-17-81	40,783.68		
13. 9-17-81 (Palang-Palant, USA)	35,000.00		
14. August 1981	<u>20,000.00</u>		506,693.00
15. 9-25-81 (Carson, Mexico)			
TOTAL (As of February 25, 1982)			<u><u>5752,277.50</u></u>

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EXHIBIT C
Case No. <u>156</u>
Date of <u>3/2</u>

2-11-82 (Honolulu, Hawaii)

2-11-82 - Miscellaneous expenses (Honolulu)

\$ 762,478.50

April 11, 1982

0 1638

I acknowledge having received
 \$1M from INB for intelligence purposes
 minus \$762,478.50 withdrawn by the AF
 by authority of the Chief of Staff
 on the balance of about \$250,000

FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

SENSITIVE

FIRST GENERAL COUNSEL'S REPORT

Date and Time of Transmittal By
OGC to the Commission _____

MUR # 2156
Date Complaint Received
By OGC March 28, 1986
Date of Notification to
Respondent April 3, 1986
Staff Eric Kleinfeld

Complainant's Name: Mary Jane Freeman

Respondents' Names: Reagan-Bush
Angela M. Buchanan Jackson, treasurer
Carter/Mondale Presidential Committee
S. Lee Kling, treasurer
Senator Alan Cranston
Democratic National Committee
Sharon Pratt Dixon, treasurer
Leonilo Malabed
Government of the Philippines
Ferdinand Marcos

Relevant Statutes: 2 U.S.C. § 441e and § 441f

Internal Reports Checked: Disclosure Reports
Contributor Lists

Federal Agencies Checked: None

Summary of Allegations

On March 28, 1986, the Office of General Counsel received a signed, sworn and notarized complaint from Mary Jane Freeman, alleging violations of the Federal Election Campaign Act of 1971, as amended, ("Act"). Specifically, the complaint alleges that the 1980 Presidential campaigns of Ronald Reagan and Jimmy Carter plus United States Senator Alan Cranston and the Democratic National Committee may have accepted contributions made by a foreign national, in the form of contributions made in the name of another.

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Factual and Legal Analysis

Complainant submitted a one page complaint accompanied by several newspaper articles concerning the allegations. The subject of the complaint are alleged contributions made by an unnamed foreign national (or the Government of the Philippines) to the following: the 1980 Presidential campaign of Ronald Reagan ("Reagan-Bush"), the 1980 Presidential campaign of Jimmy Carter ("Carter-Mondale"), United States Senator Alan Cranston and the Democratic National Committee ("DNC"). Complainant alleges that these contributions may have been made "in the name of another" and also may have been made in "excess of the federally imposed limits from these sources."

The two newspaper articles submitted with the complaint provide more details as to the circumstances surrounding the complaint's allegations. According to the articles, a document brought to this country by former President Ferdinand Marcos of the Philippines purportedly shows that contributions were made to the following candidates in the following amounts: Jimmy Carter - \$51,500, Ronald Reagan - \$50,000, and Alan Cranston - \$10,000. The contributions were supposedly made through the Mabuhay Corporation of California, whose director at the time was Dr. Leonilo Malabed, a boyhood friend of Marcos'.

Notification of complaint letters were mailed to the alleged recipients of these contributions and to Dr. Leonilo Malabed. 1/

1/ Letters were also sent to Ferdinand Marcos in Hawaii and to the Embassy of the Philippines, as a representative of the Philippine Government. The Marcos letter was not responded to nor was it returned undelivered. The Embassy responded through the United States Department of State.

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All of these parties responded in writing.

The Reagan-Bush response requests that the Commission take no action on this matter, since the complaint has no basis to support the allegations, inasmuch as it lacks any evidence that the contributions were ever made.

The Carter-Mondale response denied knowingly receiving either contributions from foreign nationals or contributions made in the name of another.

Senator Cranston's response denies having ever received a campaign contribution from Ferdinand Marcos or any of Marcos' agents or from the Philippine government. Cranston admits that in 1980 his Senate campaign received \$500 from Dr. Malabed, but states that he had no reason to connect this with Marcos or the Philippine Government.

The DNC's response denies any violation with regard to complainant's allegations. The DNC admits receiving a contribution from Leonilo Malabed in the amount of \$4125, but states that the contribution appeared on its face "to be a legal contribution from a resident of California, and the DNC properly reported it as such." The DNC states that the complaint contains insufficient evidence to support its allegations, and that the DNC did not knowingly accept an illegal contribution of funds obtained by Mr. Malabed from prohibited sources.

In Malabed's response, he claims to not be "aware of any foreign (Philippine) sources of money contributed to politicians through me or any corporation under my control or ownership."

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The prohibition on contributions by foreign nationals is contained at 2 U.S.C. § 441e:

It shall be unlawful for a foreign national directly or through any other person to make any contribution of money or other thing of value... in connection with an election to any political office;... or for any person to solicit, accept, or receive any such contribution from a foreign national.

The term "foreign national" is defined by 2 U.S.C. § 441e(b)(1) to mean a "foreign principal" as this term is defined specifically by 22 U.S.C. § 611(b). Section 611(b) defines a "foreign principal" as including:

- (1) a government of a foreign country and a foreign political party.
- (2) a person outside of the United States, unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or of any State or other place subject to the jurisdiction of the United States and has its principal place of business in the United States, and
- (3) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.

The prohibition on making contributions in the name of another is contained at 2 U.S.C. § 441f:

No person shall knowingly make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

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Recipients

The evidence supporting complainant's allegations is limited at this stage of the matter. An examination of committee records on file with the Commission fails to disclose any direct contributions by Ferdinand Marcos (or for that matter, the Government of the Philippines) to any of the alleged recipients named in the complaint. Mr. Malabed made several contributions with regard to the 1980 elections, as follows:

<u>Recipient</u>	<u>Amount</u>	<u>Election</u>
Carter-Mondale	\$125	1980 Primary
Carter-Mondale	875	1980 Primary
DNC	4125	1980 Primary

The reports also indicate that a Mrs. Malabed made the following contributions: 2/

<u>Recipient</u>	<u>Amount</u> <u>3/</u>	<u>Election</u>
Carter-Mondale	\$500	1980 Primary
Carter-Mondale	625	1980 Primary
Carter-Mondale	300	1980 Primary

No evidence was submitted establishing a link between the contributions made by Malabed and any foreign national. The

2/ Mrs. Malabed was listed as "Mrs. Leonilo," "Mrs. Patrice" and "Mrs. L." with the same addresses as Leonilo Malabed.

3/ Although the aggregate amount contributed is \$1400, consistent with past Commission actions, the Office of General Counsel is recommending no action at this time on a possible 2 U.S.C. § 441a(a)(1)(A) violation.

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Because of the limited evidence submitted with the complaint regarding the recipients of the contributions at issue, the Office of General Counsel recommends that the Commission find no reason to believe that Reagan-Bush and Angela M. Buchanan Jackson, as treasurer, Carter-Mondale and S. Lee Kling, as treasurer, Senator Alan Cranston, and the Democratic National Committee and Sharon Pratt Dixon, as treasurer violated 2 U.S.C. § 441e and § 441f.

Contributors

The making of the contributions, by Ferdinand Marcos through a conduit, possibly either by Leonilo Malabed or by a corporation under his control, the Mabuhay Corporation, is purportedly evidenced by a document brought to the United States by Marcos and currently in the possession of the House Committee on Foreign Affairs, Subcommittee on Asian and Pacific Affairs. A copy of the document was received by the Commission. The document is labelled "Mabuhay Corporation Statement of Expenses" and dated February 15, 1982. It purports to show expenses of \$51,500 paid to Carter, \$50,000 paid to Reagan, and \$10,000 paid to Cranston. The document also contains a handwritten note, by an unidentified person, stating that the money was received from PNB 4/ for intelligence purposes. If the information contained in that document is correct, contributions were made by Marcos through the Mabuhay Corporation, with Leonilo Malabed serving as conduit as agent of the Mabuhay Corporation, then such activities

4/ Possibly, the Philippine National Bank, according to news accounts attached to the complaint.

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would violate 2 U.S.C. § 441e. Marcos, by virtue of his foreign citizenship, is a foreign national within the meaning of 2 U.S.C. § 441e. A foreign national may not through any person contribute to any election for political office. Additionally, if the actual contributions were made in the name of Mr. Malabed and others, this activity would violate 2 U.S.C. § 441f, which prohibits any person from allowing his name to be used for a contribution by another.

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Ferdinand Marcos was notified of the complaint but failed to respond. 5/ Mr. Malabed responded to the complaint, stating in an unsworn response, that he is "not aware of any foreign (Philippines) sources of money contributed to politicians in this county through me or any corporation under my control or ownership." This denial was accompanied by what Mr. Malabed terms a list of his political contributions made from 1979 to 1983, on a document apparently filed with a San Francisco city official. However, the list is not an accurate disclosure record. This list includes the 1980 contribution by Malabed to the DNC, but reports the amount as \$5000, whereas both Commission and DNC records show the amount as \$4125. The list also fails to include any of the contributions previously cited as having been made in 1980 by Malabed to Carter-Mondale.

5/ Mr. Marcos' notification letter was mailed to him in Hawaii by regular first class mail. Although no response was received, the letter itself was not returned to the Commission, giving rise to the presumption of delivery of the mails.

In light of these circumstances, the Office of General Counsel recommends that the Commission find reason to believe that Ferdinand Marcos violated 2 U.S.C. § 441e and § 441f and that Leonilo Malabed 6/ violated 2 U.S.C. § 441f. 7/ In addition, the Office of General Counsel recommends that the Commission authorize the sending of the attached letter to the Chairman of the House Sub-committee on Asian and Pacific Affairs requesting any information they may have.

Recommendations

The Office of General Counsel recommends that the Commission:

1. Find reason to believe that Ferdinand Marcos violated 2 U.S.C. § 441e and § 441f.
2. Find reason to believe that Leonilo Malabed violated 2 U.S.C. § 441f.
3. Find no reason to believe that Reagan-Bush and Angela M. Buchanan Jackson, as treasurer, violated 2 U.S.C. § 441e and § 441f.
4. Find no reason to believe that the Carter-Mondale Presidential Committee and S. Lee Kling, as treasurer, violated 2 U.S.C. § 441e and § 441f.
5. Find no reason to believe that Senator Alan Cranston violated 2 U.S.C. § 441e and § 441f.

6/ Because the Mabuhay Corporation was dissolved in 1982, the Office of General Counsel is recommending that this determination name Leonilo Malabed, who was agent for and director of the corporation, and who, it is alleged, may have actually made the contributions.

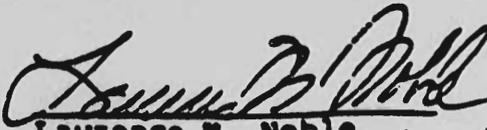
7/ The Office of General Counsel is making no recommendation with regard to the Government of the Philippines, since the newspaper articles specify Ferdinand Marcos as the contributor. Additionally, no recommendation is being made with regard to the excessive amount of the contribution, since the entire amount of the contributions is presumably prohibited by 2 U.S.C. § 441e and § 441f.

8804071-0234

8. Approve the attached letters.

Charles W. Steele
General Counsel

June 16, 1966
Date

BY: 
Lawrence M. Noble
Deputy General Counsel

Attachments

- A. Responses
- B. Letters

8804071Q235

MSG-2

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~~██████████~~
ADVISE PAY

DR. LEONILLO MALABED

145 MOUNTAIN SPRING AVENUE

SAN FRANCISCO, CALIF. 94114

USDLS 150,000.00

ORDER HIMSELF.

DOMREN - INTL

880407T0236

See payment instructions below.

DEPOSIT SLIP

SAN FRANCISCO AGENCY
235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

PO No 2652

DATE
2-12-79

Paid by your check No.

Check No. 100

AMOUNT	
PERIOD	NET BALANCE
	10,000.00
DATE	



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<input type="checkbox"/> CABLE	DATED	NUMBER
<input type="checkbox"/> MAIL TRANSFER	2-12-79	

BY ORDER OF

DEBIT THE ACCOUNT OF:

Philippine National Bank
International Dept.
20014, Manila
Philippines 2500
Attn: Compt.

REMARKS:

DUE TO DUE FROM

AUTHORIZED SIGNATURE

8.04070.237.

COL-2 (10-66)

CHECK
DEPOSITS WITH LOCAL BANKS
 CREDIT BANK CALIFORNIA

PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 16934

PAY 40000.00 DOLLARS

CHECK TO ORDER OF
DR. HENRIQUE RAMOS
BY HENRIQUE RAMOS AKA.
20014, MANILA, P.I.

FOR ACCOUNT OF
ACCOUNT NO. 100

PO No. 2652

ATTACHMENT H



PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
 255 MONTGOMERY STREET
 SAN FRANCISCO, CALIFORNIA 94104

FEDERAL OFFICE
 SAVINGS BANK CALIFORNIA
 SAN FRANCISCO, CALIFORNIA

No 16934

P. N. \$ 400.00



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10/12/10

PAY

DOLLARS

TO THE ORDER OF

TO THE ORDER OF
 SAN FRANCISCO, CALIF. 94104

[Signature]
 AUTHORIZED SIGNATURE

[Signature]
 AUTHORIZED SIGNATURE

⑆016934⑆ ⑆121000400⑆ 5522-12545⑆

⑆000400000⑆

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[Handwritten signature]
 BANK OF CALIFORNIA
 SAN FRANCISCO
 1878

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 SAN FRANCISCO, CALIF.
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BANK OF CALIFORNIA
 SAN FRANCISCO

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We charge your account for
the payment described below.

PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY

235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

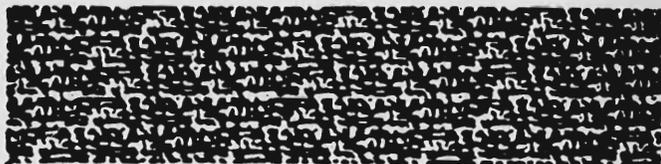
PO No 2677

DEBIT TICKET

DATE _____

Paid by our check No. 22072 ck no 17617

AMOUNT	
PAY TO THE ORDER OF	U.S. DOLLARS



PAY TO THE ORDER OF

<input type="checkbox"/> CABLE	DATED	NUMBER
<input type="checkbox"/> MAIL TRANSFER	3-79	

BY ORDER OF _____

3040710239

DEBIT THE ACCOUNT OF:

Philippine National Bank
Cebu Branch
Cebu City, Cebu
Philippines 3005

REMARKS

DUE TO DUE FROM

COL-2 (10-55)

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

DEPOSITS WITH LOCAL BANKS
LLOYDS BANK CALIFORNIA

PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY

235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 17617

19 77

~~5,000.00~~

PAY P 5000.00 DOLLARS DOLLARS

CHECK TO ORDER OF
CASHIER BANK OF
Cebu City, Cebu
Philippines 3005

FOR ACCOUNT OF

ATTACHMENT H



PHILIPPINE NATIONAL BANK

REGULATED BY THE
FEDERAL RESERVE BOARD
SAN FRANCISCO, CALIFORNIA

No 17617

SAN FRANCISCO AGENCY
228 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

APR 23 1979

\$ 5,000.00

11-48/121D

P. N. B. 5000 DOLS

DOLLARS

PAY

LLOYDS BANK ACCT OF
OSCARO A. MERLO JR.

FOR credit acct no 0661-10137

TO THE
ORDER OF



AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

⑆017617⑆ ⑆121000400⑆ 5522⑆12545⑆

⑆000050000⑆

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for dep h/c No 0661-10137

CREDIT TO THE ACCOUNT OF
WITHIN NAMED PAYEE

Unit of Endorsed 6:012318775 9 7 0

Lloyds Bank California

San Francisco, California 94104

APR 23 1979

PHOTOGRAPHIC CENTER
Lloyds Bank California

San Francisco, California

APR 23 1979

APR 23 1979



PHILIPPINE NATIONAL BANK

LOS ANGELES AGENCY
LOS ANGELES CALIFORNIA 90017

CREDIT DUE FROM LOCAL BANKS DEMAND (PBC)

8/13/81 10

AMOUNT U.S. DOLLARS

TEN THOUSAND ONLY

10,000.00

PREPARED BY

CHECKED BY

APPROVED BY

DISBURSEMENT PER H.O. INSTRUCTIONS.

88040710241

DEBIT

H.O.

AUTHORIZED SIGNATURE



PHILIPPINE NATIONAL BANK

LOS ANGELES AGENCY
LOS ANGELES CALIFORNIA 90017

DEBIT

PHIL. MAIL (ATED: 000)

8/13/81 10

AMOUNT U.S. DOLLARS

TEN THOUSAND ONLY

10,000.00

PREPARED BY

CHECKED BY

APPROVED BY

DISBURSEMENT PER H.O. INSTRUCTIONS.

CREDIT DUE FROM LOCAL BANKS DEMAND (PBC)

AUTHORIZED SIGNATURE

DEBIT ADVICE

PHILIPPINE BANK OF CALIFORNIA
425 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA 94104

DATE May 13, 1981

DETAILS:

YOUR REF. #01103156-83 OUR NO.

VALUE DATE	AMOUNT DEBITED
5/13/81	\$10,000.00

Per telephone instructions with Mr. Buenaventura, from Ms. Amy Galla,
we are debiting your account for the amount of \$10,000.00 dollars. Payable to Mr. Lito
Gutierrez.

25:6V 81 MW 12

TO

Philippine National Bank L.A.
700 South Flower Street St. #2516
Los Angeles, Calif, 90017

WE HAVE DEBITED YOUR

ACCOUNT #01103156-83 CONTRA: C/C# 87288

PREPARED BY:

[Signature]

APPROVED BY:

[Signature]

01103156#83

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S.F. Doctor 'Duped' by Marcos

By Leslie Cueva

The San Francisco doctor implicated in numerous investigations of Ferdinand Marcos' so-called "hidden wealth" was duped by Marcos officials into becoming the scapegoat for the probes, his attorney said yesterday.

In an exclusive interview with The Chronicle, attorney Patrick Hallinan said Dr. Leonilo Malabed is being "victimized" because he was pressured to sign a document that falsely claims his now-defunct Mabuhay Corp. received \$1 million in Philippine intelligence funds to pay for covert operations in this country.

Malabed scrawled an unsigned handwritten message at the bottom of the document drafted four years ago to vouch for its authenticity after being told he was doing a favor for his boyhood friend, Marcos, Hallinan said.

"Dr. Malabed never received any intelligence money. ... He is completely innocent of any wrongdoing," the lawyer said.

The disclosure marked the first time that Malabed, through his attorney, has admitted that he has personal knowledge of the controversial document and that he wrote the mysterious note on it.

Malabed opted to release the information through his attorney because he fears any public statement he makes about the document might be used against him in court.

among 2700 that U.S. Customs officials seized from Marcos on February 26 when he arrived in Hawaii after fleeing Manila.

The document is of key importance in half a dozen state, federal and Philippine investigations of Marcos activities in this country. It is also a major issue in several federal

Philippine American local of the longshoremen's union in Seattle. They were murdered in their union office in June 1981.

Three members of a Seattle gang were convicted of the murders, but the victims' families contend that Marcos' government was responsible. The pretrial hearing is

For the first time, Malabed through his lawyer admitted to knowing about a controversial document

al lawsuits against the deposed leader.

Malabed has not been charged or sued in connection with any of the cases. However, investigators and lawyers for Marcos foes allege the Mabuhay document is genuine.

Opponents of Marcos claim it proves Marcos used Malabed's firm to launder Philippine money that provided funds for a 1981 double-murder of Marcos foes in Seattle and a variety of other illegal schemes in this country.

U.S. District Court Judge William Orrick in San Francisco ruled yesterday that the document is "authentic only for court purposes."

The ruling was part of a pretrial hearing in a suit filed in Seattle by families of Silme Domingo and Gene Viernes. The two were oppo-

being held here because Malabed lives here.

Orrick's decision, based on a statement a representative of the new Philippine government made last week under oath, clears the way for attorneys to debate in court whether the paper is a true account of Mabuhay expenses.

Outside the courtroom, however, Hallinan said the document has no connection to Malabed's firm.

None of the money listed on the sheet was received or spent by the corporation Malabed formed seven years ago in an unsuccessful attempt to buy the FM radio station KJAZ, the attorney said.

The doctor unwittingly allowed his firm and the document to serve as cover for an apparent embezzlement scheme by other Marcos supporters, Hallinan alleged.

The masterminds of the plot, whom Hallinan declined to name, used the phony expense sheet to "steal and double-dip" at least \$500,000 from the Philippine government, the attorney claimed. "Dr. Malabed didn't know anything about it," he said.

Between 1979 and 1981, Malabed received about \$500,000 from a Philippine government media fund to pay for pro-Marcos television and radio programs, social events and other "innocent activities" in this country and Mexico, Hallinan said. "It wasn't intelligence money ... and none of it was for hit-man stuff or spying or dirty tricks," he said.

Malabed agreed to act as the conduit for the money because Philippine officials feared opponents of Marcos would have a "propaganda field day" if the government directly paid for the promotional programs, according to Hallinan.

Malabed told Hallinan he first learned of the bogus expense sheet in April 1982, when he met with other Marcos supporters at the government palace in Manila.

The paper, which Malabed claims he saw only in its final form, falsely listed that the Mabuhay Corp. made \$175,000 in political contributions to U.S. politicians — an amount 20 times the actual \$8750 political donations Malabed made in his own name and his own money — according to copies of Malabed's canceled checks made available to The Chronicle.

Orrick is expected to rule next week on a request that Malabed hand over all records of Mabuhay business.

Facts Back the Mabuhay List

By Michael Wines and Ronald J. Ostrow
Los Angeles Times

Washington

A 1982 document seized from Ferdinand Marcos that states that a California company funneled more than \$700,000 in Philippine military money into U.S. political campaigns and "security missions," appears to be genuine despite charges that the paper was faked.

The document, a "statement of expenses" for the San Francisco-based Mabuhay Corp., includes many nonpolitical spending entries that have proven genuine. It also includes cryptic entries from 1981 and 1982 that parallel diplomatic and publicity initiatives in the United States and Mexico by the deposed Philippine president.

The factual support for the expense items that could be checked contrasts with assertions by politicians and Mabuhay officials that the document is a fraud.

Much of the one-page sheet purports to recount spending of Philippine military intelligence money in the United States as approved by Fabian and Irwin Ver, former leaders of the Philippines' military and security forces.

Among other items, it lists \$178,200 in contributions to 10 U.S. politicians, including Jimmy Carter and Ronald Reagan, and \$608,000 in unidentified "special security" spending.

Senator Alan Cranston, D-Calif., another of the politicians said to have received contributions, branded the sheet "somebody's fake expense account." Investigators for the New Philippines government of President Corason Aquino also voiced doubts about its authenticity.

Dr. Ledillo Malabed, a wealthy San Francisco physician and friend of Marcos' who founded Mabuhay with five other Filipino

that he was "shocked" by news that the document was among Marcos' private papers. He denied that any political or intelligence activity took place within the company.

Two days of cross-checking produced both circumstantial and physical evidence suggesting parts of the \$782,478 listed on the seized document were indeed related to Mabuhay, a company created by Malabed to buy an Alameda radio station.

Federal Communications Commission re-

Some of the gifts on the list seized from Marcos have been proven genuine

Records show that plans to purchase station KJAZ-FM (all through in October 1979. A listing on the seized document of about \$61,000 in legal fees, good-faith deposits and other purchase-related expenses was checked and found to correspond with information in FCC records and with the general recollections of attorneys involved in the purchase and whose names appear on the statement.

Daniel Reidy, a former attorney for Mabuhay, recalls earning fees of about \$14,000 in the failed effort to buy KJAZ but says "it could have been more." The record indicates he was paid \$16,000. Attorney Stephen Farrand's firm is listed as receiving \$1582 from Mabuhay, a sum he said was an FCC filing fee paid by the law firm.

However, public records trace a parallel between politicians on the list and donations by Mabuhay, Malabed or its five other directors from February 1979 to March 1982.

The document lists \$50,000 donations to Reagan, Carter and to Larry Asera, a former Solano County supervisor who ran for the California Assembly. Lesser amounts were listed for seven others, including Cranston, San Francisco Mayor Diane Feinstein, California Lieutenant Governor Leo McCarthy and even two school board candidates.

All but Reagan and San Francisco Community College board member Judy Tang have since reported legal donations from Mabuhay or its six principals. Tang had not fully checked election records by yesterday.

Besides political activities, more obscure entries on the Mabuhay document — both large and small — coincide with events in the United States and Mexico clearly linked to Marcos' Philippine rule.

On September 25, 1981, entry of \$20,000 under "Special Security Projects," labeled "Cancun, Mexico," occurs roughly a month before Marcos attended an economic summit of rich and poor nations in Cancun, where he met briefly with Reagan. Filipino expatriates say a second \$40,783 entry, titled "Palang-Palong, USA," appears to refer to an attempt by Marcos officials to rouse Filipino-American support for an October 1982 state visit by the leader.

Handwritten entries of \$10,000 and \$200, labeled "3-11-82 Camellia Festival," appear to refer to the annual Camellia Festival in Sacramento, which in March 1982 paid tribute to the Philippines.

Roy Herburger, director of the festival that year, is an Elk Grove publisher who also prints a pro-Marcos newspaper owned by Malabed, the Philippine-American. He said Marcos' press secretary and two Philippine actresses came to the festival that year, but he said he does not know who paid their traveling expenses and knows nothing about expenses by Mabuhay.

Rights Comm

Aquino May Be

Manila
The newly appointed Ippine Human Rights Commission decided yesterday to examine new evidence that reopened the 1983 assassination of President Corason Aquino's husband, opposition leader Benigno Aquino.

It also said it will listen to reports of mass graves that a lawyer said to contain bodies of deposed President Ferdinand Marcos cronies.

Commission Chairman Dionisio said at a news conference that the investigation will open one and "go as high as necessary." He said "it all depends on what evidence shows whether we have to go to the Defense Minister Juan Pardo and General Fidel Ramos."

Earle had named seven men years under Marcos at the meeting last month that he in his court.

Dionisio said the commission will investigate possible "collusion" between the judiciary and military officers who defended the 25 military officials and one civilian charged in connection with Aquino's death. The officials included General Arroyo, the armed forces chief of staff under Marcos.

Reopening the Aquino case could add to tensions between civilian and military leaders.

QUESTIONS ARISE OVER...

Malabed-Marcos ties

Political contributions eyed

NEWS ANALYSIS

By ALAN A. SALAMON, Publisher & Editor-in-Chief

SAN FRANCISCO, March 24.—Luisito Malabed, the Filipino physician who is proud of his reputation as the "eye and ear" of Ferdinand E. Marcos in the United States, is the center of intense inquiry from various sources in relation to his reported contributions to U.S. politicians.

Did Dr. Malabed spend his own money in making his large political contributions or was he reimbursed by the Marcos government for all his political activities and for all his expenses in his pro-Marcos activities in the United States?

The answer to these questions will determine if Malabed is a

true political philosopher or an illegal front of the Marcoses.

The Malabed Corporation, which Malabed organized in 1959 to purchase radio station KQAZ in Alameda, California, for \$1,675,000.00, was listed as a recipient of substantial sums from the Foreign Intelligence Fund of the government of deposed Philippine ruler Marcos.

The purchase did not materialize when Philippine news publisher Ann A. Sobotnik brought to the attention of the Federal Communications Commission (FCC) the fact that the Malabed Corporation was a front for the

To page 10



THE CABINET of the Philippine Military Academy was received by President Diosdado Cabaleta and his Chief of Staff Gen. Fidel Ramos.

3804071-0245

Malabed-Marcos ties

Contributions to U.S. politicians eyed

on page 1

government of Marcos. It is legal for any foreign entity to own broadcast rights in America.

In documents found among the 100 pages recovered from the Marcos party in Hawaii which was turned over to the new government of President Corason Aquino, a "Statement of Expenditures" under the heading "Mabuhay Corporation for the period from 1979 to 1982" was found. The document itemized, among other things, alleged political contributions to the campaign of former President Jimmy Carter, President Ronald Reagan and former candidate for U.S. House of Representatives Assemblyman Larry Asera at \$30,000.00 each. Other smaller amounts were reported to have been contributed to the political campaigns of California Senator Alan Cranston, San Francisco Mayor Dianne Feinstein, California Lieutenant Governor Leo McCarthy, San Francisco Superior Court Judge Quintin Kopp, and to two members of the Board of Education of San Francisco. All these politicians denied any knowledge of contributions from the Marcos government to their campaigns. However, they admitted having received the following sums from Dr. Leonilo Malabed:

1. Larry Asera, during his unsuccessful campaign for Assemblyman in California - \$32,000.00;
2. Carter Campaign - \$2,125.00 in 1979;
3. Senator Cranston - \$500.00 in 1980;

4. McCarthy - San Assembly Speaker of California - \$2,300.00;

5. Mayor Feinstein - \$1,900.00 in 1979; \$300.00 in 1982; \$450.00 in 1983; and \$30.00 in 1983 recall campaign;

6. Records in Washington, D.C. also indicate that Malabed contributed 4,125.00 to the Democratic National Committee in 1980 and \$2,900.00 in 1983. The Reagan campaign has not acknowledged any contribution received from Malabed.

Senator Cranston told the *Philippine News*, at press time, that he has never met Malabed nor does he remember having received any funds from him directly.

"He may have bought some tickets to my numerous political functions," Cranston said. "I see no point for Malabed to try to influence my actions knowing how strongly I was committed to putting an end to the Marcos dictatorship," Cranston said.

The Mabuhay Corporation which was apparently used by Malabed as a source of funding for his pro-Marcos activities at the time was run by a Board of Directors who were known to be Marcos supporters. Aside from Malabed, the other members were: Demetrio S. Joyne, former partners' representative of the defunct Maritime Company of the Philippines; Zoilo Inacay, coproprieter of the San Francisco Jewish Home for the Aged; Father Fred Al Bitanga, associate pastor of the St. Joseph's Church in San Francisco. A fifth member, Romeo Esperanza, was non-political and served as professional treasurer.

the amount given by me of \$2,300.00, to Carter was from Marcos - that is what made me feel bad," Joyne angrily told the press.

When asked how his name and that of his wife appeared as contributors to the Carter campaign, as shown in the Federal Election Commission documents presented to him, Joyne retorted:

"How this happened to appear here is beyond me... With this size of the contributions..."

Joyne asserted:

"Another member of the Board who refused to be identified publicly confirmed to *Philippine News* that he did not contribute to the Carter campaign although his name may have been reported as a contributor.

"If my name appeared as a large contributor to the political campaigns in which Malabed was involved, my name must have been used by Malabed without my knowledge or approval," said the former Mabuhay board member.

The authenticity of the document which was found among the possessions of the Marcos party was impugned by Malabed as "swearings." He told a San Francisco Examiner reporter that the document should not be treated with any value because it was not signed.

"Who signed it?" he asked. "If it is not signed, let us treat it as a useless document. Everything is false..." Malabed asserted. Malabed has maintained that "I am not a conduit... All of the money I contributed was my own."

However, the document which Malabed denied any knowledge about was virtually authenticated when certain entries in the "Statement of Expenditures" were deemed accurate. Among the expenses mentioned in the document which were verified as made by the Mabuhay Corporation and/or by Malabed himself, were:

1. Attorney's fees given to Daniel Reidy, a former attorney of the Mabuhay Corporation who told newsmen that he received over \$14,000.00 in fees for handling the false memo concerning error. Another lawyer, Attorney Stephen Ferranc was also listed as having received \$1,562.00 for refund of expenses for filing the papers. The seized document indicated that about \$51,000.00 was spent by Mabuhay Corporation for legal fees,



OLD FRIENDS Ferdinand Marcos and Leonilo Malabed in Philippine News file photo.

Commentary:

from page 6

in circumventing the problems of their profession in the U.S. Then, they should be resolute in joining the APFA. The time has come when they should no longer wait at the end. What they should have done years before, they should do as once with steadfast determination; it is better late than never!

To join the APFA should be their first important decision during the year 1986, a decision that they will assuredly never come to regret!

In papers filed with the State and Federal authorities, the other Board members of the Mabuhay Corporation were also shown as having contributed to certain political campaigns at the same time that Malabed made his contributions.

At press time, however, Demetrio S. Joyne, in an interview with Bryan McTigue of KRON-TV, Channel 4, denied having contributed to the campaign of Carter although his name was shown in the filing reports.

"The reason I am upset is because it was in the context that

good-faith deposit and other purchase-related expenses. The lawyer fees claimed by Reidy and Ferranc tallied with records of the Federal Communications Commission.

2. A \$20,000.00 entry on September 25, 1981, under "Special Security Project" labeled "Cancun, Mexico" was made about a month before Marcos attended the economic summit of rich and poor nations in Cancun, Mexico where Marcos met Reagan for the first time after the latter's election as U.S. President.
3. A \$40,783 entry entitled "Pulong-Pulong, U.S.A." could refer to a special gathering which Malabed organized in San Jose, California, where Filipino leaders were invited. A "Chat with President Marcos via Satellite," Council General Romeo Arguelles confirmed to *Philippine News* that the activity was a project of Dr. Malabed.
4. \$20,000.00 and \$200.00 entries labeled "3/11/82 Camellia Festival," apparently refers to donations made to the Camellia Festival Committee, headed by Malabed's printer, Roy Herburger of Elk Grove. The festival is

an annual project of the City of Sacramento and in March 1982 the festival paid tribute to the Philippines.

According to the documents some \$700,000.00 in Philippine intelligence funds was funneled to the Mabuhay Corporation of Malabed. Much of the money went reported to have been spent for political campaigns and "security missions."

A total of \$175,200.00 was reported to have been given to U.S. politicians, all of whom denied awareness of contributions made by Marcos or his government. The Carter and Reagan campaigns categorically denied having received \$50,000.00 each from Malabed, although Asera reported having received \$32,000.00 of a supposed \$50,000.00 contribution. Some \$506,683.00 represent unidentified "special security spending" by Mabuhay Malabed.

Under U.S. laws, it is illegal to receive the source of political contributions. It is also illegal for foreign corporations or governments to contribute to any U.S. political campaign.

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ATTACHMENT J

MABUHAY/MALABED BANK RECORDS RE PURCHASE OF KJAO STATION

DR. LEONILDO L. MALABED

126



000-25-01210-2579C 01-00019-6

BANK DIRECTOR



01-00019-6 046

88040710247

BANK DIRECTOR

DR. DONALD L. DALY
AS DIRECTOR OF THE BANK

100

March 1975

\$2367.50

The amount Three Hundred Sixty Seven and 50/100

March 1975

000108-0110-1175 01-0001-01 0000101650

8804070248

BANK DIRECTOR

DR. DONALD L. DALY
AS DIRECTOR OF THE BANK

108

December 11 1974

\$3024.50.00

100 ONLY

000108-0110-1175 01-0001-01 0000101650

BANK DIRECTOR

DR. DONALD L. DALY
AS DIRECTOR OF THE BANK

110

Feb 7 1975

Reidy

\$3,117.13

Three Thousand One Hundred Seventeen and 13/100

000108-0110-1175 01-0001-01 0000101650

8 8 0 4 0 7 0 2 4 9

BANK DIRECTOR

ATY Daniel F. Reidy

One Thousand One Hundred Sixty Two and 00/100

3.76 .71

\$316.21

000170-61210-26798 01-00019-61

000156750

BANK DIRECTOR

Farand, Neil Spillane + Comp.

One Thousand Two Hundred Eighty Two and 00/100

Feb. 15 '71

\$1,582.50

000170-61210-26798 01-00019-61

000156750

BANK DIRECTOR

DR. LEONARD L. ...

304

304

John William ... \$5,000.00

John William ...

...

000101-1110-8879-01-00019-1

0000100000

88040710250

DIRECTOR

304

304

December 11

John W. ... \$1,000.00

John W. ...

...

000101-1110-8879-01-00019-1

0000100000

CHARLES O. MORGAN, JR.
450 Sansome Street
Suite 1310
San Francisco, CA 94111-3382
(415) 392-2037

MICHAEL E. WITHEY
Schroeter, Goldmark & Bender, P.S.
540 Central Building
Seattle, WA 98104
(206) 622-8506

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

In re Deposition of
Dr. Leonilo Malabed

ESTATE OF SILME G. DOMINGO,
et al.,

Plaintiffs,

v.

REPUBLIC OF THE PHILIPPINES,
et al.,

Defendants.

Misc No. 8688 WHO

For. Dep. 86-215

For. Dep. 86-362

DECLARATION OF BONIFACIO
GILLEGO. RE PLAINTIFFS'
MOTION TO COMPEL DR.
MALABED

I, BONIFACIO GILLEGO, depose and declare:

1. I am the U.S. based representative of the Philippine government's Presidential Commission on Good Government (PCGG) with offices in New York City and in Washington, D.C. at the Philippine Embassy. I have been commissioned and authorized by Philippine

R 8 0 4 0 7 1 0 2 5 1

President Corazon Aquino to investigate and bring legal action to retrieve property owned and/or controlled by Ferdinand Marcos in the United States. The chairman of the Presidential Commission on Good Government is Jovita Salonga.

2. As part of my official duties on behalf of the PCGG, I travelled to Washington, D.C. with Jovita Salonga in March of 1986, and was physically present when U.S. Under-Secretary of State for Political Affairs, Mr. Michael Armacost, physically delivered over 2,500 documents to Mr. Jovita Salonga. These documents provided to myself and Mr. Salonga were seized from Ferdinand Marcos by the U.S. Customs Service in Honolulu, Hawaii after Marcos fled to Hawaii from the Philippines following his removal from office by Corazon Aquino.

3. The originals of these documents are retained by the U.S. government.

4. I maintain in my office in New York a full set of copies of all the documents provided.

5. The attached document, Exhibit B, entitled "Mabuhay Corporation Statement of Expenses" (hereinafter "Mabuhay Statement") is a true and authentic copy one of the documents provided to Jovita Salonga and myself by Under-Secretary Armacost in my presence; it is maintained in our files in the New York City office of the PCGG.

6. The Mabuhay Statement is but one of hundreds of other similar documents in my possession which detail, itemize, and document the expenditure by Ferdinand Marcos and others for the

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purchase of real estate, transfer of funds, expenditures of monies, establishment of accounts, etc., in the United States.

7. For over 20 years I was a military intelligence officer in the Armed Forces of the Philippines and conducted extensive military intelligence services on behalf of that government abroad. I received training from the United States Central Intelligence Agency. I worked on foreign assignments on behalf of the Philippine military. In the course of these duties and since then, I have investigated, researched and studied Philippine intelligence activities and agencies abroad, including those in the United States. I am personally familiar with the Philippine intelligence operation abroad, including its major agencies, means of operations, methods of gathering intelligence, and use of "covers" and funding sources to accomplish its missions and tasks.

8. I left the Armed Forces of the Philippines in the mid-seventies and came to the United States. Since that time, I have studied, researched and investigated the role of Philippine intelligence agencies in the United States and, in particular, their activities on behalf of the Marcos regime to monitor and operate against the anti-Marcos opposition in the United States from the period of the mid-seventies through the present. I have written papers and reports on Marcos intelligence operatives, and have provided their names, military history, duties and activities to the present government of Cory Aquino. Since being appointed U.S.

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representative to the PCGG, I have had access to the documents of the Armed Forces of the Philippines, the National Intelligence and Security Authority (NISA), and other intelligence agencies. I have further had conversations with leading officers of the Philippine military establishment, including General Fidel Ramos, regarding the presence and operations and funding sources of the Marcos intelligence apparatus in the United States. I have a first name familiarity with the names of Marcos intelligence agents in the U.S., including during the time period 1978 through 1986.

9. The major focus of our investigation of Marcos' financial and real estate holdings in the United States are the financial activities of Dr. Leonilo Malabed of San Francisco, California.

10. I have studied the the Mabuhay Statement carefully. It is a statement of expenses which itemizes expenditures for a part of the Marcos intelligence operations in the United States. To further explain the document for the court, the handwritten statement at the bottom reflects the withdrawal of \$1,000,000 from the "PNB" -- Philippine National Bank for "intelligence purposes". The Philippine National Bank, whose headquarters is in Manila, operates offices in the United States, including California. The handwritten note further indicates that the withdrawal of this \$1,000,000 was under the "authority of the Chief of Staff. This refers to Chief of Staff General Ver, who headed up the Armed Forces of the Philippines Intelligence Section, the National Intelligence and Security

Authority, and the Presidential Security Command (PSC). Each of these agencies conducted intelligence operations in the United States for the last 15 years. These operations included collecting information about the anti-Marcos opposition, including such organizations as the Union of Democratic Filipinos (KDP), the Coalition Against a Marcos Dictatorship (CAMD), and the Movement for A Free Philippines, amongst others. Each of these organizations conducted activities, had meetings and conferences and engaged in anti-Marcos protests in the Bay Area and in California.

11. It was a routine and normal intelligence procedure for General Ver to authorize the expenditure of funds for intelligence activities in the United States, including for "special security projects".

12. The PSC-CG referred to in the Mabuhay Statement refers to the Presidential Security Command -- Commanding General, again General Ver. The statement "advances to CG" indicates the funds were used on behalf of the CG -- again General Fabian Ver, for special security projects. This phrase refers to, amongst other things, intelligence operations, including operations against the anti-Marcos opposition in the U.S.

13. Based on my former position as a Philippine military intelligence officer, my studies and research of Philippine intelligence in the U.S., my duties and responsibilities in my current position, my review of documents of the present Philippine military,

8 8 0 4 0 7 0 2 5 5

and of the documents brought by Ferdinand Marcos to the U.S. and provided to myself by the U.S. State Department, I am of the following opinions:

a. The expenditures listed as "special security projects" in the Mabuhay Statement were payments made by or through the Mabuhay Corporation and were part of the funding sources for Marcos intelligence activities against the anti-Marcos opposition movement in the U.S.

b. That the use of the Mabuhay Corporation was to provide a suitable cover in order to avoid detection of the true source of the funds for such intelligence purposes, i.e., the former government of the Philippines under Ferdinand Marcos and General Ver. That the use of such a cover is a routine intelligence device, utilized by all intelligence services including the Philippines.

c. I am firmly of the opinion that the "special security projects" were undertaken on behalf of Ferdinand Marcos, General Ver, and were used, in part, to counter the influence of anti-Marcos opposition in the U.S. to monitor and operate against them and for his other propaganda and political purposes.

d. That the Mabuhay Statement is exactly what it purports to be; such corporation was used by Dr. Malabed as a cover and as a conduit for intelligence operations and funds in the United States.

I declare under penalty of perjury under the laws of the state of Washington that the foregoing is true and correct.

88040710256

EXECUTED ON THIS

day of

MAY 22 1986

, 1986, at Wash

CONSULATE GENERAL OF THE PHILIPPINES
100 FIFTH AVENUE
NEW YORK, N.Y. 10011 D.C.

Bonifacio Gillego
BONIFACIO GILLEGO

Consulate General of the Philippines
New York, N.Y., U.S.A.

MAY 22 1986

SUBSCRIBED AND SWORN to before me this _____ day
of _____ 19 _____ in the City of New York, N.Y., U.S.A.

Ariston E. Barsana
ARISTON E. BARSANA
Consul



DOC. NO. 7310
EN. NO. GRATIS
SERIES OF 1986
~~---~~

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902373

**ENDORSED
FILED**

In the Office of the Secretary of State
of the State of California

NOV 9 1978

MARCELO ELLI, Secretary of State

Phyllis E. Bieggi
Deputy

ARTICLES OF INCORPORATION

OF

MABUHAY CORPORATION

ONE: The name of this corporation is
MABUHAY CORPORATION.

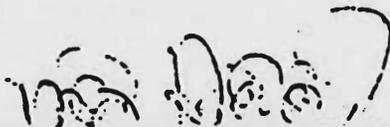
TWO: The purpose of this corporation is to engage in
any lawful act or activity for which a corporation may be
organized under the General Corporation Law of California
other than the banking business, the trust company business,
or the practice of a profession permitted to be incorporated
by the California Corporations Code.

THREE: The name and address in this state of this corpora-
tion's initial agent for service of process is:

DANIEL F. REIDY, Esquire
703 Market Street, Suite 1506
San Francisco, California 94103.

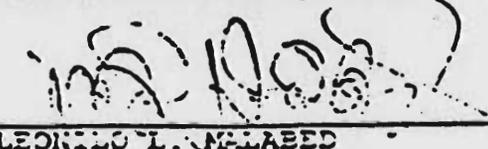
FOUR: This corporation is authorized to issue One
Hundred (100) shares, all of the same class, designated
"Common Shares."

Dated: November 6, 1978.



LEONILO L. MALABED
Incorporator

I declare that I am the person who executed the above
Articles of Incorporation, and this instrument is my act
and deed.



LEONILO L. MALABED

8804070258

MINUTES OF ACTION OF INCORPORATOR
TAKEN WITHOUT A MEETING BY WRITTEN CONSENT

The following action is taken by the incorporator of MABUHAY CORPORATION, a California corporation, by written consent, without a meeting, on November 27, 1978 under sections 210 and 307(c) of the General Corporation Law of the State of California.

The following resolutions are adopted:

RESOLVED that LEONILO MALABED shall enter into an agreement whereby MABUHAY CORPORATION agrees to purchase radio broadcast station KJAZ of Alameda, California for One Million Six Hundred and Seventy-Five Thousand Dollars (\$1,675,000.00), subject to appropriate conditions.

RESOLVED that LEONILO MALABED shall loan MABUHAY CORPORATION the sum of Twenty Five Thousand Dollars (\$25,000.00) as an earnest money deposit for the KJAZ agreement.

RESOLVED that DANIEL PEIDY shall coordinate the preparation of an application to the Federal Communications Commission whereby MABUHAY CORPORATION could receive FCC approval for the assignment of the KJAZ license.

The undersigned, the incorporator of this corporation, consents to the foregoing action.

Dated: November 27, 1978

LEONILO MALABED
Incorporator of MABUHAY CORPORATION

FYHIRIT B

98040710259

STATE OF CALIFORNIA STATEMENT BY DOMESTIC STOCK CORPORATION

THIS STATEMENT MUST BE FILED WITH CALIFORNIA SECRETARY OF STATE (SEC 1502 CORPORATIONS CODE)

PLEASE READ INSTRUCTIONS ON BACK OF FORM

CORPORATION NAMED HEREIN, ORGANIZED UNDER THE LAWS OF THE STATE OF CALIFORNIA,
MAKES THE FOLLOWING STATEMENT:

1 STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 145 Mountain Spring Avenue <small>(DO NOT USE P.O. BOX NO.)</small>	SUITE OR ROOM 1A	CITY & STATE San Francisco, CA	ZIP CODE 94114
2 STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIF. (IF ANY) Same <small>(DO NOT USE P.O. BOX NO.)</small>	SUITE OR ROOM 2A	CITY CALIF.	ZIP CODE
MAILING ADDRESS (OPTIONAL)	SUITE OR ROOM 3A	CITY & STATE	ZIP CODE

NAMES OF THE FOLLOWING OFFICERS ARE:

1 L Leonilo Malabed CHIEF EXECUTIVE OFFICER	4A 145 Mountain Spring Avenue BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	4B San Francisco, CA CITY & STATE	4C 94114 ZIP CODE
2 D Daniel F. Reidy SECRETARY	5A 703 Market, Suite 1506 BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	5B San Francisco, CA CITY & STATE	5C 94103 ZIP CODE
3 D Demetrio Jayme CHIEF FINANCIAL OFFICER	6A 100 California, #1060 BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	6B San Francisco, CA CITY & STATE	6C 94111 ZIP CODE

PRESENTLY AUTHORIZED NUMBER OF DIRECTORS, INCLUDING VACANCIES

NAMES AND COMPLETE BUSINESS OR RESIDENCE ADDRESS OF INCUMBENT DIRECTORS INCLUDING THOSE DIRECTORS WHO ARE ALSO OFFICERS. (Attach a supplemental list of directors if needed)

1 A Leonilo Malabed	145 Mountain Spring BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	San Francisco, CA CITY & STATE	94114 ZIP CODE
2 B Tommo Esperanza	717 Edge Lane BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	Los Altos, CA CITY & STATE	94022 ZIP CODE
3 C Rev. Fred Al. Bitanga	756 Mission Street BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	San Francisco, CA CITY & STATE	94103 ZIP CODE
4 D Demetrio Jayme	100 California, # 1060 BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	San Francisco, CA CITY & STATE	94111 ZIP CODE
5 E Zoilo R. Inacay	565 Junipero Serra Blvd BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)	San Francisco, CA CITY & STATE	94127 ZIP CODE

AGENT FOR SERVICE OF PROCESS: **Daniel F. Reidy, Attorney at Law,**
703 Market Street, Suite 1506, San Francisco, CA 94103
 Business or residence address if an individual DO NOT ADDRESS IF AGENT IS A CORPORATION

DO NOT WRITE IN THIS SPACE

EXPLANATION MUST BE BRIEF
TYPE OF BUSINESS: **Purchase and operate a radio station**

I DECLARE THAT I HAVE EXAMINED THIS STATEMENT AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT IS TRUE, CORRECT, AND COMPLETE

02/05/79 DATE
Secretary TITLE
Daniel F. Reidy SIGNATURE OF CORPORATE OFFICER OR AGENT

FOR FILING THIS STATEMENT \$5.00

12 9023730 DUE DATE 02/07/79 354

MABUHAY CORPORATION
2 DANIEL REIDY
703 MARKET ST STE 1506
SAN FRANCISCO, CA 94103

MABUHA LUKPUNAI
 (Malabed, Dr. Leonilo L.)

One

I HEREBY AGREE WITH THE BANK OF CALIFORNIA AS TO THE TERMS AND CONDITIONS SET FORTH BELOW

1 SIGNATURE: *[Signature]* SOCIAL SECURITY NO: 563-66-0849

2 ADDRESS: _____

TYPE OF ACCOUNT	ACCOUNT NUMBER	DATE OPENED	INITIAL DEP.	OPENED BY	DATE CANCEL:
CHECKING REG. SPC	01-100-084-30	7-7-77	\$200.00	JG	
REGULAR SAVINGS	01-100-084-30				

ACCOUNT CLOSED

With respect to each account opened at the time of signing this signature card, and with respect to each account opened subsequently in person, upon telephonic, or written request, each account will have the same account title indicated above and each depositor agrees to the terms of the signature card, the Rules for the Bank of California and its branches, the California Bank of Commerce and its branches, all amendments or additions thereto, all applicable laws and regulations, and the practices of the Bank in effect from time to time if more than one signature appears above, all sums in each account shall be deemed as joint tenants with right of survivorship, subject to the check, order or receipt signed by either or both, except that in the event of conflicting demands the Bank may require the signature of both of the above.

Each depositor agrees that each account opened with Bank shall be subject to the right of setoff for the liabilities to Bank of any such depositor to the extent legally permissible, and ACKNOWLEDGES RECEIPT OF A COPY OF BANK'S RULES FOR PERSONAL CHECKING ACCOUNTS & REGULAR SAVINGS ACCOUNTS

THE BANK IS AUTHORIZED TO:

MAIL ALL STATEMENTS AND VOUCHERS HOLD ALL STATEMENTS AND VOUCHERS UNTIL CALLED FOR

ACCOUNT CLOSED

AUTHORIZATION TO TRANSFER FUNDS

THE BANK IS AUTHORIZED TO CHARGE THE CHECKING ACCOUNT SHOWN ABOVE AND CREDIT AS FOLLOWS

ACCOUNT OR (DATE) NO.	TYPE ACC.	AMOUNT	FREQUENT	AUTH. DATE	DATE CANCELLED

95-178 6-76

88040710261

STATE OF CALIFORNIA
STATE BANKING DEPARTMENT

I, PATRICK CARROLL, Staff Services Analyst of the State Banking Department, do hereby certify that the attached documents are true and correct copies of documents on file with this Department.

Dated: June 3, 1986



LOUIS CARTER
Superintendent of Banks

By

Patrick C. Carroll
PATRICK C. CARROLL
Staff Services Analyst

8,8040710262

APPLICATION FOR AUTHORITY TO ORGANIZE BANK

To: Superintendent of Banks

Date: March 3, 1976

The following persons:

Name: Juan Ponce Enrile
Philippine National Bank, PNB Bldg.
Address: Ercolita, Manila, Philippines

Business or Occupation: Chairman of the Board, Philippine National Bank
Name: Leonides Virata
Development Bank of the Philippines, DBP Bldg.
Address: Buendia, Makati, Rizal, Philippines

Business or Occupation: Chairman of the Board, Development Bank of the Philippine
Name: Roman Cruz, Jr.
Government Service Insurance System, GSIS Bldg.
Address: Aroceros, Manila, Philippines

Business or Occupation: General Manager, Government Service Insurance System
Name: Gilberto Teodoro
Social Security System, SSS Bldg.
Address: East Avenue, Quezon City, Philippines

Business or Occupation: Administrator, Social Security System
Name: Basilio Estanislao
Land Bank of the Philippines, B. F. Condominium
Address: Aduana, Manila, Philippines

Business or Occupation: President, Land Bank of the Philippines
(If additional space is required, continue on attached sheet)

hereby apply for authority to organize and establish a corporation under the laws of the State of California to engage in commercial banking business trust business
(Check one or both)

at Vicinity of Montgomery and Sacramento Streets
(Street address or vicinity)

San Francisco City San Francisco County
(City) (County)

under the name PHILIPPINE BANK OF CALIFORNIA

with total capitalization of \$5,000,000.00

The person authorized to represent the applicants in connection with this application is:

Name: Reynaldo C. Santos Telephone: (415) 433-2161

Address: 235 Montgomery St., San Francisco, California 94104

9 3 0 4 0 7 0 2 6 3

SIXTY-EIGHTH ANNUAL REPORT

B-261

Philippine Bank of California

Incorporated March 7, 1977

455 Montgomery St., San Francisco 94104

Tel. (415) 981-7070

Principal Officers: A. F. Benavente, Executive Vice President; G. F. Power, Senior Vice President; Frank Chang, Cashier.

Directors: A. F. Benavente, Frank Chang, Ramon Cruz, Jr., Juan Ponce Enrile, Ruffie Encarnacion, Zelle E. Enay, Ramon S. Iyora, Laminio Malabed, Francis L. Mapa, Jr., G. F. Power, Gilberto Tendencia.

1, 1, 76

STATEMENT OF CONDITION, as of June 30, 1977

(In thousands of dollars)

_____	209
_____	94
_____	33
_____	97
_____	94
_____	43
_____	1,190
_____	307
_____	111
_____	80
_____	80
_____	174
_____	881
_____	301
_____	37
_____	170
_____	7
_____	181
_____	181

ASSETS

Cash and due from banks	4,337
U.S. Treasury securities	985
Trading account securities	484
Fixed funds sold, etc.	482
Loans (including unearned income)	3,760
(Less: Reserve for possible loan losses)	
Loans (net)	3,760
Real property, furniture and fixtures	313
Other assets	71
Total Assets	10,046

LIABILITIES

Demand deposits (DPC)	131
Time and savings deposits (DPC)	246
Deposits of U.S. Government	3
Deposits of foreign governments	2,000
Deposits of international banks	2,271
Correspondent and officers' accounts	90
Total Domestic Deposits	4,711
Demand deposits	465
Time and savings deposits	4,246
Total Domestic and Foreign Deposits	4,711
Other liabilities	13
Total Liabilities	4,724

EQUITY CAPITAL

Common stock	3,375
Surplus	1,778
Unrealized profits	-31
Total Capital Accounts	5,322
Total Liabilities and Capital Accounts	10,046

Some accounts owned in equal amounts by the following Philippine Government Agencies: Development Bank of the Philippines, Government Service Insurance System, Land Bank of the Philippines, Philippine National Bank, and Social Security System.

8, 3 0 4 0 7 1 0 2 6 4

ATTACHMENT F

HEAD OFFICE:
ESCOLTA, MANILA
PHILIPPINES

PHILIPPINE NATIONAL BANK
OFFICIAL DEPOSITORY OF THE REPUBLIC OF THE PHILIPPINES

PLACIDO L. MAPA, JR.
PRESIDENT

March 25, 1983

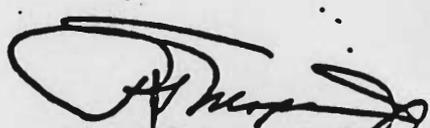
MEMORANDUM for -

President Ferdinand E. Marcos

Subject: - PHILIPPINE INTELLIGENCE FUND -

May I request your approval to charge temporarily against Accounts Receivable (Office of the President) the unliquidated advances from our New York Branch totalling US\$9,805,371.98.

~~Disposition of the receivable will subsequently be made from the Philippine Intelligence Fund to be provided out of PNF assets when the income on profit position of PNF can absorb it.~~


PLACIDO L. MAPA, JR.

ATTACHMENT G

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UNIVERSITY OF MICHIGAN LIBRARY

SUMMARY OF RECONCILING ITEMS
WITH PNB NEW YORK BRANCH

<u>YEAR</u>	<u>NO. OF ITEMS</u>	<u>USSAMOUNT</u>
1976	24	761,491.20 ✓
1977	42	1,044,433.98 ✓
1978	28	1,358,541.80 ✓
1979	3	170,000.00 ✓
1980	1	177,000.00 ✓
1981	3	1,340,000.00 ✓
1982	13	4,255,905.00
Total	114	\$ 9,805,371.98

1 UNITED STATES DISTRICT COURT
2 CENTRAL DISTRICT OF CALIFORNIA
3

4	ESTATE OF SILME G. DOMINGO,)	CASE NO. Misc. 17745
5	et al.,)	(RELATED CASE NO. C82-1055V,
6	Plaintiffs,)	U.S.D.C., W.D. Washington)
7	vs.)	DECLARATION OF PACIANO F.
8	REPUBLIC OF THE PHILIPPINES,)	DIZON IN RESPONSE TO SUBPOENA
9	et al.,)	DUCES TECUM SERVED UPON THE
	_____)	PHILIPPINE NATIONAL BANK, LOS
		ANGELES BRANCH

10 I, Paciano F. Dizon, declare:

11 1. I am Assistant Manager of the Los Angeles Branch
12 of the Philippine National Bank ("PNB/LA") and I have authority
13 to certify the records produced herewith. I make the
14 statements in the following paragraphs based on my present
15 knowledge, information and belief.

16 2. PNB/LA is licensed by the State of California as
17 a wholesale branch office and is the successor to the
18 Philippine National Bank San Francisco Agency ("PNB/SF"). In
19 March, 1981, PNB/SF moved its offices to Los Angeles, and in
20 May, 1982, converted such offices from an agency to a branch
21 office.

22 3. The documents attached hereto as Exhibits A, B, C
23 and D are true copies of all of the records of PNB/LA and
24 PNB/SF described in the attachment to the subpoena duces tecum,
25 dated July 18, 1986 served upon PNB/LA on or about July 22,
26 1986.

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1 4. Such documents as were prepared by PPNB/LA and/or
2 PNB/SF were prepared by its personnel in the ordinary course of
3 PNB/LA's or PNB/SF's business at or near the time of the act,
4 condition or event.

5 5. Such documents constitute all documents
6 responsive to the subpoena duces tecum served upon PNB/LA which
7 were found by PNB/LA as a result of a diligent and
8 comprehensive search of its records and of its files and of all
9 of the records and files of PNB/SF which it has in its
10 possession, custody or control.

11 6. Exhibit A consists of three pages. On the top of
12 the first page is a copy of an entry form used by PNB/SF used
13 for internal accounting purposes which describes a payment made
14 by PNB/SF to Dr. Leonilo Malabed in the amount of \$150,000.00
15 by the issuance of a check drawn on PNB/SF's account with
16 Lloyds Bank of California. At the bottom of the first page of
17 Exhibit A is a copy of the check issued by PNB/SF to Dr.
18 Malabed in the amount of \$150,000.00. This copy of the check
19 serves as PNB/SF's credit ticket on the transaction.

20 The second page of Exhibit A is a copy of both
21 sides of the cancelled check in the amount of \$150,000.00
22 issued by PNB/SF payable to the order of Dr. Malabed.

23 The third page of Exhibit A is a copy of a telex
24 received by PNB/SF from PNB's Head Office in Manila advising
25 that instructions had been received by PNB's Head Office from
26 Dr. Malabed or someone acting on his behalf to issue a check in
27 the amount of \$150,000.00 payable to Dr. Malabed by PNB/SF in
28 U.S. dollars.

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7. Exhibit B consists of two pages. On the top of the first page is a copy of an entry form used by PNB/SF used for internal accounting purposes which describes a payment made by PNB/SF to Dr. Leonilo Malabed in the amount of \$40,000.00 by the issuance of a check drawn on PNB/SF's account with Lloyds Bank of California pursuant to cable received from PNB/SF's Head Office in Manila by order of Dr. Malabed or persons acting on his behalf. At the bottom of the first page of Exhibit B is a copy of the check issued by PNB/SF to Dr. Malabed in the amount of \$40,000.00. This copy of the check serves as PNB/SF's credit ticket on the transaction. The second page of Exhibit B is a copy of both sides of the cancelled check in the amount of \$40,000.00 issued by PNB/SF payable to the order of Dr. Malabed.

8. Exhibit C consists of two pages. On the top of the first page is a copy of an entry form used by PNB/SF used for internal accounting purposes which describes a payment made by PNB/SF to Conrado Rubio, Jr. in the amount of \$5,000.00 by the issuance of a check drawn on PNB/SF's account with Lloyds Bank of California pursuant to cable received from PNB/SF's Head Office in Manila by order of Mr. Rubio or persons acting on his behalf. At the bottom of the first page of Exhibit C is a copy of the check issued by PNB/SF to Mr. Rubio in the amount of \$5,000.00. This copy of the check serves as PNB/SF's credit ticket on the transaction. The second page of Exhibit C is a copy of both sides of the cancelled check in the amount of \$5,000.00 issued by PNB/SF payable to the order of Mr. Rubio.

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9. Exhibit D consists of two pages. The first page of Exhibit D is a credit ticket which is an entry form used for internal accounting purposes by PNB/LA which describes a \$10,000.00 disbursement which was made pursuant to instructions from PNB's Head Office in Manila. The bottom of the first page of Exhibit D consists of a debit ticket which is an entry form used by PNB/LA for internal accounting purposes that describes a debit for a \$10,000.00 disbursement made pursuant to instructions from PNB in Manila's Head Office which payment was made against PNB/LA's account with the Philippine Bank of California.

The second page of Exhibit D is a "Debit Advice Form" which I am informed and believe was issued by the Philippine Bank of California and was sent to PNB/LA indicating that the Philippine Bank of California charged PNB/LA's account with the Philippine Bank of California pursuant to PNB/LA's instructions which were received from PNB/LA's home office in Manila, and that pursuant to those instructions a \$10,000.00 payment was made to Mr. Lito Gorespe. I am informed and believe that Mr. Buenaventura referred to on the second page of Exhibit D was an officer of Philippine Bank of California. Ms. Amy Gella referred on the second page of Exhibit D was an Assistant Agent of PNB/LA as of the date of this document.

1 I declare under penalty of perjury under the laws of
2 the United States of America that the foregoing is true and
3 correct and that this declaration was executed this 10th day of
4 September, 1986 at Los Angeles, California.

5
6
7 *Paciano F. Dizon*
8 _____
9 PACIANO F. DIZON

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PHILIPPINE NATIONAL BANK
 SAN FRANCISCO AGENCY
 238 MONTGOMERY STREET
 SAN FRANCISCO, CALIFORNIA 94104

INTERNATIONAL DIVISION
 LLOYDS BANK CALIFORNIA
 SAN FRANCISCO, CALIFORNIA

No 16820

JAN. 31 1979

\$150,000.00
 11-40/1210

PAY P. N. B. T 500000 DOLLARS

TO THE ORDER OF

DR. LEONILLO MALABED
 145 Mountain Spring Avenue
 San Francisco, Ca. 94114



[Signature]
 AUTHORIZED SIGNATURE

[Signature]
 AUTHORIZED SIGNATURE

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FEDERAL ELECTION COMMISSION
999 E Street, N.W.
Washington, D.C. 20463

FIRST GENERAL COUNSEL'S REPORT

MUR #2453
DATE COMPLAINT RECEIVED
BY OGC: June 1, 1987
DATE OF NOTIFICATION TO
RESPONDENTS: June 8, 1987
STAFF MEMBER: Celia L. Jacoby

SENSITIVE
OCT 20 1987
EXECUTIVE SESSION

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAL
OCT 14 AM 11:34

COMPLAINANT: Michael Withey
RESPONDENTS: Leonilo Malabed, Ferdinand Marcos,
and Fabian Ver
RELEVANT STATUTES: 2 U.S.C. § 441a(a)(1)(A)
2 U.S.C. § 441e
2 U.S.C. § 441f

INTERNAL REPORTS CHECKED: MUR 2156
Contributor Indices
Disclosure Reports

FEDERAL REPORTS CHECKED: None

I. GENERATION OF MATTER

On June 1, 1987, the Federal Election Commission (the "Commission") received a signed, sworn and notarized complaint from Michael Withey, alleging that Dr. Leonilo Malabed had made contributions to various candidates through the Mabuhay Corporation on behalf of another, Ferdinand Marcos, who is a foreign national. The complaint alleged that such contributions by a foreign national made in the name of another would violate 2 U.S.C. §§ 441e and 441f.

These allegations were originally considered by the Commission in June 1986 (See MUR 2156). In that matter the Commission determined that there was no reason to believe that a violation of the Federal Election Campaign Act of 1971, as amended (the "Act"), had been committed by the named candidates or political committees. However, the Commission failed to find,

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by the required four votes, reason to believe that a violation of either 2 U.S.C. § 441e by Mr. Marcos or 2 U.S.C. § 441f by Dr. Malabed or Mr. Marcos had occurred. The General Counsel's Report in MUR 2156 is attached hereto as Attachment 1.

Mr. Marcos did not respond to the notification of the complaint in MUR 2156. Dr. Malabed, however, responded that he was not "aware of any foreign (Philippine) sources of money contributed to politicians through me or any corporation under my control or ownership."

The complaint now submitted requests that the investigation under MUR 2156 be reopened.

II. LEGAL AND FACTUAL ANALYSIS

A. Background

The complaint relies principally on the "Mabuhay Corporation Statement of Expenses" (the "Mabuhay Statement"), which statement the Commission considered in its prior finding, to substantiate its allegations. The Mabuhay Statement, dated February 15, 1982, is a document obtained by the U.S. Customs Service from items brought into the United States by Mr. Marcos. The Mabuhay Statement itemizes the following expenses which purportedly were political contributions:

Dianne Feinstein	\$ 2,500
Quentin Kopp	500
Larry Asera	50,000
Alan Cranston	10,000
Leo McCarthy	10,000
Carter-Mondale Committee	1,500
Jimmy Carter	50,000
Ronald Reagan	50,000

These contributions supposedly were made through the Mabuhay Corporation of California, whose president was Dr. Leonilo Malabed.

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The complaint also presents other facts to support its allegations, facts which were not previously before the Commission. The handwritten legend on the Mabuhay Statement has been identified as having been written by Dr. Malabed. That legend acknowledges the receipt of funds from the PNB 1/ for intelligence purposes, which transfer of funds was authorized by General Fabian Ver. Although Dr. Malabed had previously stated that the Mabuhay Statement was false because it had not been signed, he has since apparently admitted to writing the legend on its margin. 2/ Also submitted with the complaint were photocopies of currency transfers which evidence the receipt of approximately \$190,000 from the Philippine National Bank. Dr. Malabed's counsel is reported to have stated that Dr. Malabed had received over \$500,000 in cash from a Philippine government courier.

As further substantiation that funds held by the Mabuhay Corporation may have derived from the Philippine government, the Declaration of Bonifacio Gillego, a representative of the Philippine government's Presidential Commission on Good

1/ Possibly the Philippine National Bank according to the news accounts and declaration attached to the complaint.

2/ A newspaper article dated week of March 26-April 1, 1986, quotes Dr. Malabed as saying: "Who signed it? If it is not signed, let us treat it as a useless document. Everything is false." This newspaper was unidentified. An article in the San Francisco Chronicle dated May 30, 1986, states that, according to his attorney, Dr. Malabed was "pressured to sign" this document.

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Government, was provided. In that declaration, Mr. Gillego states that the Mabuhay Corporation was used as a cover "to avoid detection of the true source of the funds..., the former government of the Philippines under Ferdinand Marcos and General Ver." The complaint further asserts that the Mabuhay Statement is authentic, and impliedly should be accepted as authentic by the Commission, since Judge Orrick of the U.S. District Court for the Northern District of California has accepted the Statement as authentic. Judge Orrick's determination was based in part on the affidavit of Mr. Gillego.

These documents and statements, the complaint asserts, provide the corroborative evidence needed to find violations of the federal election laws by Dr. Leonilo Malabed, Ferdinand Marcos, and General Fabian Ver.

Copies of the complaint and accompanying materials were mailed to the named respondents (Ferdinand Marcos, Leonilo Malabed and Fabian Ver) on June 8, 1987. These notifications were directed to the last known address of each party.

By letter dated June 16, 1987, Dr. Malabed stated that he had made contributions to political campaigns from his personal funds (Attachment 2). Further he believes that this matter should remain closed because the complainant has failed to document or otherwise prove that the substantial contributions alleged were in fact made.

The reports filed by the candidates and committees named in MUR 2156 do not disclose contributions in the sums indicated by the Mabuhay Statement. Although contributions from Dr. Malabed

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and his wife were revealed , in addressing the Commission's findings in MUR 2156, each of those candidates and committees either denied knowledge of receiving contributions from foreign nationals or made in the name of another or asserted that the complaint contained insufficient evidence to support the allegations.^{3/} Dr. Malabed also asserts that this current complaint lacks any evidence that the alleged contributions were made.

^{3/} See notes 5 and 6 infra. Possible contributions by persons associated with the Mabuhay Corporation, or whose names are mentioned in the complaint, were also researched. In reviewing the 1979-80 Contributor Lists, these contributions were noted:

<u>Name</u>	<u>Mabuhay Corp. position</u>	<u>Recipient</u>	<u>Date</u>	<u>Amount</u>
Romeo A. Esperanza	director	DNC Services Corp.	7-10-80	\$ 825
Romeo A. Esperanza	director	Carter-Mondale	10-15-79	1000
Romeo A. Esperanza	director	Cranston Senate Committee	5-5-80	500
Zoilo R. Inacay	director	Carter-Mondale	9-28-79	300
Demetrio Jayme	officer/director	Carter-Mondale	10-15-79	250
Demetrio S. Jayme	officer/director	Carter-Mondale	9-28-79	500
Mrs. Justina R. Jayme	-	Carter-Mondale	10-15-79	250

Each of these contributions is facially a permissible contribution. One other contributor, Alfonso O. Ver, may also be a related contributor. He made two contributions to the Carter-Mondale campaign of \$125 and \$250, both on the same dates as contributions by the Malabeds. His employer is listed as the Filipino Professional and Business Association. It should be further noted that the dates of contributions by the Mabuhay Corporation directors also correlated with those of the Malabeds. According to a news article, Mr. Jayme stated the he did not make any contribution to the Carter campaign (see Attachment I to the complaint).

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Counsel for Mr. Marcos, the former President of the Philippines, requested an extension of time to reply. An extension until July 21st was granted. Counsel filed a statement on behalf of Mr. Marcos on July 21, 1987, and on July 27th a statement in substitution for the original response (Attachment 3). Counsel requests that the Commission take no further action in this matter on these grounds: first, the evidence submitted by the complainant does not support the allegations made against Mr. Marcos; second, Mr. Marcos neither "knowingly" nor "willfully" made such contributions; third, Mr. Marcos denies making any contribution; fourth, the proper party to be charged is the government of the Republic of the Philippines; and finally, any action in this matter is time-barred by Section 455 of the Act or under the equitable ground of laches.

To date General Ver has not responded to the issues raised in the complaint.^{4/}

B. Analysis of Alleged Violations.

The provisions of the Act alleged to have been violated prohibit (i) contributions directly or indirectly by a foreign national to influence any election (2 U.S.C. § 441e), and (ii)

^{4/} Notifications of the complaint were sent to General Ver at his last known addresses in California and Hawaii. Although no response has been received, neither letter was returned to the Commission, giving rise to the presumption of delivery by the postal service. General Ver entered the United States under the U.S. Attorney General's Parole. However, his parole has terminated and he is subject to deportation should he remain in this country. General Ver is also the subject of on-going criminal investigations by the U.S. Department of Justice.

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making a contribution in the name of another or permitting the use of one's name to effect a contribution by another (2 U.S.C. § 441f). Section 441e states:

It shall be unlawful for a foreign national directly or through any other person to make any contribution of money or other thing of value ... in connection with an election to any political office ...; ... or for any person to solicit, accept or receive any such contribution from a foreign national.

The term "foreign national" as defined in 2 U.S.C. § 441e(b)(1) means a "foreign principal" as this term is defined specifically by 22 U.S.C. § 611(b). Section 611(b) defines a "foreign principal" as including:

- (1) a government of a foreign country and a foreign political party,
- (2) a person outside of the United States unless it is established that such person is an individual and a citizen of and domiciled within the United States, or that such person is not an individual and is organized under or created by the laws of the United States or any State or other place subject to the jurisdiction of the United States and has its principal place of business in the United States, and
- (3) a partnership, association, corporation, organization, or other combination of persons organized under the laws of or having its principal place of business in a foreign country.

The prohibition on making, and permitting the use of one's name to make, contributions in the name of another is contained in 2 U.S.C. § 441f:

No person shall make a contribution in the name of another or knowingly permit his name to be used to effect such a contribution, and no person shall knowingly accept a contribution made by one person in the name of another person.

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The making of the contributions by a foreign national through a conduit, either an individual or a corporation under his control, would violate these provisions of the Act. A foreign national may not directly or through any person contribute to any election for political office in the United States. If actual contributions by a foreign national were made in the name of another that activity might also violate 2 U.S.C. § 441f which prohibits any person from knowingly allowing his name to be used for a contribution by another.

No direct contributions by Ferdinand Marcos (or the Philippine Government) or Fabian Ver were revealed in an examination of the reports filed with the Commission by the candidates and committees listed on the Mabuhay Statement. Mr. Malabed and his wife 5/ made several contributions to the Carter-Mondale Presidential Committee ("Carter-Mondale") and the Democratic National Committee ("DNC"). 6/

The complaint suggests that a possible source of funds available for the contributions made by Dr. Malabed was Ferdinand Marcos. The evidence to link the contributions made by Dr. Malabed to a foreign

5/ Mrs. Malabed was listed as "Mrs. Leonilo," "Mrs. Patrice" and "Mrs. L." with the same addresses as Leonilo Malabed.

6/ These contributions for the 1980 primary election were, in the aggregate, \$1000 to Carter-Mondale and \$4,125 to DNC by Dr. Malabed. Dr. Malabed also contributed \$500 to the Cranston for Senate Committee. Carter-Mondale reports a \$1425 contribution by Mrs. Malabed, apparently in excess of the statutory limitation. If Mrs. Malabed permitted her name to be used to effect a contribution by another or to make a contribution by a foreign national, the entire amount of the contribution would be prohibited by the Act. After receiving responses to the attached questions, this Office will make appropriate recommendations to the Commission.

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national included the Mabuhay Statement which purportedly shows contributions directed by Mr. Marcos, the acknowledgement of the receipt of funds from a Philippine bank by Dr. Malabed as written on the Mabuhay Statement, the sworn affidavit of Mr. Gillego that the Mabuhay Corporation was a front for the Philippine government under Mr. Marcos, and the statement by Mr. Malabed's counsel that his client had received cash from a Philippine government courier. Photocopies of currency transfers were also supplied to evidence the receipt of approximately \$190,000.00 by Dr. Malabed from the Philippine National Bank. Newspapers accounts were also provided to substantiate these allegations.

If the information provided in the complaint and its supporting materials is correct, contributions were made by Ferdinand Marcos through the Mabuhay Corporation, with Leonilo Malabed serving as the conduit or as the agent of the Mabuhay Corporation. 7/ Such activities would violate 2 U.S.C. § 441e. Mr. Marcos, by virtue of his foreign citizenship, is a foreign national within the meaning of 2 U.S.C. § 441e. 8/ A foreign national may not through any person contribute to any election for political office. Additionally, if contributions by Mr. Marcos were made in the name of Dr. Malabed and others, this activity would violate 2 U.S.C. § 441f which prohibits a person from making a contribution in the name of another and any person from allowing his name to be so used.

7/ The Mabuhay Corporation was dissolved in 1982. Dr. Malabed was president and a director of the corporation. It is alleged that he may have made the contribution as he was the sole signatory on the corporation's bank accounts.

8/ Mr. Marcos is presently residing in Hawaii under a parole authority issued by the U.S. Attorney General.

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Counsel for Mr. Marcos argues that no violation of the Act by Mr. Marcos occurred, and asserts that a critical element, knowing and willfulness, of a violation under 2 U.S.C. §§ 437g(a)(5)(B) and (C), § 437g(a)(6)(C), and §§ 437g(d)(1)(A), (B), and (C) is missing. However, the cited provisions of the Act do not go to the issue of whether a violation has occurred, but rather relate to the penalty that may be imposed for a knowing and willful violation of any contribution provision or other provisions of the Act. Knowing and willful conduct is not a prerequisite to a finding of violations of sections 441e and 441f. Nor does the complaint allege knowing and willful violations. Further at this time this Office is not recommending that the Commission find a knowing and willful violation of the Act.

Counsel also contends that this matter is time-barred by 2 U.S.C. § 455 or under the doctrine of laches. The Act contains a three-year statute of limitations; however, that period relates to criminal prosecutions, not to civil actions. In FEC v. Lance, 617 F.2d 365 (5th Cir. 1980), the court confirmed that the limitations period under Section 455 applies only to criminal prosecutions for violations of the Act authorized by 2 U.S.C. § 441j. Further the court found that "Congress did not provide a statute of limitations that would be applicable to civil enforcement actions brought by the FEC." Nor is there a general federal period of limitations for civil actions. The common-law doctrine of laches, based on the principle that equity aids diligence, would arguably preclude action by the Commission

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had the Commission delayed its consideration for a period which operated to the prejudice of the respondents. However, it is a settled rule of law that the United States is exempt from statutes of limitations and the defense of laches unless Congress has provided otherwise. United States v. Summerlin, 310 U.S. 414 (1940). Even were the defense of laches available, there is no prejudicial delay involved in this matter. This complaint was filed on June 1, 1987. Promptly after that date (June 8, 1987), the respondents were notified of the complaint. Although the alleged events occurred in 1980, these respondents (other than General Ver) were made aware that such activities may have constituted a violation of the Act by the prior complaint and actions taken in MUR 2156. There has been no delay by the Commission in its consideration of this matter to the detriment of the respondents on which the equitable doctrine of laches may operate. Accordingly, the Commission is not foreclosed from its consideration of this matter.

Based on the information provided in the complaint, the Office of the General Counsel recommends that the Commission find reason to believe that Ferdinand Marcos 9/ violated 2 U.S.C. §§ 441e and 441f, and that Leonilo Malabed violated 2 U.S.C. § 441f.

The complaint provides no allegations that General Ver made contributions, other than his authorization for the transfer of

9/ The Office of the General Counsel is making no recommendation with regard to the Government of the Philippines since the complaint and accompanying materials specify Mr. Marcos as the contributor.

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funds from PNB (i.e., the Philippine National Bank) to the Mabuhay Corporation. The newspaper articles submitted with this complaint and in MUR 2156 also specify only Ferdinand Marcos as the contributor. However, Mr. Ver apparently authorized the transfer of funds from the Philippines to the Mabuhay Corporation. Although no direct contribution by Mr. Ver is alleged or evidenced in the complaint, he may have assisted Mr. Marcos in a violation of 2 U.S.C. § 441f by facilitating or arranging such transfer; a transfer whose purpose may have been the making of political contributions in the name of another. Alternately, General Ver may have violated both 2 U.S.C. § 441e and § 441f. By authorizing the transfer of funds to the Mabuhay Corporation, Gen. Ver had and exercised dominion and control over those funds. If these funds were the funds of Gen. Ver and that transfer was for the purpose of making political contributions in the name of another, violations of the Act may be made out. Therefore, this Office recommends that the Commission find reason to believe General Fabian Ver violated 2 U.S.C. §§ 441e and 441f.

The complaint did not allege the receipt of funds by any candidate or committee in violation of the Act. Further there is no apparent evidence that any federal candidate or committee knowingly received improper funds. In MUR 2156 this Office recommended, and the Commission found, no reason to believe that any violation by any of the named federal candidates or

committees had occurred. At this time this Office is making no recommendations regarding the federal candidates and political committees named in the Mabuhay Statement. Should the evidence obtained during the investigation of this matter indicate any possible violation by the federal candidates and committees identified on the Mabuhay Statement, this Office will make appropriate recommendations to the Commission at that time.

Section 441e further prohibits the contribution by a foreign national "in connection with an election to any political office," and the receipt of such contribution by any person. At present this Office has no information regarding possible prohibited contributions to and receipts by the candidates for local and state offices listed on the Mabuhay Statement. Copies of contribution lists for those non-federal candidates have been requested from the appropriate state officials. This Office will make further recommendations to the Commission as appropriate.

To verify the supporting documentation in the complaint, this Office proposes that the deposition of Bonifacio Gillego be taken, and that answers to interrogatories be sought from the directors of the Mabuhay Corporation. This Office recommends that the Commission issue the attached subpoena to Mr. Gillego and the attached orders to Messrs. Esperanza, Inacay and Jayme.

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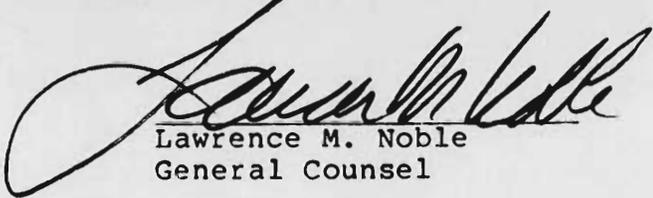
This Office recognizes that contributions in the amounts indicated by the Mabuhay Statement are not readily revealed in the pertinent disclosure reports filed with the Commission. The proposed discovery requests are designed to determine if aggregated contributions given through other conduits might reach the sums indicated on that Statement.

III. RECOMMENDATIONS

1. Find reason to believe that Ferdinand Marcos violated 2 U.S.C. § 441e and § 441f.
2. Find reason to believe that Leonilo Malabed violated 2 U.S.C. § 441f.
3. Find reason to believe that Fabian Ver violated 2 U.S.C. § 441e and § 441f.
4. Approve and send the attached letters with interrogatories to Respondents.
5. Approve and issue the attached subpoena and letter to Bonifacio Gillego.
6. Approve and issue the attached orders and letters to Messrs. Esperanza, Inacay and Jayme and Mrs. Malabed.

Date

10/14/87


Lawrence M. Noble
General Counsel

Attachments

1. General Counsel's Report in MUR 2156
2. Dr. Malabed's response
3. Mr. Marcos' response
4. Proposed letters (3) to Respondents
5. Questions to Respondents
6. Subpoena and letters to Mr. Gillego
7. Orders and letters to Messrs. Esperanza, Inacay and Jayme and Mrs. Malabed

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL
FROM: MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*
DATE: OCTOBER 15, 1987
SUBJECT: OBJECTION TO MUR 2453 - First G.C. Report
Signed October 14, 1987

The above-captioned document was circulated to the Commission on Wednesday, October 14, 1987 at 4:00 P.M.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Josefiak	_____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the Executive Session agenda for October 20, 1987.

Please notify us who will represent your Division before the Commission on this matter.

88040710288



FEDERAL ELECTION COMMISSION
WASHINGTON DC 20463

MEMORANDUM TO: LAWRENCE M. NOBLE
ACTING GENERAL COUNSEL

FROM: MARJORIE W. EMMONS / JOSHUA MCFADDEN *JM*

DATE: OCTOBER 16, 1987

SUBJECT: OBJECTIONS TO MUR 2453 - FIRST G.C. REPORT
SIGNED OCTOBER 14, 1987

The above-captioned document was circulated to the Commission on Wednesday, October 14, 1987 at 4:00 P.M.

Objections have been received from the Commissioners as indicated by the name(s) checked:

Commissioner Aikens	_____
Commissioner Elliott	_____ X _____
Commissioner Josefiak	_____ X _____
Commissioner McDonald	_____
Commissioner McGarry	_____
Commissioner Thomas	_____

This matter will be placed on the Executive Session agenda for October 20, 1987.

Please notify us who will represent your Division before the Commission on this matter.

88040710289

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Leonilo Malabed,)
Ferdinand Marcos,)
and Fabian Ver)

MUR 2453

CERTIFICATION

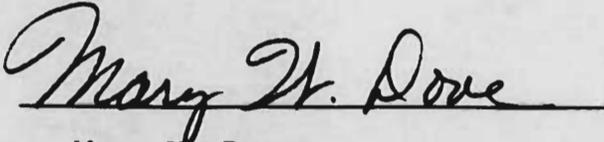
I, Mary W. Dove, recording secretary for the Federal Election Commission executive session on October 20, 1987, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions on MUR 2453:

1. Take no action at this time regarding the General Counsel's recommendation to find reason to believe that Ferdinand Marcos violated 2 U.S.C. § 441e and § 441f.
2. Find reason to believe that Leonilo Malabed violated 2 U.S.C. § 441f.
3. Take no action at this time regarding the General Counsel's recommendation to find reason to believe that Fabian Ver violated 2 U.S.C. § 441e and § 441f.
4. Approve and send the letter with interrogatories attached to the First General Counsel's Report dated October 14, 1987, to Leonilo Malabed, and authorize the taking of his deposition.
5. Approve and issue the subpoena and letter to Bonifacio Gillego attached to the First General Counsel's Report dated October 14, 1987.
6. Approve and issue the orders and letters attached to the First General Counsel's Report dated October 14, 1987, to Messrs. Esperanza, Inacay and Jayme and Mrs. Malabed, and authorize the taking of their depositions.

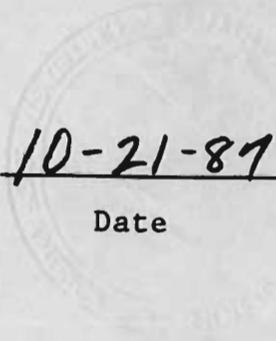
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Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision. Commissioner McDonald did not cast a vote.

Attest:



Mary W. Dove
Administrative Assistant


10-21-87

Date

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
)
Leonilo Malabed,)
Ferdinand Marcos,)
and Fabian Ver)

MUR 2453

AMENDED CERTIFICATION

I, Mary W. Dove, recording secretary for the Federal Election Commission executive session on October 20, 1987, do hereby certify that the Commission decided by a vote of 5-0 to take the following actions on MUR 2453:

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1. Take no action at this time regarding the General Counsel's recommendation to find reason to believe that Ferdinand Marcos violated 2 U.S.C. § 441e and § 441f.
2. Find reason to believe that Leonilo Malabed violated 2 U.S.C. § 441f.
3. Take no action at this time regarding the General Counsel's recommendation to find reason to believe that Fabian Ver violated 2 U.S.C. § 441e and § 441f.
4. Authorize the taking of the deposition of Leonilo Malabed.
5. Approve and issue the subpoena and letter to Bonifacio Gillego attached to the First General Counsel's Report dated October 14, 1987.
6. Authorize the taking of depositions of Messrs. Esperanza, Inacay and Jayme and Mrs. Malabed.

Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision. Commissioner McDonald did not cast a vote.

Attest:

11-2-87

Date

Mary W. Dove

Mary W. Dove
Administrative Assistant



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

plm

6 November 1987

Staff Sergeant Bayne
Judge Advocate's Office
Attn: Criminal Law Branch
Presidio of San Francisco, CA 94129

RE: Depositions in MUR 2453

Dear SSG Bayne:

Thank you for your assistance in arranging space for the holding of depositions in our matter MUR 2453. These depositions will be held the week of December 7 through 11, 1987. Should there be any changes in that schedule we will advise you. If you have any questions or require further information, please contact either Celia L. Jacoby or Patty Reilly, the attorneys involved in these depositions, at (202) 376-5690. Again, our appreciation to you and Captain Littleton.

Sincerely,

Lawrence M. Noble
General Counsel

By: Lois G. Lerner
Associate General Counsel

88040710294

RECEIVED
FEDERAL ELECTION COMMISSION
SECRETARIAT

87 NOV 18 PM 2:25



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

SENSITIVE

November 18, 1987

MEMORANDUM

TO: The Commission
FROM: Lawrence M. Noble 
General Counsel
SUBJECT: MUR 2453 - Malabed

On October 20, 1987, the Commission approved the issuance of subpoenas for taking depositions in MUR 2453. Attached hereto for your information are requests for production in connection with those depositions.

Attachments
Subpoenas (5)

88040710295



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/SUSAN GREENLEE *MWD* S.G.

DATE: NOVEMBER 20, 1987

SUBJECT: MUR 2453 - GENERAL COUNSEL'S MEMORANDUM TO
THE COMMISSION
DATED NOVEMBER 18, 1987

The above-captioned matter was received in the Office of the Secretary of the Commission Wednesday, November 18, 1987, at 2:25 P.M. and circulated to the Commission on a 24-hour no-objection basis Thursday, November 19, 1987 at 11:00 A.M.

There were no objections received in the Office of the Secretary of the Commission on the General Counsel's Memorandum to the Commission at the time of the deadline.

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plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Demetrio Jayme
100 California Street
Suite 1060
San Francisco, California 94111

RE: MUR 2453

Dear Mr. Jayme:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached subpoena, which requires you to appear and give sworn testimony on Friday, December 11, 1987, at the federal courtroom at the Presidio in San Francisco, California in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition.

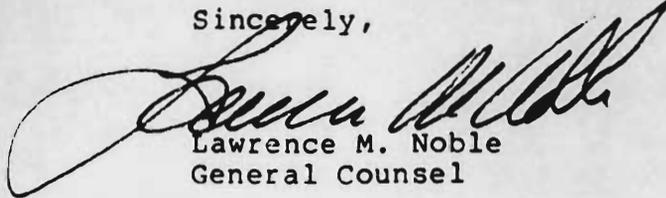
Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30.00, plus mileage at the rate of 20.5 cents per mile. You will be given a check for your witness fee and mileage at the time of the deposition.

88040710297

Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification.

If you have any questions, please direct them to Celia L. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Subpoena

88040710298

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2453

SUBPOENA

To: Demetrio Jayme
100 California Street
Suite 1060
San Francisco, California 94111

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to various political contributions and expenditures made by you and the Mabuhay Corporation during calendar years 1979 through 1981. Notice is hereby given that the deposition is to be taken on Friday, December 11, 1987 at the federal courtroom at the Presidio in San Francisco, California, beginning at 10 a.m. and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents listed on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. by December 7, 1987.

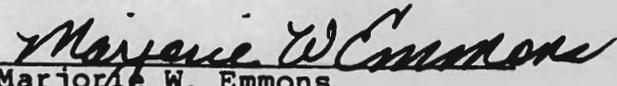
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WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand at Washington, D.C., this 20th day of
November, 1987.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment
Documents Request (1 page)

88040710300

FEDERAL ELECTION COMMISSION

Attachment to Subpoena

Please produce in their entirety the following:

1. A copy (front and back) of each check, money order or other instrument with which you made a contribution to or an expenditure on behalf of any of the following during 1979, 1980 and 1981:

Diane Feinstein
Quentin Kopp
Larry Asera
Leo McCarthy
Alan Cranston
Jimmy Carter
Ronald Reagan
Carter-Mondale Presidential Committee
Any other political candidate or committee

2. All documents and materials concerning meetings, discussions or other communications between yourself and any official, employee, staff member, director or agent of the Mabuhay Corporation concerning contributions to or expenditures on behalf of any candidate or political committee listed in item 1 above during 1979, 1980 and 1981.
3. All documents and materials in your possession concerning meetings, discussions, correspondence or other communications concerning contributions to or expenditures on behalf of any candidate or political committee listed in item 1 above during 1979, 1980 and 1981.
4. All articles of incorporation, bylaws, rules, regulations, procedural materials, policy statements, governing instruments or other documentation of the policies, procedures, business practices and purposes of the Mabuhay Corporation.
5. The name, address and telephone number of each officer and employee of the Mabuhay Corporation.
6. All documents and other materials which reflect or in any way concern the receipt of currency or other current funds transferred or in any way transmitted from any source in the Philippines to the Mabuhay Corporation or any of its directors, officers and agents during 1979, 1980 and 1981.

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INSTRUCTIONS

In answering this request for production of documents, furnish all documents, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1979 to January 1, 1982, inclusive.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental productions of documents the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Romeo A. Esperanza
717 Edge Lane
Los Atlos, California 94022

RE: MUR 2453

Dear Mr. Esperanza:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached subpoena, which requires you to appear and give sworn testimony on Friday, December 11, 1987, at the federal courtroom at the Presidio in San Francisco, California in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition.

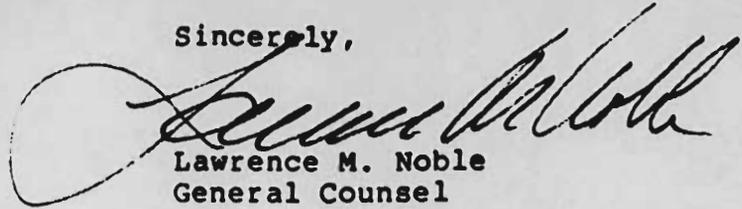
Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30.00, plus mileage at the rate of 20.5 cents per mile. You will be given a check for your witness fee and mileage at the time of the deposition.

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Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification.

If you have any questions, please direct them to Celia L. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Subpoena

88040710305

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2453

SUBPOENA

To: Romeo A. Esperanza
Director, Mabuhay Corporation
717 Edge Lane
Los Atlos, California 94022

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to various political contributions and expenditures made by you or the Mabuhay Corporation during calendar years 1979 through 1981. Notice is hereby given that the deposition is to be taken on Friday, December 11, 1987 at the federal courtroom at the Presidio in San Francisco, California, beginning at 3 p.m. and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents listed on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. by December 7, 1987.

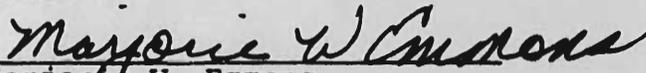
88040710306

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand at Washington, D.C., this 20th day of
November, 1987.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment
Documents Request (1 page)

88040710307

FEDERAL ELECTION COMMISSION

Attachment to Subpoena

Please produce in their entirety the following:

1. A copy (front and back) of each check, money order or other instrument with which you made a contribution to or an expenditure on behalf of any of the following during 1979, 1980 and 1981:

Diane Feinstein
Quentin Kopp
Larry Asera
Leo McCarthy
Alan Cranston
Jimmy Carter
Ronald Reagan
Carter-Mondale Presidential Committee
Any other political candidate or committee

2. All documents and materials concerning meetings, discussions or other communications between yourself and any official, employee, staff member, director or agent of the Mabuhay Corporation concerning contributions to or expenditures on behalf of any candidate or political committee listed in item 1 above during 1979, 1980 and 1981.
3. All documents and materials in your possession concerning meetings, discussions, correspondence or other communications concerning contributions to or expenditures on behalf of any candidate or political committee listed in item 1 above during 1979, 1980 and 1981.
4. All articles of incorporation, bylaws, rules, regulations, procedural materials, policy statements, governing instruments or other documentation of the policies, procedures, business practices and purposes of the Mabuhay Corporation.
5. The name, address and telephone number of each officer and employee of the Mabuhay Corporation.
6. All documents and other materials which reflect or in any way concern the receipt of currency or other current funds transferred or in any way transmitted from any source in the Philippines to the Mabuhay Corporation or any of its directors, officers and agents during 1979, 1980 and 1981.

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INSTRUCTIONS

In answering this request for production of documents, furnish all documents, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1979 to January 1, 1982, inclusive.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental productions of documents the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Leonilo L. Malabed, M.D.
145 Spring Avenue
San Francisco, California 94114

RE: MUR 2453
Leonilo L. Malabed

Dear Dr. Malabed:

On June 8, 1987, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission on October 20, 1987, found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Act. Specifically it appears that you may knowingly have permitted another person to make contributions in your name or have made contributions in the name of another.

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 that you believe are relevant to the Commission's consideration of this matter. Please submit such materials along with your response to the enclosed Subpoena to Produce Documents. All responses to the subpoena must be submitted to the General Counsel's Office within 15 days of your receipt of this letter. The attached subpoena also requires you to appear and give sworn testimony on Thursday, December 10, 1987 at the federal courtroom at the Presidio in San Francisco, California.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and

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authorizing such counsel to receive any notifications or other communications from the Commission.

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.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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

Sincerely,



Scott E. Thomas
Chairman

Enclosures
Subpoena
Designation of Counsel Form

88040710312

FEDERAL ELECTION COMMISSION

Attachment to Subpoena

Please produce in their entirety the following:

1. A copy (front and back) of each check, money order or other instrument with which you made a contribution to or an expenditure on behalf of any of the following during 1979, 1980 and 1981:

Diane Feinstein
Quentin Kopp
Larry Asera
Leo McCarthy
Alan Cranston
Jimmy Carter
Ronald Reagan
Carter-Mondale Presidential Committee
Any other political candidate or committee

2. All documents and materials concerning meetings, discussions or other communications between yourself and any official, employee, staff member, director or agent of the Mabuhay Corporation concerning contributions to or expenditures on behalf of any candidate or political committee listed in item 1 above during 1979, 1980 and 1981.
3. All documents and materials in your possession concerning meetings, discussions, correspondence or other communications concerning contributions to or expenditures on behalf of any candidate or political committee listed in item 1 above during 1979, 1980 and 1981.
4. All articles of incorporation, bylaws, rules, regulations, procedural materials, policy statements, governing instruments or other documentation of the policies, procedures, business practices and purposes of the Mabuhay Corporation.
5. The name, address and telephone number of each officer and employee of the Mabuhay Corporation.
6. All documents and other materials which reflect or in any way concern the receipt of currency or other current funds transferred or in any way transmitted from any source in the Philippines to the Mabuhay Corporation or any of its directors, officers and agents during 1979, 1980 and 1981.

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INSTRUCTIONS

In answering this request for production of documents, furnish all documents, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1979 to January 1, 1982, inclusive.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental productions of documents the date upon which and the manner in which such further or different information came to your attention.

8 8 0 4 0 7 1 0 3 1 4

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

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JLW



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Patrice Malabed
145 Mt. Spring Avenue
San Francisco, California 94114

RE: MUR 2453

Dear Mrs. Malabed:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached subpoena, which requires you to appear and give sworn testimony on Thursday, December 10, 1987, at the federal courtroom at the Presidio in San Francisco, California in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition.

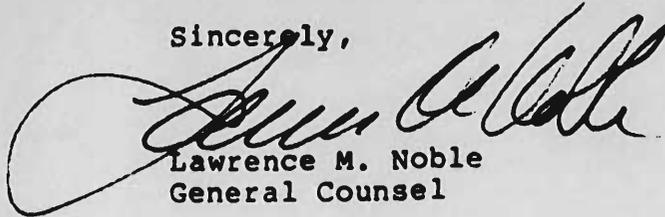
Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30.00, plus mileage at the rate of 20.5 cents per mile. You will be given a check for your witness fee and mileage at the time of the deposition.

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Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification.

If you have any questions, please direct them to Celia L. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Subpoena

8 8 0 4 0 7 1 0 3 1 7

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2453

SUBPOENA

To: Patrice Malabed
145 Mt. Spring Avenue
San Francisco, California 94111

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to various political contributions and expenditures made by you during calendar years 1979 through 1981. Notice is hereby given that the deposition is to be taken on Thursday, December 10, 1987 at the federal courtroom at the Presidio in San Francisco, California, beginning at 1 p.m. and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents listed on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. by December 7, 1987.

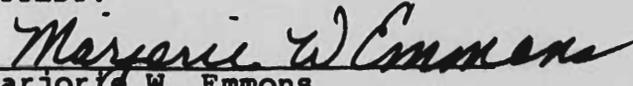
83040710318

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand at Washington, D.C., this 20th day of
November, 1987.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment
Documents Request (1 page)

8 8 0 4 0 7 1 0 3 1 9

FEDERAL ELECTION COMMISSION

Attachment to Subpoena

Please produce in their entirety the following:

1. A copy (front and back) of each check, money order or other instrument with which you made a contribution to or an expenditure on behalf of any of the following during 1979, 1980 and 1981:

Diane Feinstein
Quentin Kopp
Larry Asera
Leo McCarthy
Alan Cranston
Jimmy Carter
Ronald Reagan
Carter-Mondale Presidential Committee
Any other political candidate or committee

2. All documents and materials relating to meetings, discussions or other communications between yourself and any official, employee, staff member, director or agent of the Mabuhay Corporation concerning contributions to or expenditures on behalf of any of the political candidates or committees listed in item 1 above during 1979, 1980 and 1981.

88040710320

INSTRUCTIONS

In answering this request for production of documents, furnish all documents, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1979 to January 1, 1982, inclusive.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental productions of documents the date upon which and the manner in which such further or different information came to your attention.

88040710321

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

88040710322

plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Bonifacio Gillego
Commission on Good Government
Consulate General of the Philippines
New York, New York

RE: MUR 2453

Dear Mr Gillego:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached subpoena, which requires you to appear and give sworn testimony on December 17, 1987, at 999 E Street, N.W., Washington, D.C. in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition.

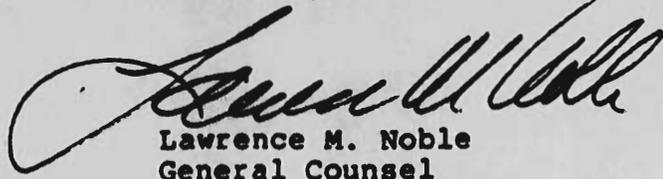
Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30.00, plus mileage at the rate of 20.5 cents per mile. You will be given a check for your witness fee and mileage at the time of the deposition.

Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification.

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If you have any questions, please direct them to Celia L. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Subpoena

88040710324

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2453

SUBPOENA

To: Bonifacio Gillego
Commission on Good Government
Consulate General of the Philippines
New York, New York

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to your declaration, dated May 22, 1986, on behalf of the Estate of Silme G. Domingo, et al. Notice is hereby given that the deposition is to be taken on December 17, 1987, in Room 651 at 999 E Street, N.W., Washington, D.C., beginning at 10 a.m. and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents listed on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. by December 7, 1987.

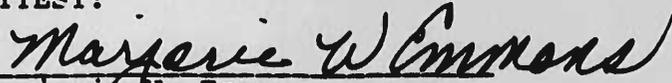
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WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand at Washington, D.C., this 20th day of
November, 1987.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment
Documents Request (one page)

88040710326

FEDERAL ELECTION COMMISSION

Attachment to Subpoena

1. Please provide a copy, certified as authentic, of the Mabuhay Corporation Statement of Expenses (the "Mabuhay Sttement").
2. Please provide a copy of any other document which you hold, is known or otherwise available to you, which refers to, explains or otherwise relates to the Mabuhay Statement.
3. Please provide a copy of any document which you hold, is known or available to you, which evidences the transfer of currency or other current funds from the Republic of the Philippines to Dr. Leonilo Malabed or the Mabuhay Corporation.
4. Please provide a copy of any report, memorandum or other document which you have written or prepared, or had written or prepared, to analyze, discuss or otherwise describe the Mabuhay Statement.

88040710327

INSTRUCTIONS

In answering this request for production of documents, furnish all documents and other information, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following interrogatories and requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental answers the date upon which and the manner in which such further or different information came to your attention.

88040710328

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named individual to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

88040710329

plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Zoilo R. Inacay
565 Junipero Serra Boulevard
San Francisco, CA 94127

RE: MUR 2453

Dear Mr. Inacay:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached subpoena, which requires you to appear and give sworn testimony on Friday, December 11, 1987, at the federal courtroom at the Presidio in San Francisco, California in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition.

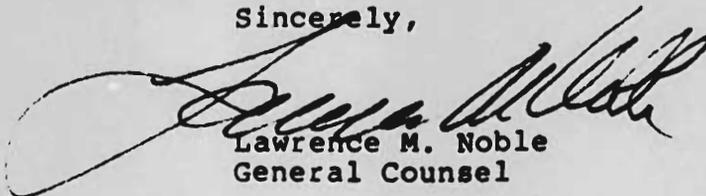
Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30.00, plus mileage at the rate of 20.5 cents per mile. You will be given a check for your witness fee and mileage at the time of the deposition.

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Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification.

If you have any questions, please direct them to Celia L. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Subpoena

88040710331

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2453

SUBPOENA

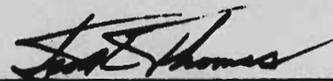
To: Zoilo R. Inacay
Director, Mabuhay Corporation
565 Junipero Serra Boulevard
San Francisco, California 94127

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to various political contributions or expenditures which you and the Mabuhay Corporation may have made during calendar years 1979 through 1981. Notice is hereby given that the deposition is to be taken on Friday, December 11, 1987 at the federal courtroom at the Presidio in San Francisco, California, beginning at 1 p.m., and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents listed on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. by December 7, 1987.

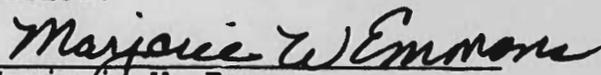
88040710332

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand at Washington, D.C., this 20th day of
November, 1987.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment
Documents Request (1 page)

8 3 0 4 0 7 1 0 3 3 3

INSTRUCTIONS

In answering this request for production of documents, furnish all documents, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1979 to January 1, 1982, inclusive.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental productions of documents the date upon which and the manner in which such further or different information came to your attention.

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DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

88040710332

FEDERAL ELECTION COMMISSION

Attachment to Subpoena

Please produce in their entirety the following:

1. A copy (front and back) of each check, money order or other instrument with which you made a contribution to or an expenditure on behalf of any of the following during 1979, 1980 and 1981:

Diane Feinstein
Quentin Kopp
Larry Asera
Leo McCarthy
Alan Cranston
Jimmy Carter
Ronald Reagan
Carter-Mondale Presidential Committee
Any other political candidate or committee

2. All documents and materials concerning meetings, discussions or other communications between yourself and any official, employee, staff member, director or agent of the Mabuhay Corporation concerning contributions to or expenditures on behalf of any candidate or political committee listed in item 1 above during 1979, 1980 and 1981.
3. All documents and materials in your possession concerning meetings, discussions, correspondence or other communications concerning contributions to or expenditures on behalf of any candidate or political committee listed in item 1 above during 1979, 1980 and 1981.
4. All articles of incorporation, bylaws, rules, regulations, procedural materials, policy statements, governing instruments or other documentation of the policies, procedures, business practices and purposes of the Mabuhay Corporation.
5. The name, address and telephone number of each officer and employee of the Mabuhay Corporation.
6. All documents and other materials which reflect or in any way concern the receipt of currency or other current funds transferred or in any way transmitted from any source in the Philippines to the Mabuhay Corporation or any of its directors, officers and agents during 1979, 1980 and 1981.

88040710336

plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

General Fabian Ver
2701 Eucalyptus Avenue
Long Beach, CA 90806

RE: MUR 2453
General Fabian Ver

Dear General Ver:

On June 8, 1987, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on October 20, 1987, determined to take no action against you at this time.

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 that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may proceed on the basis of the available information.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Celia L. Jacoby, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas
Chairman

88040710337

plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

Richard A. Hibey, Esquire
Anderson, Hibey, Nauheim & Blair
1708 New Hampshire Avenue, N.W.
Washington, D.C. 20009

RE: MUR 2453
Ferdinand E. Marcos

Dear Mr. Hibey:

88040710338

On June 8, 1987, the Federal Election Commission notified your client, Ferdinand E. Marcos, of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act"). A copy of the complaint was forwarded to your client at that time.

Upon further review of the allegations contained in the complaint, and information supplied by you, the Commission, on October 20, 1987, determined to take no action against your client at this time.

Under the Act you have an opportunity to demonstrate that no action should be taken against your client. You may submit any factual or legal materials that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against your client, the Commission may proceed on the basis of the available information.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

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

Sincerely,

Scott E. Thomas
Chairman

plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

General Fabian Ver
94-1069 Kahumoko
Waipahu, HI 96797

RE: MUR 2453
General Fabian Ver

Dear General Ver:

On June 8, 1987, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended (the "Act").. A copy of the complaint was forwarded to you at that time.

Upon further review of the allegations contained in the complaint, the Commission, on October 20, 1987, determined to take no action against you at this time.

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 that you believe are relevant to the Commission's consideration of this matter. Please submit such materials to the General Counsel's Office within 15 days of receipt of this letter. Where appropriate, statements should be submitted under oath.

In the absence of any additional information demonstrating that no further action should be taken against you, the Commission may proceed on the basis of the available information.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A) unless you notify the Commission in writing that you wish the matter to be made public.

If you have any questions, please contact Celia L. Jacoby, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Scott E. Thomas
Chairman

38040710339



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

rlm

02 December 1987

FEDERAL EXPRESS
RETURN RECEIPT REQUESTED

Romeo A. Esperanza
717 Edge Lane
Los Altos, California 94022

RE: MUR 2453

Dear Mr. Esperanza:

The deposition scheduled for December 11, 1987 has been changed to Wednesday, January 20, 1987 at 3 p.m. We have attempted without success to reach you by telephone to inform you about this change. In view of the substantial travel costs involved, the decision to delay resulted in part from your failure to confirm the scheduled date following receipt of the subpoena and from the need to conduct all depositions in this matter during the same period. Although the date of the deposition has been changed, all requests for production of documents must be complied with in accordance with the subpoena.

Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification. It is important that the schedule of this deposition be discussed to avoid inconvenience to all parties.

If you have any questions, please direct them to Ms. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

By: Lois G. Lerner
Associate General Counsel

88040710340



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

02 December 1987

plm

FEDERAL EXPRESS
RETURN RECEIPT REQUESTED

Zoilo R. Inacay
565 Junipero Serra Boulevard
San Francisco, CA 94127

RE: MUR 2453

Dear Mr. Inacay:

The deposition scheduled for December 11, 1987 has been changed to Wednesday, January 20, 1987 at 1 p.m. We have attempted without success to reach you by telephone to inform you about this change. In view of the substantial travel costs involved, the decision to delay resulted in part from your failure to confirm the scheduled date following receipt of the subpoena and from the need to conduct all depositions in this matter during the same period. Although the date of the deposition has been changed, all requests for production of documents must be complied with in accordance with the subpoena.

Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification. It is important that the schedule of this deposition be discussed to avoid inconvenience to all parties.

If you have any questions, please direct them to Ms. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

By: Lois G. Lerner
Associate General Counsel

88040710341



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

02 December 1987

rlm

FEDERAL EXPRESS
RETURN RECEIPT REQUESTED

Demetrio Jayme
100 California Street
Suite 1060
San Francisco, California 94111

RE: MUR 2453

Dear Mr. Jayme:

The deposition scheduled for December 11, 1987 has been changed to Wednesday, January 20, 1987 at 10 a.m. We have attempted without success to reach you by telephone to inform you about this change. In view of the substantial travel costs involved, the decision to delay resulted in part from your failure to confirm the scheduled date following receipt of the subpoena and from the need to conduct all depositions in this matter during the same period. Although the date of the deposition has been changed, all requests for production of documents must be complied with in accordance with the subpoena.

Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification. It is important that the schedule of this deposition be discussed to avoid inconvenience to all parties.

If you have any questions, please direct them to Ms. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble
General Counsel

By: Lois G. Lerner
Associate General Counsel

83040710342

plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20543

07 December 1987

Staff Sergeant Bayne
Judge Advocate's Office
Attn: Criminal Law Branch
Presidio of San Francisco, CA 94129

RE: Depositions in MURs 2453
and 2270

Dear SSG Bayne:

Thank you for your assistance in arranging space for the holding of depositions in our matters, MURs 2453 and 2270. These depositions will be held the week of January 19 through 22, 1988. Should there be any changes in that schedule we will advise you. If you have any questions or require further information, please contact Celia Jacoby or Patty Reilly, the attorneys involved in these depositions, at (202) 376-5690. Again, our appreciation to you and Captain Littleton.

Sincerely,

Lawrence M. Noble
General Counsel

By: Lois G. Lerner
Associate General Counsel

cc: R. Lee Andersen

83040710343

plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

11 December 1987

POSTMASTER
Alonzo L. Douglas
100 1st Street
Los Altos, California 94022

RE: MUR 2453

Dear Mr. Douglas:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you provide us with the present address of Romeo A. Esperanza. According to our records, the address of Mr. Esperanza was 717 Edge Lane, Los Altos, California 94022 as of October 1979.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Celia L. Jacoby, the attorney assigned to this matter, at (202) 376-5690. (The FTS telephone number is identical).

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Envelope

88040710344



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

11 December 1987

POSTMASTER
1800 Evans Avenue
Room 309
San Francisco, California 94188-9998

RE: MUR 2453

Dear Sir/Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you provide us with the present address of Demetrio Jayme. According to our records, the addresses of Mr. Jayme were 100 California Street, Suite 1060, San Francisco, California 94111 and 150 32nd Street, San Francisco, California 94121 as of October 1979.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Celia L. Jacoby, the attorney assigned to this matter, at (202) 376-5690. (The FTS telephone number is identical).

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Envelope

38040710345



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

11 December 1987

POSTMASTER
1800 Evans Avenue
Room 309
San Francisco, California 94188-9998

RE: MUR 2453

Dear Sir/Madam:

Pursuant to 39 C.F.R. § 265.6(d)(1), we request that you provide us with the present address of Zoilo R. Inacay. According to our records, the addresses of Mr. Inacay were 565 Junipero Serra Boulevard, San Francisco, California 94127 and 302 Silver Avenue, San Francisco, California 94112 as of September 1979.

Under 39 C.F.R. § 265.8e(8)(iii), we request a waiver of fees. In this connection I hereby certify that the Federal Election Commission, an agency of the U.S. Government, requires the information requested above in the performance of its official duties, and that all other known sources for obtaining it have been exhausted.

A return envelope is enclosed. Should you have any questions or require any further information, please call Celia L. Jacoby, the attorney assigned to this matter, at (202) 376-5690. (The FTS telephone number is identical).

Thank you for your assistance.

Sincerely,

Lawrence M. Noble
General Counsel

BY: Lois G. Lerner
Associate General Counsel

Enclosure
Envelope

88040710346

plm



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

11 December 1987

Patrick Hallinan, Esquire
Hallinan, Osterhoudt & Poplack
345 Franklin Street
San Francisco, California 94112

RE: MUR 2453

Dear Mr. Hallinan:

The depositions scheduled for December 10, 1987 has been changed to Thursday, January 21, 1988 at 10 a.m. for Patrice Malabed, and 1 p.m. for Leonilo Malabed. The depositions will be held at the federal courtroom at the Presidio. Although the date for the depositions has been changed, all requests for production of documents must be complied with.

Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification. If you have any questions, please direct them to Ms. Jacoby, the attorney handling this matter.

Sincerely,

Lawrence M. Noble
General Counsel

By:

Lois G. Lerner
Associate General Counsel

88040710347

GCC #5235

LAW OFFICES OF
HALLINAN & POPLACK
345 FRANKLIN STREET
SAN FRANCISCO, CA 94102
(415) 861-1151

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

88 JAN 22 AM 10:36

January 12, 1988

Office of the General Counsel
Federal Election Commission
999 E Street, N.W.
Washington, D.C.

Re: In The Matter Of Leonilo Malabed, M.D.
No. MUR 2453

Dear Sir or Madam:

Please find enclosed photocopies of checks by Dr. Malabed to various candidates for office, submitted pursuant to your subpoena of the same.

Delay in production of these documents was occasioned by the fact that they were under seal in the Federal Court and required a motion, with notice, for unsealing.

These are the only checks that we have been able to recover.

I remain,

Sincerely yours,

HALLINAN & POPLACK



PATRICK SANSFIELD HALLINAN

PSH/mt

Enclosures

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
88 JAN 22 AM 11:32

88040710348

BANK DIRECTOR

DR. LEONILLO L. MALABED
145 MOUNTAIN SPRING AVENUE
SAN FRANCISCO, CA 94114

139

MAY 9 1980

11-3679
1210

PAY TO THE ORDER OF ASSEMBLY 1980

\$ 200.00

Two hundred only

DOLLARS



PHILIPPINE BANK OF CALIFORNIA
455 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA 94104



⑆000139⑆ ⑆1210⑆ 3679⑆ 0⑆00018⑆ 5⑆ ⑆0000020000⑆

BANK DIRECTOR

DR. LEONILLO L. MALABED
145 MOUNTAIN SPRING AVENUE
SAN FRANCISCO, CA 94114

141

7/ 3 1980

11-3679
1210

PAY TO THE ORDER OF DEMOCRATIC NATIONAL COMMITTEE

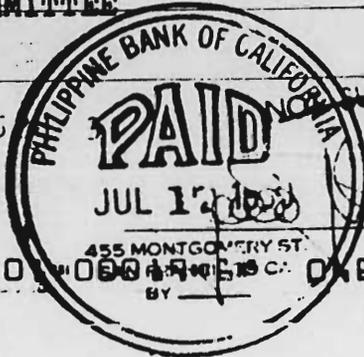
\$ 5000.00

Five thousand only

DOLLARS



PHILIPPINE BANK OF CALIFORNIA
455 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA 94104



⑆000141⑆ ⑆1210⑆ 3679⑆ 0⑆00019⑆ 6⑆ ⑆0000500000⑆

⑆000141⑆ Personal ⑆0⑆00019⑆ 6⑆ 046⑆0000500000⑆

8 9 0 1 4 0 7 1 0 3 4



LEONILLO L. MALABED, M.D.
3085 - 24TH STREET
SAN FRANCISCO, CALIF. 94110

234
11-66
1210

11/29 19 79

Pay to the
Order of

DIANE FEINSTEIN FOR MAYOR COMMITTEE

\$ 250.00

TWO HUNDRED FIFTY

Dollars



Mission Office
THE BANK OF CALIFORNIA
3080 16th St. San Francisco, Calif. 94103

[Handwritten signature]

345
11-66
1210

For

#000234# @:121000662: 002006807#

#0000025000#



LEONILLO L. MALABED, M.D.
3085 - 24TH STREET
SAN FRANCISCO, CALIF. 94110

11-66
1210

APRIL 8 1980

Pay to the
Order of

ASIANS FOR ALLAN CRANSTON

\$ 500.00

Five hundred dollars only

Dollars



Mission Office
THE BANK OF CALIFORNIA
3080 16th St. San Francisco, Calif. 94103

For 124-45124

MAY 08 80

#000345# @:121000662: 002006807#

#0000050000#

15301704088

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NY No. 07
UCB-LA
P.O. BOX 4444
10-21

LOS ANGELES
CALIF
10-3826

7 4 3 2

ASIAN PACIFIC AMERICANS
FOR CRANSTON
PAY TO THE ORDER OF
THE CHARTERED BANK
SAN FRANCISCO, CALIF.
CHECK NO. 10000000000000000000
DEPOSIT ONLY
CRANSTON FOR
SENATE COMMITTEE
671070933

3 4 0 4 5

PAY TO THE ORDER OF
THE CHARTERED BANK
SAN FRANCISCO, CALIF.
CHECK NO. 10000000000000000000
DEPOSIT ONLY
CRANSTON FOR
SENATE COMMITTEE
671070933

DEC 4 1979

FOR DEPOSIT ONLY
CARTER/MONROE PRESIDENTIAL COMMITTEE

21
SEP

21
SEP

42479

07 '74' 03
XXXXXXXXXX
1210-0007-4
1210-0007-4

For deposit only
Bill Miller for Slick Bond
451-0316394

005 83996

PAY TO THE ORDER OF
CHECK ON BANK
PROCEEDMENTS GUARANTEED
SEP 17 1974
FEDERAL RESERVE BANK
OF SAN FRANCISCO
11-37 SAN FRANCISCO, CA 12-37

88040710354



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

FEDERAL EXPRESS

January 14, 1988

Patrick Hallinan, Esquire
Hallinan, Osterhoudt & Poplack
345 Franklin Street
San Francisco, CA 94112

RE: MUR 2453

Dear Mr. Hallinan:

This letter confirms that the depositions of Patrice Malabed and Leonilo Malabed will be held on Thursday, January 21 at 10 a.m. and 1 p.m., respectively, at the federal courtroom at the Presidio, San Francisco, California.

By subpoenas dated November 20, 1987, certain documents were to be produced by Ms. Malabed and by Dr. Malabed. According to our telephone conversation of December 8, 1987, you stated that these records had been sealed by order of the U.S. District Court, Western District Washington. You further stated that you would petition the court to release the documents responsive to the November 20 subpoenas and would furnish evidence to us of your efforts. No documents or other evidence has been received from you to date. Compliance with the production request is essential and must be made prior to the date of the deposition.

You further assured us that you would provide a sworn affidavit from Patrice Malabed concerning the matters addressed in the subpoena to Ms. Malabed. That declaration was never received. Accordingly, the deposition of Ms. Malabed will be held as scheduled.

Although her presence has not been compelled, we would appreciate the appearance of Yvonne Malabed on January 21 to

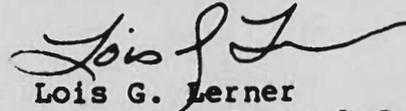
88040710355

Letter to Patrick Hallinan
Page 2

respond to questions. This would facilitate a complete investigation and resolution of this matter.

Sincerely,

Lawrence M. Noble
General Counsel



BY: Lois G. Lerner
Associate General Counsel

88040710356

plm



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

February 12, 1988

Patrick S. Hallinan, Esquire
Hallinan & Poplack
345 Franklin Street
San Francisco, CA 94102

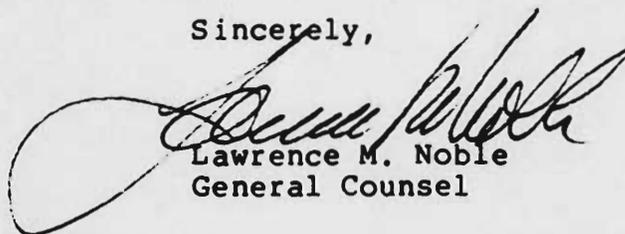
RE: MUR 2453
Leonilo Malabed

Dear Mr. Hallinan:

At the depositions held on Thursday, January 21, 1988, you agreed to provide certain items to us. These items were (a) a copy of Judge Orrick's order to seal the financial and bank records of the Mabuhay Corporation and Leonilo Malabed; (b) a descriptive list of the items generally under seal; and (c) a corroborative statement or other evidence that the remitter on the transfer of \$150,000.00 from the Philippines was a relative of Dr. Malabed and that these funds were part of an inheritance. You further agreed to provide us with copies of the loan and loan guarantee documents relating to a loan to Mr. Asera when such documents are located. We would appreciate your prompt response.

Should you have any questions concening these matters, please contact Celia L. Jacoby, the attorney assigned, at (202) 376-5690.

Sincerely,


Lawrence M. Noble
General Counsel

88040710357

SCHILLER & CERTIFIED SHORTHAND REPORTERS
HILLABRAND A Professional Corporation

February 4, 1988

Leonilo L. Malabed
C/O Patrick S. Hallinan
HALLINAN & POPLACK
345 Franklin Street
San Francisco, California 94102

In Re: MATTER UNDER REVIEW VS. ELECTION COMM.

Dear Witness

Your deposition which was recently taken pursuant to the caption on the enclosed transcript is being sent to you for review.

Please read, correct, sign, and return this transcript to our office at the address above, as soon as possible.

As officers of the court it is our responsibility for filing the deposition with the appropriate court before the trial of this matter.

Thank you for your cooperation.

Sincerely yours,


Gina Guidi

cc: All Counsel

88040710358

PLAINTIFF'S
GOVERNMENT'S
EXHIBIT
1
1-21-88

Jacoby



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Leonilo L. Malabed, M.D.
145 Spring Avenue
San Francisco, California 94114

RE: MUR 2453
Leonilo L. Malabed

Dear Dr. Malabed:

On June 8, 1987, the Federal Election Commission notified you of a complaint alleging violations of certain sections of the Federal Election Campaign Act of 1971, as amended ("the Act"). A copy of the complaint was enclosed with that notification.

Upon further review of the allegations contained in the complaint and information supplied by you, the Commission on October 20, 1987, found that there is reason to believe you violated 2 U.S.C. § 441f, a provision of the Act. Specifically it appears that you may knowingly have permitted another person to make contributions in your name or have made contributions in the name of another.

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 that you believe are relevant to the Commission's consideration of this matter. Please submit such materials along with your response to the enclosed Subpoena to Produce Documents. All responses to the subpoena must be submitted to the General Counsel's Office within 15 days of your receipt of this letter. The attached subpoena also requires you to appear and give sworn testimony on Thursday, December 10, 1987 at the federal courtroom at the Presidio in San Francisco, California.

You may consult with an attorney and have an attorney assist you in the preparation of your responses to this subpoena. If you intend to be represented by counsel, please advise the Commission by completing the enclosed form stating the name, address, and telephone number of such counsel, and

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authorizing such counsel to receive any notifications or other communications from the Commission.

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.

If you are interested in pursuing pre-probable cause conciliation, you should so request in writing. See 11 C.F.R. § 111.18(d). Upon receipt of the request, the Office of the General Counsel will make recommendations to the Commission either proposing an agreement in settlement of the matter or recommending declining that pre-probable cause conciliation be pursued. The Office of the General Counsel may recommend that pre-probable cause conciliation not be entered into at this time so that it may complete its investigation of the matter. Further, the Commission will not entertain requests for pre-probable cause conciliation after briefs on probable cause have been mailed to the respondent.

Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

This matter will remain confidential in accordance with 2 U.S.C. §§ 437g(a)(4)(B) and 437g(a)(12)(A), unless you notify the Commission in writing that you wish the investigation to be made public.

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

Sincerely,



Scott E. Thomas
Chairman

Enclosures
Subpoena
Designation of Counsel Form

8 8 0 4 0 7 1 0 3 5 0

FEDERAL ELECTION COMMISSION

Attachment to Subpoena

Please produce in their entirety the following:

1. A copy (front and back) of each check, money order or other instrument with which you made a contribution to or an expenditure on behalf of any of the following during 1979, 1980 and 1981:

Diane Feinstein
Quentin Kopp
Larry Asera
Leo McCarthy
Alan Cranston
Jimmy Carter
Ronald Reagan
Carter-Mondale Presidential Committee
Any other political candidate or committee

2. All documents and materials concerning meetings, discussions or other communications between yourself and any official, employee, staff member, director or agent of the Mabuhay Corporation concerning contributions to or expenditures on behalf of any candidate or political committee listed in item 1 above during 1979, 1980 and 1981.
3. All documents and materials in your possession concerning meetings, discussions, correspondence or other communications concerning contributions to or expenditures on behalf of any candidate or political committee listed in item 1 above during 1979, 1980 and 1981.
4. All articles of incorporation, bylaws, rules, regulations, procedural materials, policy statements, governing instruments or other documentation of the policies, procedures, business practices and purposes of the Mabuhay Corporation.
5. The name, address and telephone number of each officer and employee of the Mabuhay Corporation.
6. All documents and other materials which reflect or in any way concern the receipt of currency or other current funds transferred or in any way transmitted from any source in the Philippines to the Mabuhay Corporation or any of its directors, officers and agents during 1979, 1980 and 1981.

88040710361

INSTRUCTIONS

In answering this request for production of documents, furnish all documents, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1979 to January 1, 1982, inclusive.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental productions of documents the date upon which and the manner in which such further or different information came to your attention.

88040710362

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

88040710363

EXHIBIT

PLAINTIFF'S
GOVERNMENT'S
EXHIBIT
2
1-21-88

902373

ENDORSED
FILED

In the office of the Secretary of State
of the State of California

NOV 9 1978

MARION FURUSU, Secretary of State

Phyllis E. Bieggi
Deputy

ARTICLES OF INCORPORATION
OF
MABUHAY CORPORATION

ONE: The name of this corporation is
MABUHAY CORPORATION.

TWO: The purpose of this corporation is to engage in
any lawful act or activity for which a corporation may be
organized under the General Corporation Law of California
other than the banking business, the trust company business,
or the practice of a profession permitted to be incorporated
by the California Corporations Code.

THREE: The name and address in this state of this corpora-
tion's initial agent for service of process is:

DANIEL F. REIDY, Esquire
703 Market Street, Suite 1506
San Francisco, California 94103.

FOUR: This corporation is authorized to issue One
Hundred (100) shares, all of the same class, designated
"Common Shares."

Dated: November 6, 1978.


LEONILO L. MALABED
Incorporator

I declare that I am the person who executed the above
Articles of Incorporation, and this instrument is my act
and deed.

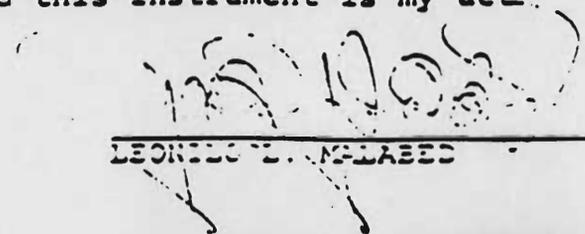

LEONILO L. MALABED

EXHIBIT 4

88040710364

STATE OF CALIFORNIA

STATEMENT BY DOMESTIC STOCK CORPORATION

THIS STATEMENT MUST BE FILED WITH CALIFORNIA SECRETARY OF STATE (SEC 1502 CORPORATIONS CODE)

PLAINTIFF'S
EXHIBIT
3
1-21-88

PLEASE READ INSTRUCTIONS ON BACK OF FORM

CORPORATION NAMED HEREIN, ORGANIZED UNDER THE LAWS OF THE STATE OF CALIFORNIA
MAKES THE FOLLOWING STATEMENT:

1 STREET ADDRESS OF PRINCIPAL EXECUTIVE OFFICE 145 Mountain Spring Avenue <small>(DO NOT USE P.O. BOX NO.)</small>	SUITE OR ROOM SA	CITY & STATE San Francisco, CA	ZIP CODE 94114
2 STREET ADDRESS OF PRINCIPAL BUSINESS OFFICE IN CALIF. (IF ANY) Same <small>(DO NOT USE P.O. BOX NO.)</small>	SUITE OR ROOM SA	CITY & STATE CALIF.	ZIP CODE 94114
3 MAILING ADDRESS (OPTIONAL)	SUITE OR ROOM SA	CITY & STATE	ZIP CODE

NAMES OF THE FOLLOWING OFFICERS ARE:

1 Leonilo Malabed CHIEF EXECUTIVE OFFICER	2A 145 Mountain Spring Avenue <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	2B San Francisco, CA <small>CITY & STATE</small>	2C 94114 <small>ZIP CODE</small>
2 Daniel F. Reidy SECRETARY	3A 703 Market, Suite 1506 <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	3B San Francisco, CA <small>CITY & STATE</small>	3C 94103 <small>ZIP CODE</small>
3 Demetrio Jayme CHIEF FINANCIAL OFFICER	4A 100 California, #1060 <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	4B San Francisco, CA <small>CITY & STATE</small>	4C 94111 <small>ZIP CODE</small>

PRESENTLY AUTHORIZED NUMBER OF DIRECTORS, INCLUDING VACANCIES

NAMES AND COMPLETE BUSINESS OR RESIDENCE ADDRESS OF INCUMBENT DIRECTORS INCLUDING THOSE DIRECTORS WHO ARE ALSO OFFICERS (Attach a supplemental list of directors if needed).

A Leonilo Malabed	145 Mountain Spring <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	San Francisco, CA <small>CITY & STATE</small>	94114 <small>ZIP CODE</small>
B Toméo Esperanza	717 Edge Lane <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	Los Altos, CA <small>CITY & STATE</small>	94022 <small>ZIP CODE</small>
C Rev. Fred Al. Bitanga	756 Mission Street <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	San Francisco, CA <small>CITY & STATE</small>	94103 <small>ZIP CODE</small>
D Demetrio Jayme	100 California, # 1060 <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	San Francisco, CA <small>CITY & STATE</small>	94111 <small>ZIP CODE</small>
E Zoilo R. Inacay	565 Junipero Serra Blvd <small>BUSINESS OR RESIDENCE ADDRESS (DO NOT USE P.O. BOX)</small>	San Francisco, CA <small>CITY & STATE</small>	94127 <small>ZIP CODE</small>

AGENT FOR SERVICE OF PROCESS: **Daniel F. Reidy, Attorney at Law,**
703 Market Street, Suite 1506, San Francisco, CA 94103

DO NOT WRITE IN THIS SPACE

BUSINESS OR RESIDENCE ADDRESS IF AN INDIVIDUAL DO NOT ADDRESS IF AGENT IS A CORPORATION
TYPE OF BUSINESS: **Purchase and operate a radio station**

I, I DECLARE THAT I HAVE EXAMINED THIS STATEMENT AND TO THE BEST OF MY KNOWLEDGE AND BELIEF, IT IS TRUE, CORRECT, AND COMPLETE.

02/05/79 Secretary **Daniel F. Reidy**
DATE TITLE SIGNATURE OF CORPORATE OFFICER OR AGENT

SEE FOR FILING THIS STATEMENT

9023730 DUE DATE 02/07/79 354

MASUHAY CORPORATION
c DANIEL REIDY
703 MARKET ST STE 1506
SAN FRANCISCO, CA 94103

MINUTES OF ACTION OF INCORPORATOR
TAKEN WITHOUT A MEETING BY WRITTEN CONSENT

The following action is taken by the incorporator of MABUHAY CORPORATION, a California corporation, by written consent, without a meeting, on November 27, 1978 under sections 210 and 307(c) of the General Corporation Law of the State of California.

The following resolutions are adopted:

RESOLVED that LEONILLO MALABED shall enter into an agreement whereby MABUHAY CORPORATION agrees to purchase radio broadcast station KJAZ of Alameda, California for One Million Six Hundred and Seventy-Five Thousand Dollars (\$1,675,000.00), subject to appropriate conditions.

RESOLVED that LEONILLO MALABED shall loan MABUHAY CORPORATION the sum of Twenty Five Thousand Dollars (\$25,000.00) as an earnest money deposit for the KJAZ agreement,

RESOLVED that DANIEL REIDY shall coordinate the preparation of an application to the Federal Communications Commission whereby MABUHAY CORPORATION could receive FCC approval for the assignment of the KJAZ license.

The undersigned, the incorporator of this corporation, consents to the foregoing action.

Dated: November 27, 1978

LEONILLO MALABED
Incorporator of MABUHAY CORPORATION

88040710366

PLAINTIFFS
 GOVERNMENT ACCOUNTS
 EXHIBIT
 5

EXHIBIT

FEDERAL CORPORATION
 (Malabed, Dr. Leonilo L.)

ONE AGREES WITH FEDERAL BANK OF CALIFORNIA AS TO THE TERMS AND CONDITIONS SET FORTH BELOW

1 Signature *[Signature]* SOC. SEC. NO. 563-66-0849
 2 Signature

TYPE OF ACCOUNT	ACCOUNT NUMBER	DATE OPENED	INITIAL DEP.	OPENED BY	DATE
CHECKING	01-100-884-30	7-77	\$200.00	JG	
REGULAR SAVINGS	01-100-884-30				

ACCOUNT CLOSED

With respect to each account opened at the time of signing this signature card and with respect to each account opened subsequently in person upon telephone, or written request, each depositor will have the same account title indicated above and each depositor agrees to the terms of this signature card the Rules of the Bank and the Rules of the Federal Reserve Bank of California (California Rules) and all amendments or additions thereto all applicable laws and regulations and the practices of the Bank in effect from time to time if more than one signature appears above all sums in each account shall be deemed as joint tenancy with right of survivorship subject to the check, order or receipt signed by either or both except that in the event of conflicting demands the Bank may require the signature of both of the above.

Each depositor agrees that each account opened with Bank shall be subject to the right of control for the liabilities to Bank of any such depositor to the extent legally permitted, and ACKNOWLEDGES RECEIPT OF A COPY OF BANK'S RULES FOR PERSONAL CHECKING ACCOUNTS & REGULAR SAVINGS ACCOUNTS

THE BANK IS AUTHORIZED TO
 MAIL ALL STATEMENTS AND VOUCHERS HOLD ALL STATEMENTS AND VOUCHERS UNTIL CALLED FOR

ACCOUNT CLOSED

AUTHORIZATION TO TRANSFER FUNDS

THE BANK IS AUTHORIZED TO CHARGE THE CHECKING ACCOUNT SHOWN ABOVE AND CREDIT AS FOLLOWS

ACCOUNT DEBITED	TYPE ACC	AMOUNT	FREQUENCY	AUTH DATE	DATE CANCELED

45-178 678

88040710357

PLAINTIFF'S
GOVERNMENT'S
EXHIBIT
6
1-21-88

~~CONFIDENTIAL~~ ATTACHMENT A

MAHMOUD EL-MOHAMMED
STATEMENT OF EXPENSES
As of February 25, 1982

EXHIBIT

LOCAL FEES:-			
1. Dental F. Reidy		\$16,649.99	
2. Bartard, Hotel, Spillane & O'Keefe		<u>1,327.50</u>	\$ 18,222.49
GOOD FAITH DEPOSIT			25,000.00
FOOD'S FEE & SALON (John Gillian)			5,000.00
APRAISER'S FEE (John F. Hardesty & Associates)			1,000.00
REPRODUCTION EXPENSES			1,220.83
TELEPHONE			91.52
MISCELLANEOUS EXPENSES			250.00
POLITICAL CONTRIBUTIONS (Collected through FEC - CD):-			
LOCAL ELECTIONS:-			
1. Mr Meyer DP	\$ 2,900.00		
2. Christian Rapp	900.00		
3. Supervisors (F.L. Candidates)	300.00		
4. School Board (Thig & Mather)	<u>500.00</u>	\$ 3,700.00	
STATE ELECTIONS:-			
1. Betty Amers	\$50,000.00		
2. Senator Alan Cranston	10,000.00		
3. Speaker Leo McCarthy	<u>10,000.00</u>	70,000.00	
NATIONAL ELECTIONS:-			
1. Carter-Vice-presidential Candidate	\$ 1,500.00		
2. Democrats (Carter)	50,000.00		
3. Republican (Reagan)	<u>50,000.00</u>	101,500.00	175,000.00
SPECIAL ELECTIONS:-			
1. 1980 ANA Convention - Honolulu	\$ 6,000.00		
2. 1980 K. I. I. Convention - Honolulu	10,000.00		
3. 1981 Trip to Honolulu (Carter)	<u>3,500.00</u>		19,500.00
CONTRIBUTIONS TO C.C. (Social Security Projects):-			
1. 2-7-79	\$ 9,900.00		
2. February 1979	66,000.00		
3. October 1979	66,000.00		
4. December 1979	33,000.00		
5. January 1980	33,000.00		
6. March 1980	66,000.00		
7. April 1980	33,000.00		
8. June 1980	33,000.00		
9. August 1980	33,000.00		
10. September 1980	10,000.00		
11. 1-21-81	33,000.00		
12. 5-17-81	15,000.00		
13. 9-17-81 (Malaga-Pulliam, USA)	40,782.62		
14. August 1981	15,000.00		
15. 9-25-81 (Cancun, Mexico)	<u>20,000.00</u>		506,882.62
TOTAL (As of February 25, 1982)			<u>\$757,279.11</u>

88040710368

EXHIBIT
Case No. 11-88-100
Date of 1/21/88

3-11-82 (Honolulu, Hawaii) 10,000.00
3-11-82 - Miscellaneous: some expenses (Honolulu) 500.00

April 11, 1982
I acknowledge having received
\$1M from INB for intelligence purposes
minus \$762,478.50 withdrawn by Dr. AF
by authority of the Chief of Staff
on a balance of about \$150,000

0 1638

GOVERNMENT
PLANTIFFS
EXHIBIT
7
1-21-88

8 8 0 4 0 7 1 0 3 6 9

San Francisco Chronicle

Friday, May 30, 1986

S.F. Doctor 'Duped' by Marcos

By Leslie Cerverra

The San Francisco doctor implicated in numerous investigations of Ferdinand Marcos' so-called "hidden wealth" was duped by Marcos officials into becoming the scapegoat for the probes, his attorney said yesterday.

In an exclusive interview with The Chronicle, attorney Patrick Hallinan said Dr. Leonilo Malabed is being "victimized" because he was pressured to sign a document that falsely claims his now-defunct Mabuhay Corp received \$1 million in Philippine intelligence funds to pay for covert operations in this country.

Malabed scrawled an unsigned handwritten message at the bottom of the document drafted four years ago to vouch for its authenticity after being told he was doing a favor for his boyhood friend, Marcos, Hallinan said.

"Dr. Malabed never received any intelligence money. ... He is completely innocent of any wrongdoing," the lawyer said.

The disclosure marked the first time that Malabed, through his attorney, has admitted that he has personal knowledge of the controversial document and that he wrote the mysterious note on it.

Malabed opted to release the information through his attorney because he fears any public statement he makes about the document might be used against him in court.

among 270 that U.S. Customs officials seized from Marcos on February 26 when he arrived in Hawaii after fleeing Manila.

The document is of key importance in half a dozen state, federal and Philippine investigations of Marcos activities in this country. It is also a major issue in several federal

Philippine American local of the longshoremen's union in Seattle. They were murdered in their union office in June 1981.

Three members of a Seattle gang were convicted of the murders, but the victims' families contend that Marcos' government was responsible. The pretrial hearing is

For the first time, Malabed through his lawyer admitted to knowing about a controversial document

al lawsuits against the deposed leader.

Malabed has not been charged or sued in connection with any of the cases. However, investigators and lawyers for Marcos foes allege the Mabuhay document is genuine.

Opponents of Marcos claim it proves Marcos used Malabed's firm to launder Philippine money that provided funds for a 1981 double-murder of Marcos foes in Seattle and a variety of other illegal schemes in this country.

U.S. District Court Judge William Orrick in San Francisco ruled yesterday that the document is "authentic only for court purposes."

The ruling was part of a pretrial hearing in a suit filed in Seattle by families of Silme Domingo and Gene Viernes. The two were oppo-

ning held here because Malabed lives here.

Orrick's decision, based on a statement a representative of the new Philippine government made last week under oath, clears the way for attorneys to debate in court whether the paper is a true account of Mabuhay expenses.

Outside the courtroom, however, Hallinan said the document has no connection to Malabed's firm.

None of the money listed on the sheet was received or spent by the corporation Malabed formed seven years ago in an unsuccessful attempt to buy the FM radio station KJAZ, the attorney said.

The doctor unwittingly allowed his firm and the document to serve as cover for an apparent embezzlement scheme by other Marcos supporters, Hallinan alleged.

The masterminds of the plot, whom Hallinan declined to name, used the phony expense sheet to "steal and double-dip" at least \$500,000 from the Philippine government, the attorney claimed. "Dr. Malabed didn't know anything about it," he said.

Between 1979 and 1981, Malabed received about \$500,000 from a Philippine government media fund to pay for pro-Marcos television and radio programs, social events and other "innocent activities" in this country and Mexico, Hallinan said. "It wasn't intelligence money ... and none of it was for hit-men stuff or spying or dirty tricks," he said.

Malabed agreed to act as the conduit for the money because Philippine officials feared opponents of Marcos would have a "propaganda field day" if the government directly paid for the promotional programs, according to Hallinan.

Malabed told Hallinan he first learned of the bogus expense sheet in April 1982, when he met with other Marcos supporters at the government palace in Manila.

The paper, which Malabed claims he saw only in its final form, falsely listed that the Mabuhay Corp. made \$175,600 in political contributions to U.S. politicians — an amount 20 times the actual \$8730 political donations Malabed made in his own name and his own money — according to copies of Malabed's canceled checks made available to The Chronicle.

Orrick is expected to rule next week on a request that Malabed hand over all records of Mabuhay business.

ATTACHMENT I

DIRECTOR

145 MOUNTAIN SPRING AVENUE
SAN FRANCISCO, CA 94114

102

Sept. 20, 1979

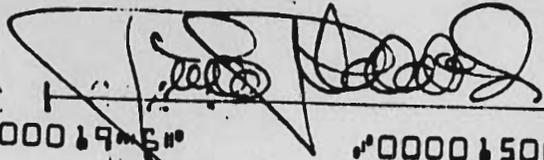
11-3679
1210

Carter - Mandell Committee \$1,500.00

Due Treasurer, Fiscal News ad

DOLLARS

PHILIPPINE BANK OF CALIFORNIA
400 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA 94104



⑈000132⑈ - ⑈1210⑈ 3679⑈ 01⑈00019⑈6⑈

⑈0000150000⑈

BANK
DIRECTOR

140

PAID
RECEIVED
SAN FRANCISCO, CALIF.
APR 17 1980
11-3679
PHILIPPINE BANK OF CALIF.
SAN FRANCISCO, CALIF.

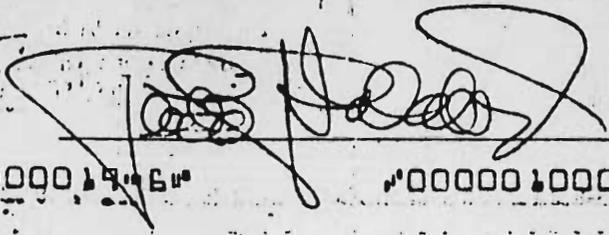
Feb 20, 1980

11-3679
1210

Bill Maher for Board of Education ***** \$100.00 *****

DOLLARS

PHILIPPINE BANK OF CALIFORNIA
400 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA 94104



⑈000140⑈ - ⑈1210⑈ 3679⑈ 01⑈00019⑈6⑈

⑈0000010000⑈

UNION BANK
709
APR 1980

TO THE ORDER OF

PLAINTIFF'S
EXHIBIT
8
1-21-88

FOR DEPOSIT ONLY
FEDERAL RESERVE BANK

ANY PART OF
THIS CHECK IS
VOID

21
SEP

21
SEP

07 '74 03

1210-0337-4
20000000

42479

PAY TO THE ORDER OF ANY
CHECK OR BANKER
PROCEEDMENT GUARANTEED
FEDERAL RESERVE BANK
OF SAN FRANCISCO
SAN FRANCISCO, CA

003 33096

for deposit only
Bill Miller for Sled Bank
451-0316394

88040710371

BANK DIRECTOR

DR. LEONILLO L. MALABED
146 MOUNTAIN SPRING AVENUE
SAN FRANCISCO, CA 94114

139

MAY 9 1980

11-3879
1210

PAY TO THE ORDER OF ASSEMBLY 1980

\$ 200.00

Two hundred only

DOLLARS



PHILIPPINE BANK OF CALIFORNIA
49 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA 94104



⑈000139⑈ ⑆ 1210 ⑆ 3679 ⑆ 00000020000⑈

BANK DIRECTOR

DR. LEONILLO L. MALABED
146 MOUNTAIN SPRING AVENUE
SAN FRANCISCO, CA 94114

141

JUL 3 1980

11-3679
1210

PAY TO THE ORDER OF DEMOCRATIC NATIONAL COMMITTEE

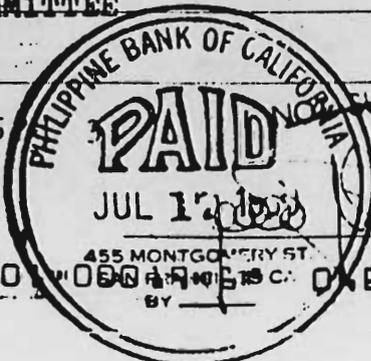
\$ 5000.00

Five thousand only

DOLLARS



PHILIPPINE BANK OF CALIFORNIA
49 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA 94104



⑈000141⑈ ⑆ 1210 ⑆ 3679 ⑆ 00000050000⑈

⑈000141⑈ Personal ⑆ 010001906⑈ 046⑈0000500000⑈

37
10
71
0
40
71
0
80

8 8 0 4 0 7 1 0 3 7 3

FOR DEPOSIT ONLY

DEMOCRATIC VICTORY

FUND - CALIFORNIA

ACCOUNT # 1119052

DEMOCRATIC NATIONAL
COMMITTEE

FEDERAL
DEPOSITARY

1990 46745

PAYABLE TO THE ORDER OF
DEMOCRATIC NATIONAL
COMMITTEE
SAN FRANCISCO, CA

11-3579 11-3679

JUL 17 80

FEDERAL

JY '80 15
1210-00374

FOR DEPOSIT ONLY
PAY TO THE ORDER OF
ROCKER NATIONAL BANK
POLK - TURNER OFFICE
ASSEMBLY 1980

330 12th Street

Richmond, CA. 94801 951

145140293

BANK
CA

35

MAY 14 80

ROCKER NATIONAL BANK
POLK - TURNER OFFICE
ASSEMBLY 1980
330 12th Street
Richmond, CA. 94801 951
145140293
BANK
CA
35

FOR DEPOSIT ONLY
PAY TO THE ORDER OF
ROCKER NATIONAL BANK
POLK - TURNER OFFICE
ASSEMBLY 1980

DEMOCRATIC NATIONAL
COMMITTEE
SAN FRANCISCO, CA
11-3579 11-3679



LEONILDO L. MALABED, M.D.
 3085 24TH STREET
 SAN FRANCISCO CALIF. 94110 0374

11-66
1210

11/29 B 79

Pay to the Order of DIANE FEINSTEIN FOR MAYOR COMMITTEE \$ 250.00

TWO HUNDRED FIFTY Dollars



Mission Office
 THE BANK OF CALIFORNIA
 3060 16th St, San Francisco, Calif. 94103

[Handwritten signature]

For $\text{⑆}000234\text{⑆}$ $\text{⑆}22000662\text{⑆}$ $\text{⑆}002006807\text{⑆}$ $\text{⑆}0000025000\text{⑆}$



LEONILDO L. MALABED, M.D.
 3085 - 24TH STREET
 SAN FRANCISCO, CALIF. 94110

345

11-66
1210

APRIL 8 1980

Pay to the Order of ASIANS FOR ALLAN CRANSTON \$ 500.00

Five hundred dollars only



Mission Office
 THE BANK OF CALIFORNIA
 3060 16th St, San Francisco, Calif. 94103

MAY 06 60

[Handwritten signature]

For $\text{⑆}000345\text{⑆}$ $\text{⑆}22000662\text{⑆}$ $\text{⑆}002006807\text{⑆}$ $\text{⑆}0000050000\text{⑆}$

PAY TO THE ORDER OF
THE CHARTERED BANK
OF LONDON
SAN FRANCISCO, CALIF.
NON-RESIDENT ONLY
COMMERCIAL BANK
MAYOR DIANNE FEINSTEIN
251-0321363

ASIAN PACIFIC AMERICANS
FOR CRANSTON
PAY TO THE ORDER OF
FIRST STATE BANK
LOS ANGELES, CALIF.
FOR DEPOSIT ONLY
CRANSTON FOR
SENATE COMMITTEE
671070933

1003 34045

101 - 57432

ON
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PEN.
LOS ANGELES
CALIF.
16-3326

79

4 DEC

SEP 2 5 1979

MY '80' 07 P.E.G. 16-21
UCB-LA
PAY ANY BANK

88040710375

Exhibit

We charge your account for the sum of (described below).

PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY

235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

PO No 2646

DEBIT TICKET

DATE _____

and by our check No.

AMOUNT	
PAY TO THE ORDER OF	IN FIGURES
DATE	

PLAINTIFF'S EXHIBIT
 9
 1-21-88



FEB 21 1988

PAID TO

<input type="checkbox"/> CABLE	DATED	NUMBER
<input checked="" type="checkbox"/> MAIL TRANSFER		

BY ORDER OF _____

93040710370

DEBIT THE ACCOUNT OF

REMARKS

DUE TO DUE FROM

CODE 9-88

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

CREDIT DEPOSITS WITH LOCAL BANKS
LOYDS BANK CALIFORNIA

PHILIPPINE NATIONAL BANK

SAN FRANCISCO AGENCY
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 16820

~~25 25~~ 19 78

\$ ~~100,000.00~~

PAY _____ DOLLARS

CHECK TO ORDER OF

MR. MARCO DELANO
145 Mountain Spring Avenue
San Francisco, Ca. 94114

(1)

FOR ACCOUNT OF



PHILIPPINE NATIONAL BANK
 SAN FRANCISCO AGENCY
 238 MONTGOMERY STREET
 SAN FRANCISCO, CALIFORNIA 94104

MULTINATIONAL DIVISION
 LAOYEE BANK CALIFORNIA
 SAN FRANCISCO, CALIFORNIA

No 16820

JAN. 31 1979

\$150,000.00
11-00/1210

PAY P. N. B 150000 DOLLARS

TO THE ORDER OF

DR. LEONILLO MALABED
 145 Mountain Spring Avenue
 San Francisco, Ca. 94114



AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

⑈016820⑈ ⑆121000400⑆ 5522⑈12545⑈

⑈001500000⑈

88040710377

Handwritten notes:
 1/18/79
 [Signature]

FEB 2

11290

1105
 11-1
 11-1
 11-1
 11-1

FEB 7

FEB 2

NSG-2

6/31

ADVISE PAY

DR. LEONILLO MALABED
145 MOUNTAIN SPRING AVENUE
SAN FRANCISCO, CALIF. 94114
USDLS 150,000.00
ORDER HIMSELF.

DOMREN - INTL

890407-10378

NO PAYMENT REQUIRED

SAN FRANCISCO AGENCY
235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

PO No 2652

DATE
2-12-79

AMOUNT	
PAY TO	IN FULL
	10,000.00
DATE	



10,000.00
10,000.00
10,000.00

<input type="checkbox"/> CABLE	DATED	NUMBER
<input type="checkbox"/> MAIL TRANSFER	2-12-79	

BY ORDER OF

DEBIT THE ACCOUNT OF:

Philippine National Bank
International Dept.
20014, Manila
Philippines 2501
Attn: Comptroller

REMARKS

DUE TO DUE FROM

AUTHORIZED SIGNATURE

AUTHORIZED SIGNATURE

DEPOSITS WITH LOCAL BANKS
LLOYDS BANK CALIFORNIA

PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 16934

1979

2-12-79

PAY 10,000.00 DOLLARS

CHECK TO ORDER OF

DR. HENRIK HANSEN
45 HENRIK HANSEN AVE.
SAN FRANCISCO, CA. 94118

FOR ACCOUNT OF

ACCOUNT-RELATED

PO No. 2652

(4)

FEB Form 28
September 1978
Federal Election Commission
1225 K Street, N.W.
Washington, D.C. 20045

REPORT OF RECEIPTS AND EXPENDITURES
By a Candidate or Authorized Committee of
a Candidate Seeking Nomination or Election
to the Office of President or Vice President
of the United States

6:5

NOTE: This report is to be used by a candidate or authorized committee of a candidate seeking nomination or election to the Office of President or Vice President of the United States whether or not public funds are used.

1 (a) NAME OF CANDIDATE OR COMMITTEE IN FULL <input type="checkbox"/> Check if name or address is changed CANIER/MONDALE PRESIDENTIAL COMMITTEE, INC.		2 IDENTIFICATION NUMBER CO0108407
(b) ADDRESS (Number and Street) P. O. BOX 500		3 Is this report of receipts and expenditures for <input checked="" type="checkbox"/> PRIMARY <input type="checkbox"/> GENERAL
(c) CITY, STATE AND ZIP CODE WASHINGTON, D.C. 20044		
4 TYPE OF REPORT (Check appropriate box and complete, if applicable)		
(a) <input checked="" type="checkbox"/> Amendment for <u>October 10, 1979</u> (b) <input type="checkbox"/> October 10 Quarterly Report (c) <input type="checkbox"/> Termination Report		
(a) <input type="checkbox"/> April 10 Quarterly Report (b) <input type="checkbox"/> January 31 Year End Report (d) <input type="checkbox"/> Tenth day report preceding _____ Election on _____ in the State of _____		
(a) <input type="checkbox"/> July 10 Quarterly Report (e) <input type="checkbox"/> Monthly Report _____ (more months) (f) <input type="checkbox"/> Thirtieth day report following _____ Election on _____ in the State of _____		

CANDIDATE OR COMMITTEE SUMMARY OF RECEIPTS AND EXPENDITURES

5 COVERING PERIOD: FROM **July 1, 1979** THROUGH **September 30, 1979**

Section A - Cash Balance Summary	Column A This Period	Column B Calendar Year-to-Date
6 Cash on Hand January 1, 19 <u>79</u>		\$ -0-
7 Cash on Hand at Beginning of Reporting Period	\$ 938,447.17	
8 Total Receipts (from Line 23)	\$ 876,522.93	\$ 2,423,468.28
(a) Subtotal (Add Lines 7 and 8)	\$ 1,814,970.10	\$ 2,423,468.28
9 Total Expenditures (from Line 28)	\$ 947,035.28	\$ 1,555,533.36
10 Cash on Hand at Close of Reporting Period (Subtract Line 9 from Line 8a)	\$ 867,934.82	\$ 867,934.82
11 Contributed Items on Hand to be Liquidated (Attach Itemized List) ... \$ _____		

DEBTS AND OBLIGATIONS

12 Debts and Obligations Owed TO the Committee (Itemize all on Schedule C-1)	\$ None	
13 Debts and Obligations Owed BY the Committee (Itemize all on Schedule C-1)	\$ None	

Section B - Summary of Expenditures Subject to Limitation

14 Expenditure Total (Add Lines 24a and 28b)	\$ 597,679.26	\$ 892,066.37
15 Refunds and Rebates (from Line 21c)	\$ 11,923.01	\$ 11,923.01
(a) Expenditures Subject to Limitation (Subtract Line 15 from Line 14)	\$ 585,756.25	\$ 880,143.36
(b) Expenditures from Prior Years Subject to Limitation		\$ -
(c) Total Expenditures Subject to Limitation (Add Lines 15a and 15b)		\$ 880,143.36

I certify that I have examined this Report, and to the best of my knowledge and belief it is true, correct and complete.

S. Lee Kling [Signature] 1/21/80
(Typed Name of Treasurer or Candidate) (Signature of Treasurer or Candidate) (Date)

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g, §441; and 26 U.S.C. §8012, §8042.

DETAILED SUMMARY OF RECEIPTS AND EXPENDITURES

(Form 2, FIC Form 22)

9 7 7 : 1 7 3 8 9 3

	None	None
.....	723,721.25	
.....	84,211.56	
.....	<u>705,780.00</u>	
.....	807,932.81	2,289,538.61
.....		
.....	46,398.25	111,658.25
.....	6,699.19	
.....	6,699.19	6,778.74
.....		
.....	11,670.03	
.....	252.98	
.....	11,923.01	11,923.01
.....	3,503.55	
.....	66.12	
.....	3,569.67	3,569.67
.....	<u>876,522.93</u>	<u>2,423,448.28</u>
.....		
.....	593,287.04	
.....	2,151.74	
.....	595,438.78	892,066.37
.....		
.....	344,145.71	
.....	740.31	
.....	344,886.02	654,456.61
.....		
.....	2,240.48	
.....	2,240.48	2,240.48
.....	4,470.00	
.....		
.....	4,470.00	6,770.00
.....	<u>947,035.28</u>	<u>1,555,538.46</u>
.....		
.....	876,522.93	
.....	876,522.93	
.....	947,035.28	
.....	947,035.28	

(2)

REPORT OF RECEIPTS AND EXPENDITURES
By a Candidate or Authorized Committee of
a Candidate Seeking Nomination or Election
to the Office of President or Vice President
of the United States

DELIVERED
79 OCT 10 8 6: 36

NOTE: This report is to be used by a candidate or authorized committee of a candidate seeking nomination or election to the Office of President or Vice President of the United States whether or not public funds are used.

1 (a) NAME OF CANDIDATE OR COMMITTEE IN FULL <input type="checkbox"/> Check if name or address is changed CANDID/RODOLFE PRESIDENTIAL COMMITTEE, INC.		2 IDENTIFICATION NUMBER CO0108407
(b) ADDRESS (Number and Street) P.O. Box 500		3 Is this report of receipts and expenditures for: <input checked="" type="checkbox"/> PRIMARY <input type="checkbox"/> GENERAL
(c) CITY, STATE AND ZIP CODE WASHINGTON, D.C. 20044		
4 TYPE OF REPORT (Check appropriate box and complete, if applicable)		
(a) <input type="checkbox"/> Amendment for _____ (initial report) (b) <input type="checkbox"/> April 15 Quarterly Report (c) <input type="checkbox"/> July 15 Quarterly Report (d) <input checked="" type="checkbox"/> October 15 Quarterly Report (e) <input type="checkbox"/> January 31 Year End Report (f) <input type="checkbox"/> Monthly Report _____ (state month) (g) <input type="checkbox"/> Termination Report (h) <input type="checkbox"/> Tenth day report preceding _____ Election on _____ in the State of _____ (i) <input type="checkbox"/> Thirtieth day report following _____ Election on _____ in the State of _____		

CANDIDATE OR COMMITTEE SUMMARY OF RECEIPTS AND EXPENDITURES

5 COVERING PERIOD: FROM **July 1, 1979** THROUGH **September 30, 1979**

Section A - Cash Balance Summary	Column A This Period	Column B Calendar Year-to-Date
6 Cash on Hand January 1, 19 <u>79</u>	\$ 333	\$ -0-
7 Cash on Hand at Beginning of Reporting Period	\$ 938,447.17	
8 Total Receipts (from Line 23)	\$ 875,775.14	\$ 2,422,723.49
(a) Subtotal (Add Lines 7 and 8)	\$1,814,222.31	\$ 2,422,723.49
9 Total Expenditures (from Line 28)	\$ 927,458.21	\$ 1,535,956.39
10 Cash on Hand at Close of Reporting Period (Subtract Line 9 from Line 8a)	\$ 886,764.10	\$ 886,764.10
11 Contributed Items on Hand to be Liquidated (Attach Itemized List) ... \$ -0-		
DEBTS AND OBLIGATIONS		
12 Debts and Obligations Owed TO the Committee (Itemize all on Schedule C-1)	\$ NONE	
13 Debts and Obligations Owed BY the Committee (Itemize all on Schedule C-1)	\$ NONE	

Section B - Summary of Expenditures Subject to Limitation	Column A This Period	Column B Calendar Year-to-Date
14 Expenditure Total (Add Lines 24a and 28b)	\$ 575,644.61	\$ 872,272.20
15 Refunds and Rebates (from Line 21c)	\$ 11,923.01	\$ 11,923.01
(a) Expenditures Subject to Limitation (Subtract Line 15 from Line 14)	\$ 563,721.60	\$ 860,349.19
(b) Expenditures from Prior Years Subject to Limitation		\$ NONE
(c) Total Expenditures Subject to Limitation (Add Lines 15a and 15b)		\$ 860,349.19

I certify that I have examined this Report, and to the best of my knowledge and belief it is true, correct and complete.

John H. Dalton John H. Dalton 10/10/79
(Typed Name of Treasurer or Candidate) (Signature of Treasurer or Candidate) (Date)

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g, §441; and 26 U.S.C. §8012, §8042.

For further information contact: Federal Election Commission 1285 K Street, N.W. Washington, D.C. 20045 or Call 800/424-9530

Any information reported herein may not be copied for sale or use by any person for purposes of soliciting contributions or for any commercial purpose.

77731772629

DETAILED SUMMARY OF RECEIPTS AND EXPENDITURES

(Page 2, FRS Form 37)

88040710386
77731772630

Name of Candidate or Committee Carter/Mondale Presidential Committee, Inc.		REPORT COVERING THE PERIOD:	
		FROM: 7/1/79	TO: 9/30/79
RECEIPTS		COLUMN A This Period	COLUMN B Calendar Year to Date
		16 FEDERAL FUNDS (Itemize on Schedule A-P)		$ NONE	$ NONE
17 Contributions from Individuals (Including contributions in-kind):			
(a) Itemized (see Schedule A-P)		\$ 723,721.25	
(b) Unitemized		\$ 86,212.65	
(c) Sales and Collections Included Above: List by Event on Memo Schedule D-P (is <u>705,780.00</u>)			
(d) Subtotal of Contributions from Individuals (Including contributions in-kind)		\$ 809,933.90	\$ 2,291,539.70
18 Transfers in from Political Committees (Including contributions in-kind):			
(a) From Affiliated/Authorized Committee (Itemize on Schedule A-P Regardless of Amount)		\$ NONE	
(b) From Other Committees (Itemize on Schedule A-P Regardless of Amount)		\$ 44,398.25	
(c) Subtotal of Transfers in from Political Committees (Including contributions in-kind)		\$ 44,398.25	\$ 109,658.25
19 Other Income:			
(a) Itemized (see Schedule A-P)		\$ 5,950.31	
(b) Unitemized		\$ -0-	
(c) Subtotal of Other Income		\$ 5,950.31	\$ 6,029.88
20 Loans and Loan Repayments Received:			
(a) Itemized (see Schedule A-P)		\$ -0-	
(b) Unitemized		\$ -0-	
(c) Subtotal of Loans and Loan Repayments Received		\$ -0-	\$ -0-
21 Refunds, Rebates, Returns of Deposits:			
(a) Itemized (see Schedule A-P)		\$ 11,670.03	
(b) Unitemized		\$ 252.98	
(c) Subtotal of Refunds, Rebates, Returns of Deposits		\$ 11,923.01	\$ 11,923.01
22 Refunds and Rebates Relating to Exempt Fundraising, Legal and Accounting Fees:			
(a) Itemized (see Schedule A-P)		\$ 3,503.55	
(b) Unitemized		\$ 66.12	
(c) Subtotal		\$ 3,569.67	\$ 3,569.67
23 TOTAL RECEIPTS		\$ 875,775.14	\$ 2,422,720.49
EXPENDITURES			
24 Operating Expenditures:			
(a) Itemized (see Schedule B-P)		\$ 570,842.15	
(b) Unitemized		\$ 4,802.46	
(c) Subtotal of Operating Expenditures		\$ 575,644.61	\$ 872,272.20
25 Exempt Fundraising, Legal and Accounting Expenditures:			
(a) Itemized (see Schedule B-P)		\$ 344,385.51	
(b) Unitemized		\$ 717.61	
(c) Subtotal of Exempt Fundraising, Legal and Accounting Expenditures		\$ 345,103.12	\$ 654,673.71
26 Transfers Out:			
(a) To Affiliated Committee (Itemize on Schedule B-P Regardless of Amount)		\$ NONE	
(b) To Other Committees (Itemize on Schedule B-P Regardless of Amount)		\$ 2,240.48	
(c) Subtotal of Transfers Out		\$ 2,240.48	\$ 2,240.48
27 Loans, Loan Repayments, and Contribution Refunds Made:			
(a) Itemized (see Schedule B-P)		\$ 4,470.00	
(b) Unitemized		\$ -0-	
(c) Subtotal of Loans, Loan Repayments, and Contribution Refunds		\$ 4,470.00	\$ 6,770.00
28 TOTAL EXPENDITURES		\$ 927,458.21	\$ 1,535,956.39
RECEIPTS AND EXPENDITURES, NET OF TRANSFERS TO AND FROM AFFILIATED COMMITTEES			
29 TOTAL RECEIPTS (from Line 23)		\$ 875,775.14	
30 TRANSFERS IN (from Line 18a)		\$ NONE	
31 NET RECEIPTS (Subtract Line 30 from Line 29)		\$ 875,775.14	
32 TOTAL EXPENDITURES (from Line 28)		\$ 927,458.21	
33 TRANSFERS OUT (from Line 26a)		\$ NONE	
34 NET EXPENDITURES (Subtract Line 33 from Line 32)		\$ 927,458.21	

4

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SCHEDULE A-F

LICENSIED RECEIPTS
FOR PERIOD
07/01/70 TO 09/30/70

PAGE 20
FOR LINE NO. 174

FULL NAME AND ADDRESS	PLACE OF BUSINESS	OCCUPATION	CONTRIBUTIONS THIS PERIOD	
			DATE/BATCH NO	AMOUNT
MACLAURY MR. RICHARD J 1410 JEFFERSON ST SAN FRANCISCO CA 94122	SELF-EMPLOYED SAN FRANCISCO CA 94122	ATTORNEY	072579/002	\$ 1,000.00
			AGGREGATE YEAR TO DATE: 0	1,000.00
MACLAURY MRS. SUSAN P 1145 JEFFERSON ST SAN FRANCISCO CA 94122	SELF-EMPLOYED SAN FRANCISCO CA 94122	ARTIST	072279/002	\$ 1,000.00
			AGGREGATE YEAR TO DATE: 0	1,000.00
MADIGAN MR. MUREN M 11 JARVIS AVE NEW YORK NY 10017	ROBERT MADIGAN ASSOC NEW YORK NY 10017	PRESIDENT	070579/002	\$ 125.00
			AGGREGATE YEAR TO DATE: 0	125.00
MALSEN MR. NUANE L 544 HIGHLAND BL DANVILLE CA 94526	DANVILLE CA 94526	OFFICER	042779/024	\$ 200.00
			AGGREGATE YEAR TO DATE: 0	200.00
MAGNIN MR. CYRIL 50 MARITIME ST SAN FRANCISCO CA 94133	JOSEPH MAGNIN SAN FRANCISCO CA 94105	CHAIRMAN	072279/002	\$ 200.00
			AGGREGATE YEAR TO DATE: 0	200.00
MANUN MR. JAMES S 2120 JUNE BATH PL DALLAS TX 75220	SELF-EMPLOYED DALLAS TX 75220	ATTORNEY	000679/004	\$ 300.00
			AGGREGATE YEAR TO DATE: 0	300.00
MAYSTON MR. ALEXANDER H 096 PIPER ST SAN FRANCISCO CA 94107	MAYSTON LAND & PROPERTIES SAN FRANCISCO CA 94107	PRESIDENT	075079/003 002579/000	\$ 300.00 \$ 300.00
			AGGREGATE YEAR TO DATE: 0	1,000.00
MCNEIL MR. RICHARD 1621-J SUPERIOR BLVD SUMMIT LAKES APIS INDIANAPOLIS IN 46220	1621-J SUPERIOR BLVD INDIANAPOLIS IN 46220	CHAIRMAN	092779/020	\$ 1,000.00
			AGGREGATE YEAR TO DATE: 0	1,000.00
MOLAND MR. LEONARD L 145 MOUNTAIN VIEW AVE SAN FRANCISCO CA 94114	SAN FRANCISCO CA 94114	HOME MAKER	092079/021	\$ 22.00
			AGGREGATE YEAR TO DATE: 0	22.00

5

PBS Form 27
September 1979
Federal Election Commission
1225 K Street, N.W.
Washington, D.C. 20462

REPORT OF RECEIPTS AND EXPENDITURES
By a Candidate or Authorized Committee of
a Candidate Seeking Nomination or Election
to the Office of President or Vice President
of the United States

20 26:06

NOTE: This report is to be used by a candidate or authorized committee of a candidate seeking nomination or election to the Office of President or Vice President of the United States whether or not public funds are used.

1 (a) NAME OF CANDIDATE OR COMMITTEE IN FULL <input type="checkbox"/> Check if name or address is changed CHESTER/RODALE PRESIDENTIAL COMMITTEE, INC.		2 IDENTIFICATION NUMBER 00108407
(b) ADDRESS (Number and Street) P.O. Box 500		3 Is this report of receipts and expenditures for: <input checked="" type="checkbox"/> PRIMARY <input type="checkbox"/> GENERAL
(c) CITY, STATE AND ZIP CODE WASHINGTON, D.C. 20044		
4 TYPE OF REPORT (Check appropriate box and complete, if applicable)		
(a) <input checked="" type="checkbox"/> Amendment for <u>JANUARY 31</u> (which report) (b) <input type="checkbox"/> October 16 Quarterly Report (g) <input type="checkbox"/> Termination Report (c) <input type="checkbox"/> April 16 Quarterly Report (h) <input type="checkbox"/> January 31 Year End Report (i) <input type="checkbox"/> Tenth day report preceding _____ Election on _____ in the State of _____ (d) <input type="checkbox"/> July 16 Quarterly Report (j) <input type="checkbox"/> Monthly Report _____ (less month) (k) <input type="checkbox"/> Thirtieth day report following _____ Election on _____ in the State of _____		

CANDIDATE OR COMMITTEE SUMMARY OF RECEIPTS AND EXPENDITURES

5 COVERING PERIOD: FROM **October 1, 1979** THROUGH **December 31, 1979**

Section A - Cash Balance Summary	Column A This Period	Column B Calendar Year-to-Date
6 Cash on Hand January 1, 19 <u>79</u>		\$ -0-
7 Cash on Hand at Beginning of Reporting Period	\$ 867,934.82	
8 Total Receipts (from Line 23)	\$3,328,112.78	\$5,751,581.06
(a) Subtotal (Add Lines 7 and 8)	\$4,196,047.60	\$5,751,581.06
9 Total Expenditures (from Line 28)	\$3,298,687.36	\$4,854,220.82
10 Cash on Hand at Close of Reporting Period (Subtract Line 9 from Line 8a)	\$ 897,360.24	\$ 897,360.24
11 Contributed Items on Hand to be Liquidated (Attach Itemized List) ... \$ _____		
DEBTS AND OBLIGATIONS		
12 Debts and Obligations Owed TO the Committee (Itemize all on Schedule C-1)	\$ N/A	
13 Debts and Obligations Owed BY the Committee (Itemize all on Schedule C-1)	\$ N/A	
Section B - Summary of Expenditures Subject to Limitation		
14 Expenditure Total (Add Lines 24c and 26b)	\$2,019,539.59	\$2,913,846.44
15 Refunds and Rebates (from Line 21c)	\$ 17,828.41	\$ 29,751.42
(a) Expenditures Subject to Limitation (Subtract Line 15 from Line 14)	\$2,001,711.18	\$2,884,095.02
(b) Expenditures from Prior Years Subject to Limitation		\$ -
(c) Total Expenditures Subject to Limitation (Add Lines 15a and 15b)		\$2,884,095.02

I certify that I have examined this Report, and to the best of my knowledge and belief it is true, correct and complete.

Donna E. Spang
(Typed Name of Treasurer or Candidate)

Donna E. Spang
(Signature of Treasurer or Candidate)

2/20/80
(Date)

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g, §441; and 26 U.S.C. §8012, §8042.

For further information Contact:



Federal Election Commission
1225 K Street, N.W.
Washington, D.C. 20462
or Call 800-424-6539

Any information reported herein may not be copied for sale or use by any person for purposes of collecting contributions or for any commercial purpose.

DETAILED SUMMARY OF RECEIPTS AND EXPENDITURES
(Page 2, FEC Form 37)

Name of Candidate or Committee CENTRA/NORDALE PRESIDENTIAL COMMITTEE, INC.		REPORT COVERING THE PERIOD:	
		FROM: 10/01/79 TO: 12/31/79	
RECEIPTS:		COLUMN A This Period	COLUMN B Calendar Year to-Date
16 FEDERAL FUNDS (Itemize on Schedule A-P)		\$ -0-	\$ -0-
17 Contributions from Individuals (Including contributions in-kind):			
(a) Itemized (use Schedule A-P)		\$ 2,772,462.04	
(b) Unitemized		\$ 399,830.41	
(c) Sales and Collections (Included Above: List by Event on Memo Schedule D-P is <u>2,822,725.89</u>)		\$ 3,172,292.45	\$ 6,461,831.06
18 Transfers In from Political Committees (Including contributions in-kind):			
(a) From Affiliated/Authorized Committee (Itemize on Schedule A-P Regardless of Amount)		\$ -0-	
(b) From Other Committee (Itemize on Schedule A-P Regardless of Amount)		\$ 128,679.25	
(c) Subtotal of Transfers In from Political Committees (Including contributions in-kind)		\$ 128,679.25	\$ 240,337.50
19 Other Income:			
(a) Itemized (use Schedule A-P)		\$ 8,916.29	
(b) Unitemized		\$ 58.46	
(c) Subtotal of Other Income		\$ 8,974.75	\$ 15,753.49
20 Loans and Loan Repayments Received:			
(a) Itemized (use Schedule A-P)		\$ N/A	
(b) Unitemized			
(c) Subtotal of Loans and Loan Repayments Received		\$ N/A	\$ -0-
21 Refunds, Rebates, Returns of Deposits:			
(a) Itemized (use Schedule A-P)		\$ 17,089.20	
(b) Unitemized		\$ 739.21	
(c) Subtotal of Refunds, Rebates, Returns of Deposits		\$ 17,828.41	\$ 29,751.42
22 Refunds and Rebates Relating to Exempt Fundraising, Legal and Accounting Fees:			
(a) Itemized (use Schedule A-P)		\$ 254.96	
(b) Unitemized		\$ 82.96	
(c) Subtotal		\$ 337.92	\$ 3,907.59
23 TOTAL RECEIPTS		\$3,328,112.78	\$5,751,581.06
EXPENDITURES			
24 Operating Expenditures:			
(a) Itemized (use Schedule B-P)		\$ 1,986,494.73	
(b) Unitemized		\$ 22,625.08	
(c) Subtotal of Operating Expenditures		\$ 2,009,119.81	\$ 2,901,186.18
25 Exempt Fundraising, Legal and Accounting Expenditures:			
(a) Itemized (use Schedule B-P)		\$ 1,146,408.08	
(b) Unitemized		\$ 130,204.69	
(c) Subtotal of Exempt Fundraising, Legal and Accounting Expenditures		\$ 1,276,612.77	\$ 1,931,069.38
26 Transfers Out:			
(a) To Affiliated Committee (Itemize on Schedule B-P Regardless of Amount)		\$ N/A	
(b) To Other Committee (Itemize on Schedule B-P Regardless of Amount)		\$ 10,419.78	
(c) Subtotal of Transfers Out		\$ 10,419.78	\$ 12,660.26
27 Loans, Loan Repayments, and Contribution Refunds Made:			
(a) Itemized (use Schedule B-P)		\$ 2,525.00	
(b) Unitemized		\$ 10.00	
(c) Subtotal of Loans, Loan Repayments, and Contribution Refunds		\$ 2,535.00	\$ 9,305.00
28 TOTAL EXPENDITURES		\$3,298,687.36	\$4,854,220.82
RECEIPTS AND EXPENDITURES, NET OF TRANSFERS TO AND FROM AFFILIATED COMMITTEES			
29 TOTAL RECEIPTS (from Line 23)		\$ 3,328,112.78	
30 TRANSFERS IN (from Line 18a)		\$ -0-	
31 NET RECEIPTS (Subtract Line 30 from Line 29)		\$ 3,328,112.78	
32 TOTAL EXPENDITURES (from Line 28)		\$ 3,298,687.36	
33 TRANSFERS OUT (from Line 26a)		\$ -0-	
34 NET EXPENDITURES (Subtract Line 33 from Line 32)		\$ 3,298,687.36	

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(2)

FEB Form 39
 December 1979
 Federal Election Commission
 1225 K Street, N.W.
 Washington, D.C. 20463

REPORT OF RECEIPTS AND EXPENDITURES
 By a Candidate or Authorized Committee
 of a Candidate Seeking Nomination or Election
 to the Office of President or Vice President
 of the United States

31 P 6: 54

NOTE: This report is to be used by a candidate or authorized committee of a candidate seeking nomination or election to the Office of President or Vice President of the United States whether or not public funds are used.

1 **NAME OF CANDIDATE OR COMMITTEE IN FULL** Check if name or address is changed
CUNY/NONDALE PRESIDENTIAL COMMITTEE, INC.

2 **IDENTIFICATION NUMBER**
C00108407

3 Is this report of receipts and expenditures for:
 PRIMARY
 GENERAL

(b) **ADDRESS (Number and Street)**
P. O. BOX 500

(c) **CITY, STATE AND ZIP CODE**
WASHINGTON, D.C. 20044

4 **TYPE OF REPORT (Check appropriate box and complete, if applicable)**

(a) Amendment for _____ (which report)
 (b) April 15 Quarterly Report
 (c) July 15 Quarterly Report

(d) October 15 Quarterly Report
 (e) January 31 Year End Report
 (f) Monthly Report _____ (state month)

(g) Termination Report
 (h) Tenth day report preceding _____ Election on _____ in the State of _____
 (i) Thirtieth day report following _____ Election on _____ in the State of _____

CANDIDATE OR COMMITTEE SUMMARY OF RECEIPTS AND EXPENDITURES

5 **COVERING PERIOD: FROM** **October 1, 1979** **THROUGH** **December 31, 1979**

Section A - Cash Balance Summary	Column A This Period	Column B Calendar Year-to-Date
6 Cash on Hand January 1, 1979		\$ -
7 Cash on Hand at Beginning of Reporting Period	\$ 867,934.82	
8 Total Receipts (from Line 23)	\$ 3,328,112.78	\$ 5,751,981.06
(a) Subtotal (Add Lines 7 and 8)	\$ 4,196,047.60	\$ 5,751,981.06
9 Total Expenditures (from Line 28)	\$ 3,285,047.05	\$ 4,840,980.51
10 Cash on Hand at Close of Reporting Period (Subtract Line 9 from Line 8a)	\$ 911,000.55	\$ 911,000.55
11 Contributed Items on Hand to be Liquidated (Attach Itemized List) ... \$ _____		
DEBTS AND OBLIGATIONS		
12 Debts and Obligations Owed TO the Committee (Itemize all on Schedule C-P)	\$ N/A	
13 Debts and Obligations Owed BY the Committee (Itemize all on Schedule C-P)	\$ N/A	
Section B - Summary of Expenditures Subject to Limitation		
14 Expenditure Total (Add Lines 24a and 25a)	\$ 2,005,889.28	\$ 2,900,286.13
15 Refunds and Reverses (from Line 21c)	\$ 17,888.87	\$ 29,751.42
(a) Expenditures Subject to Limitation (Subtract Line 15 from Line 14)	\$ 1,988,000.41	\$ 2,870,534.71
(b) Expenditures from Prior Years Subject to Limitation		\$ -
(c) Total Expenditures Subject to Limitation (Add Lines 16a and 16b)		\$ 2,870,534.71

I certify that I have examined this Report, and to the best of my knowledge and belief it is true, correct and complete.

S. Lee Kling  **1/31/80**
 Types Name of Treasurer or Candidate: (Signature of Treasurer or Candidate) (Date)

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437g, §441; and 28 U.S.C. §9012, §9042.

3

DETAILED SUMMARY OF RECEIPTS AND EXPENDITURES

FOR THE YEAR 1979

Name of Candidate or Committee CANER/RODALE PRESIDENTIAL COMMITTEE, INC.		REPORT COVERED THE PERIOD From: 10/01/79 To: 12/31/79	
RECEIPTS		COLUMN A This Period	COLUMN B Calendar Year-to-Date
16	FEDERAL FUNDS (Items on Schedule A-P)	\$ -0-	\$ -0-
17	Contributions from Individuals (Including contributions in-kind):		
	(a) Itemized (see Schedule A-P)	\$ 2,642,199.11	
	(b) Unitemized	\$ 549,963.34	
	(c) Sales and Collections Included Above: List by Item on Memo Schedule D-P is <u>2,882,725.50</u>)		
	(d) Subtotal of Contributions from Individuals (Including contributions in-kind)	\$ 3,192,162.45	\$ 5,481,781.06
18	Transfers in from Political Committees (Including contributions in-kind):		
	(a) From Affiliated/Affiliate Committee (Items on Schedule A-P Regardless of Amount)	\$ -0-	
	(b) From Other Committees (Items on Schedule A-P Regardless of Amount)	\$ 108,809.25	
	(c) Subtotal of Transfers in from Political Committees (Including contributions in-kind)	\$ 108,809.25	\$ 228,467.50
19	Other Income:		
	(a) Itemized (see Schedule A-P)	\$ 8,916.28	
	(b) Unitemized	\$ 58.46	
	(c) Subtotal of Other Income	\$ 8,974.74	\$ 15,733.48
20	Loans and Loan Repayments Received:		
	(a) Itemized (see Schedule A-P)	\$ N/A	
	(b) Unitemized		
	(c) Subtotal of Loans and Loan Repayments Received	\$ N/A	\$ -0-
21	Refunds, Rebates, Returns of Deposits:		
	(a) Itemized (see Schedule A-P)	\$ 17,089.20	
	(b) Unitemized	\$ 739.28	
	(c) Subtotal of Refunds, Rebates, Returns of Deposits	\$ 17,828.48	\$ 28,731.42
22	Refunds and Rebates Relating to Example Fundraising, Legal and Accounting Fees:		
	(a) Itemized (see Schedule A-P)	\$ 254.96	
	(b) Unitemized	\$ 82.96	
	(c) Subtotal	\$ 337.92	\$ 3,907.50
23	TOTAL RECEIPTS	\$ 3,328,112.79	\$ 5,750,901.06
EXPENDITURES			
24	Operating Expenditures:		
	(a) Itemized (see Schedule B-P)	\$ 1,973,163.43	
	(b) Unitemized	\$ 22,316.07	
	(c) Subtotal of Operating Expenditures	\$ 1,995,479.50	\$ 2,837,545.87
25	Example Fundraising, Legal and Accounting Expenditures:		
	(a) Itemized (see Schedule B-P)	\$ 1,146,408.08	
	(b) Unitemized	\$ 130,204.69	
	(c) Subtotal of Example Fundraising, Legal and Accounting Expenditures	\$ 1,276,612.77	\$ 1,931,689.38
26	Transfer Out:		
	(a) To Affiliated Committee (Items on Schedule B-P Regardless of Amount)	\$ N/A	
	(b) To Other Committees (Items on Schedule B-P Regardless of Amount)	\$ 10,419.78	
	(c) Subtotal of Transfer Out	\$ 10,419.78	\$ 12,680.26
27	Loans, Loan Repayments, and Contribution Refunds Made:		
	(a) Itemized (see Schedule B-P)	\$ 2,525.00	
	(b) Unitemized	\$ 10.00	
	(c) Subtotal of Loans, Loan Repayments, and Contribution Refunds	\$ 2,535.00	\$ 9,165.00
28	TOTAL EXPENDITURES	\$ 3,285,047.05	\$ 4,809,480.51
RECEIPTS AND EXPENDITURES, NET OF TRANSFERS TO AND FROM AFFILIATED COMMITTEES			
29	TOTAL RECEIPTS (from Line 23)	\$ 3,328,112.79	
30	TRANSFERS IN (from Line 18c)	\$ -	
31	NET RECEIPTS (Subtotal Line 29 from Line 28)	\$ 3,328,112.79	
32	TOTAL EXPENDITURES (from Line 28)	\$ 3,285,047.05	
33	TRANSFERS OUT (from Line 26c)	\$ 10,419.78	
34	NET EXPENDITURES (Subtotal Line 32 from Line 31)	\$ 74,064.74	

(4)

FORM 2
 RECEIPT FOR CONTRIBUTIONS
 FEDERAL ELECTION COMMISSION
 1325 K STREET, N.W.
 WASHINGTON, D.C. 20005

RECEIPTS AND EXPENDITURES
 of a Candidate or Authorized Committee of
 a Candidate Seeking Nomination or Election
 to the Office of President or Vice President
 of the United States

HAND DELIVERED
 10 JUN 28 8:11

NOTE: This report is to be filed by a candidate or authorized committee of a candidate seeking nomination or election to the Office of President or Vice President of the United States whether or not public funds are used.

1 (a) NAME OF CANDIDATE OR COMMITTEE IN FULL Check if name or address is changed
 Carter/Mondale Presidential Committee, Inc.

2 IDENTIFICATION NUMBER
 C00108407

3 Is this report of receipts and expenditures for:
 PRIMARY
 GENERAL

(b) ADDRESS (Number and Street)
 1413 K Street, N.W.

(c) CITY, STATE AND ZIP CODE
 Washington, D.C. 20005

4 TYPE OF REPORT (Check appropriate box and complete, if applicable)
 (a) Amendment for _____ (which report)
 (b) April 15 Quarterly Report
 (c) July 15 Quarterly Report
 (d) October 15 Quarterly Report
 (e) January 31 Year End Report
 (f) Monthly Report _____ (month)
 (g) Termination Report
 (h) Touch-day report preceding _____ Election on _____ in the State of _____
 (i) Touch-day report following _____ Election on _____ in the State of _____

CANDIDATE OR COMMITTEE SUMMARY OF RECEIPTS AND EXPENDITURES

5 COVERING PERIOD: FROM May 1, 1980 THROUGH May 31, 1980

Section A - Cash Balance Summary	Column A This Period	Column B Calendar Year-to-Date
6 Cash on Hand January 1, 1980		\$ 877,358.26
7 Cash on Hand at Beginning of Reporting Period	\$ 356,552.58	
8 Total Receipts (from Line 23)	\$1,747,630.85	\$10,708,756.18
(a) Subtotal (Add Lines 7 and 8)	\$2,104,183.43	\$11,606,116.42
9 Total Expenditures (from Line 28)	\$1,924,629.25	\$11,426,762.24
10 Cash on Hand at Close of Reporting Period (Subtract Line 9 from Line 8a)	\$ 179,354.18	\$ 179,354.18
11 Contributed Items on Hand to be Liquidated (Attach Itemized List) ... \$ _____		
DEBTS AND OBLIGATIONS		
12 Debts and Obligations Owed TO the Committee (Itemize all on Schedule C-PI)	\$ 308,248.29	
13 Debts and Obligations Owed BY the Committee (Itemize all on Schedule C-PI)	\$ 500,021.75	
Section B - Summary of Expenditures Subject to Limitation		
14 Expenditure Total (Add Lines 24a and 28b)	\$1,738,647.58	\$ 9,715,542.47
15 Refunds and Rebates (from Line 21c)	\$ 248,113.96	\$ 462,023.01
(a) Expenditures Subject to Limitation (Subtract Line 15 from Line 14)	\$1,490,533.62	\$ 9,253,519.46
(b) Expenditures from Prior Years Subject to Limitation		\$ 2,894,093.02
(c) Total Expenditures Subject to Limitation (Add Lines 15a and 15b)		\$12,137,634.48

I certify that I have examined this Report, and to the best of my knowledge and belief it is true, correct and complete.

Donna F. Sacemiller
 (Typed Name of Treasurer or Candidate)

[Signature]
 (Signature of Treasurer or Candidate)

[Signature]
 (Date)

NOTE: Submission of false, erroneous, or incomplete information may subject the person signing this Report to the penalties of 2 U.S.C. §437e, §441; and 26 U.S.C. §9012, §9042.

For further information contact:
 Federal Election Commission
 1325 K Street, N.W.
 Washington, D.C. 20005
 or Call 800/424-6530

Any information reported herein may not be copied for sale or use by any person for purposes of soliciting contributions or for any commercial purpose.

89040710390
3773170811

Name of Candidate Carter/Mondale		PERIOD COVERING THE PERIOD	
		FROM 05/01/80	TO 05/31/80
RECEIPTS		COLUMN A Total	COLUMN B Transfer To or From
16	FEDERAL FUNDS (Transfer on Schedule A-P)	\$ 200,051.88	\$ 579,251.75
17	Contributions from Individuals (Including contributions in-kind):		
(a)	Itemized (see Schedule A-P)	\$ 953,722.44	
(b)	Unitemized	\$ 245,200.06	
(c)	Subtotal of Contributions Included Above		
	List by State on Items Schedule B-P ()		
(d)	Subtotal of Contributions from Individuals (Including contributions in-kind)	\$1,198,922.90	\$ 399,592.21
18	Transfers in from Political Committees (Including contributions in-kind):		
(a)	From Affiliated/Unauthorized Committee (Transfer on Schedule A-P Regardless of Amount)	\$ 0.00	
(b)	From Other Committees (Transfer on Schedule A-P Regardless of Amount)	\$ 39,680.00	
(c)	Subtotal of Transfers in from Political Committees (Including contributions in-kind)	\$ 39,680.00	\$ 219,638.00
19	Other Income:		
(a)	Itemized (see Schedule A-P)	\$ 0.00	
(b)	Unitemized	\$ ---	
(c)	Subtotal of Other Income	\$ 0.00	\$ 31,933.57
20	Loans and Loan Repayments Received:		
(a)	Itemized (see Schedule A-P)	\$ N/A	
(b)	Unitemized	\$ ---	
(c)	Subtotal of Loans and Loan Repayments Received	\$ N/A	\$ ---
21	Refunds, Rebates, Returns of Deposits:		
(a)	Itemized (see Schedule A-P)	\$ 246,232.19	
(b)	Unitemized	\$ 1,441.77	
(c)	Subtotal of Refunds, Rebates, Returns of Deposits	\$ 247,673.96	\$ 462,023.01
22	Refunds and Rebates Relating to Expense Fundraising, Legal and Accounting Fees:		
(a)	Itemized (see Schedule A-P)	\$ 1,272.11	
(b)	Unitemized	\$ ---	
(c)	Subtotal	\$ 1,272.11	\$ 6,315.34
23	TOTAL RECEIPTS	\$1,747,630.85	\$0,708,756.16
EXPENDITURES			
24	Operating Expenditures:		
(a)	Itemized (see Schedule B-P)	\$1,652,958.60	
(b)	Unitemized	\$ 85,649.98	
(c)	Subtotal of Operating Expenditures	\$1,738,608.58	\$ 9,715,542.47
25	Expense Fundraising, Legal and Accounting Expenditures:		
(a)	Itemized (see Schedule B-P)	\$ 178,440.02	
(b)	Unitemized	\$ 116.65	
(c)	Subtotal of Expense Fundraising, Legal and Accounting Expenditures	\$ 178,556.67	\$ 1,668,640.77
26	Transfers Out:		
(a)	To Affiliated Committees (Transfer on Schedule B-P Regardless of Amount)	\$ 0.00	
(b)	To Other Committees (Transfer on Schedule B-P Regardless of Amount)	\$ ---	
(c)	Subtotal of Transfers Out	\$ 0.00	\$ 0.00
27	Loans, Loan Repayments, and Contribution Refunds Made:		
(a)	Itemized (see Schedule B-P)	\$ 7,625.00	
(b)	Unitemized	\$ ---	
(c)	Subtotal of Loans, Loan Repayments, and Contribution Refunds	\$ 7,625.00	\$ 42,579.00
28	TOTAL EXPENDITURES	\$1,924,829.25	\$1,426,762.24
RECEIPTS AND EXPENDITURES, NET OF TRANSFERS TO AND FROM AFFILIATED COMMITTEES			
29	TOTAL RECEIPTS (from Line 23)	\$1,747,630.85	
30	TRANSFERS IN (from Line 18a)	\$ ---	
31	NET RECEIPTS (Subtract Line 30 from Line 29)	\$1,747,630.85	
32	TOTAL EXPENDITURES (from Line 28)	\$1,924,829.25	
33	TRANSFERS OUT (from Line 26a)	\$ ---	
34	NET EXPENDITURES (Subtract Line 33 from Line 32)	\$1,924,829.25	

(2)

0001104720

SCHEDULE A-P

ITEMIZED RECEIPTS
 PER PERIOD
 05/01/00 TO 05/31/00

FULL NAME AND ADDRESS	PLACE OF BUSINESS	OCCUPATION	CONTRIBUTORS THIS PERIOD DATE/DATE	AMOUNT
MACHUCA JR MR. WALTER W 672 HUNGERFORD DR SUITE 26 ROCKVILLE MD 20850	JALAPA CORP ROCKVILLE MD 20850	PRESIDENT	05/01/00	200.00
MAIRIQUÉ MS. EULALIA 9141 UNIT 4 FONTAINEBLEAU BLVD MIAMI FL 33172			05/01/00	200.00
MALABED MRS. PATRICE S 149 MT SPRINGS AVE SAN FRANCISCO CA 94116			05/01/00	200.00
MALINA MR. THEODORE D 1856 LAMOND ST JACKSONVILLE FL 32211			05/01/00	200.00
MALLEWS MR. WILLIAM J 140 W JACKSON BLVD CHICAGO IL 60604	CHICAGO BOARD OF TRADE CHICAGO IL 60604	BUSINESSMAN	05/01/00	200.00
MALLITE MR. HUBSELY A RT 2 BOX 34C OCEAN SPRINGS MS 39564			05/01/00	200.00
MALLIOS MR. DIMITRI P 1134 K ST NW WASHINGTON DC 20006	PHILIPSON MALLIOS & TORAR WASHINGTON DC 20006	ATTORNEY	05/01/00	200.00
MALOCY MR. GEORGE 1628 MAPLE AVE CLEVELAND OH 44109	SELF EMPLOYED CLEVELAND OH 44109	ATTORNEY	05/01/00	200.00
MALOTT MRS. REBECCA S 18922 HILL DR MCKINNEY TX 75069	NORTH AM SYSTEMS MCKINNEY TX	RECEPTIONIST	05/01/00	200.00

(5)

8 8 0 4 0 7 1 0 3 9 2
2 0 7 3 1 1 0 4 1 3 4

PAGE 119
FOR LINE NO. 178

ITEMIZED RECEIPTS
FOR PERIOD
05/01/00 TO 05/31/00

CONTRIBUTIONS THIS PERIOD
DATE/BATCH AMOUNT

000000000 200.00

OCCUPATION

AGGREGATE YEAR TO DATE \$ 200.00
002000000 200.00

PLACE OF BUSINESS

PRESIDENT

AGGREGATE YEAR TO DATE \$ 200.00
002000000 200.00

NO 20090

AGGREGATE YEAR TO DATE \$ 200.00
000000000 200.00

WACPHIN JR MR. WALTER H
6 2 HILGEMOND DR SUITE 26
BIRMGHAM AL 35209

MATTION MS. LUMIA
9141 CHIEF & FONTAINE BLVD
MIAMI FL 33172

MALAPU MS. PATRICE S
149 MI SPRINGS AVE
SAN FRANCISCO CA 94114

PAITARA MR. THEODORE B
1896 LA ICHEM ST
JACKSONVILLE FL 32211

WILLIS MR. WILLIAM J
141 JACKSON BLVD
CHICAGO IL 60614

CHICAGO BOARD OF TRADE
CHICAGO IL 60604

BUSINESSMAN

AGGREGATE YEAR TO DATE \$ 200.00
000000000 200.00

PAULSTER MR. MISTIE A
412 2 1/2 MIA ST
CLEAN SPRINGS MS 39544

PHILLIPSON MR. LINDA E TORAN
WASHINGTON DC 20006

ATTORNEY

AGGREGATE YEAR TO DATE \$ 200.00
000000000 200.00

WILLIS MR. WILBERT W
1825 S 11TH ST
MILWAUKEE WI 53214

SEE EMPLOYER
LEVELANE

ATTORNEY

AGGREGATE YEAR TO DATE \$ 200.00
000000000 200.00

MR. CLUMP
MI 48101

SYSTEMS INC

MANAGER

AGGREGATE YEAR TO DATE \$ 200.00
000000000 200.00

6 0 0 : 1 0 0 4 3 9 8

SCHEDULE A-1

ITEMIZED RECEIPTS
FOR PERIOD
12/31/79 TO 12/31/79

PAGE 207
OMB 1545-0047 179

FILE NAME AND ADDRESS	PLACE OF BUSINESS	OCCUPATION	CONTRIBUTOR'S NAME	AMOUNT
WALTER W. ... 201	NASCO-RENO LINES INC KINGSPOOT IN	VICE PRESIDENT	1219790007	500.00
...	...	...	ASSOCIATE VP IN ...	200.00
...	GENERAL ELECTRIC COMPANY FAIRFIELD CT 06431	VICE PRESIDENT	1207790727	500.00
...	...	...	ASSOCIATE VP IN ...	500.00
...	CITY COUNCIL CHICAGO IL	COUNCILPERSON	1219790704	1,000.00
...	...	...	ASSOCIATE VP IN ...	1,000.00
...	N/A SAN FRANCISCO CA 94110	MEMBER	1219790007	500.00
...	...	...	ASSOCIATE VP IN ...	500.00
...	THE WHITE HOUSE WASHINGTON DC 20500	GOV EMPLOYEE	1207790004	500.00
...	...	...	ASSOCIATE VP IN ...	500.00
...	PARKVIEW FEDERAL SAVINGS & LOAN CLEVELAND OH	PRESIDENT	1219790000	500.00
...	...	...	ASSOCIATE VP IN ...	500.00
...	WERNER LAMP & MOREN NEW YORK NY 10010	ATTORNEY	1219790711	500.00
...	...	...	ASSOCIATE VP IN ...	1,000.00
...	AUSTIN TX 78701	ATTORNEY	1219790000	500.00
...	...	...	ASSOCIATE VP IN ...	500.00
...	J P HOLMIST JR & ASSOC CLEVELAND OH	ATTORNEY	1219790004	500.00
...	...	...	ASSOCIATE VP IN ...	500.00

5



PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
 225 MONTGOMERY STREET
 SAN FRANCISCO, CALIFORNIA 94104

INTERNATIONAL OFFICE
 LAYTON BARR, CALIFORNIA
 SAN FRANCISCO, CALIFORNIA

No 16934

P. N. \$ 400

PAID

10

8

PAY

DOLLARS

TO THE ORDER OF

TO THE ORDER OF
 SAN FRANCISCO, CALIFORNIA



[Signature]
 AUTHORIZED SIGNATURE

[Signature]
 AUTHORIZED SIGNATURE

⑆016934⑆ ⑆121000400⑆ 5522-12545⑆

⑆000400000⑆

8 9 0 4 0 7 1 0 3 9 4

[Signature]
 BANK OF CALIFORNIA
 SAN FRANCISCO
 1979

1 4 9 0 4

11 05
 19 00 MARCH
 SAN FRANCISCO, CALIFORNIA, U.S.A.

19 13 79

BANK OF CALIFORNIA
 SAN FRANCISCO

1 0 0

We charge your account for
Y - payment described below.

PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
235 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA U.S.A.

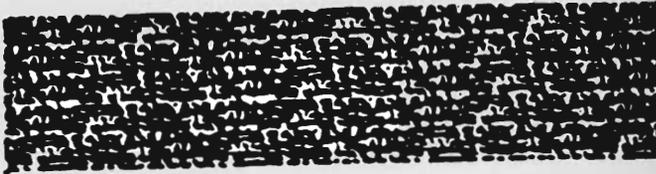
PO No 2677

DEBIT TICKET

DATE _____

Paid by our check No. **Lloyds ck no 17617**

AMOUNT	
PAY TO	REMARKS
DATE	



<input type="checkbox"/> CABLE	DATED	NUMBER
<input type="checkbox"/> MAIL TRANSFER	1-13-79	

BY ORDER OF _____

REMARKS _____

8 3 0 4 0 7 1 0 3 9

DEBIT THE ACCOUNT OF

Philippine National Bank
Cebu Branch
Cebu City, Cebu
Philippines 6005

DUE TO DUE FROM

AUTHORIZED SIGNATURE

CREDIT
DEPOSITS WITH LOCAL BANKS
LLOYDS BANK CALIFORNIA

PHILIPPINE NATIONAL BANK
SAN FRANCISCO AGENCY
235 MONTGOMERY STREET
SAN FRANCISCO, CALIFORNIA 94104

No 17617

19 79 ~~8-1000.00~~

PAY **5000.00** DOLLARS

CHECK TO ORDER OF **CHARLES A. HENDON JR.**
235 MONTGOMERY STREET SAN FRANCISCO, CALIFORNIA 94104



PHILIPPINE NATIONAL BANK

LOS ANGELES AGENCY
LOS ANGELES CALIFORNIA 90017

CREDIT DUE FROM LOCAL BANKS DEMAND (PBC)

5/13/61 19

AMOUNT U.S. DOLLARS

TEN THOUSAND ONLY

\$10,000.00

PREPARED BY

CHECKED BY

APPROVED BY

DISBURSEMENT PER H.O. INSTRUCTIONS.

88040710397

DEBIT H.O.

AUTHORIZED SIGNATURE



PHILIPPINE NATIONAL BANK

LOS ANGELES AGENCY
LOS ANGELES CALIFORNIA 90017

DEBIT PEB, MANILA (ATEB: 000)

5/13/61 19

AMOUNT U.S. DOLLARS

TEN THOUSAND ONLY

\$10,000.00

DISBURSEMENT PER H.O. INSTRUCTIONS.

Handwritten signature

CREDIT DUE FROM LOCAL BANKS DEMAND (PBC)

AUTHORIZED SIGNATURE

8

DEBIT ADVICE

PHILIPPINE BANK OF CALIFORNIA
425 MONTGOMERY STREET, SAN FRANCISCO, CALIFORNIA 94104

DATE May 13, 1981

DETAILS:

YOUR REF. 001103156-83 OUR NO.

VALUE DATE	AMOUNT DEBITED
5/13/81	\$10,000.00

Per telephone instructions with Mr. Buenaventura, from Ms. Amy Galla, we are debiting your account for the amount of \$10,000.00 dollars. Payable to Mr. Lito Gumpago.

25 6V 81 1W 12

TO

Philippine National Bank L.A.
700 South Flower Street St. #2516
Los Angeles, Calif, 90017

WE HAVE DEBITED YOUR

ACCOUNT 001103156-83 CONTRA: C/C *CHST*

PREPARED BY:

APPROVED BY:

[Signature]
00103156-83

Jacoby



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

24 November 1987

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Patrice Malabed
145 Mt. Spring Avenue
San Francisco, California 94114

RE: MUR 2453

Dear Mrs. Malabed:

The Federal Election Commission has the statutory duty of enforcing the Federal Election Campaign Act of 1971, as amended, and Chapters 95 and 96 of Title 26, United States Code. The Commission has issued the attached subpoena, which requires you to appear and give sworn testimony on Thursday, December 10, 1987, at the federal courtroom at the Presidio in San Francisco, California in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person with respect to whom the investigation is made. You are advised that no such consent has been given in this case.

You may consult with an attorney and have an attorney present with you at the deposition. If you intend to be so represented, please advise us of the name and address of your attorney prior to the date of the deposition.

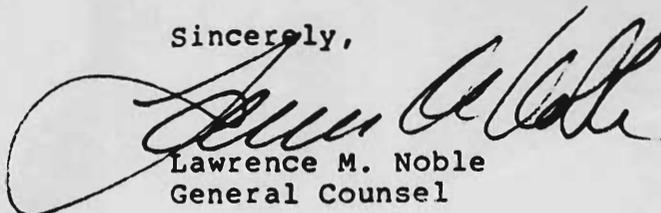
Pursuant to 11 C.F.R. § 111.14, a witness summoned by the Commission shall be paid \$30.00, plus mileage at the rate of 20.5 cents per mile. You will be given a check for your witness fee and mileage at the time of the deposition.

8 9 0 4 0 7 1 0 3 9 9

Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification.

If you have any questions, please direct them to Celia L. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,

A handwritten signature in cursive script, appearing to read "Lawrence M. Noble".

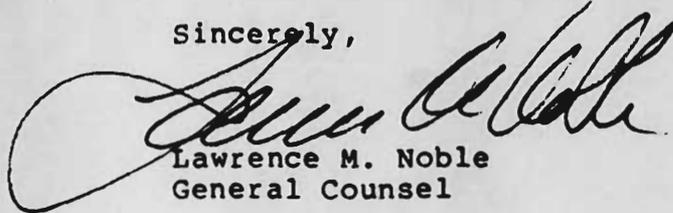
Lawrence M. Noble
General Counsel

Enclosure
Subpoena

Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification.

If you have any questions, please direct them to Celia L. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

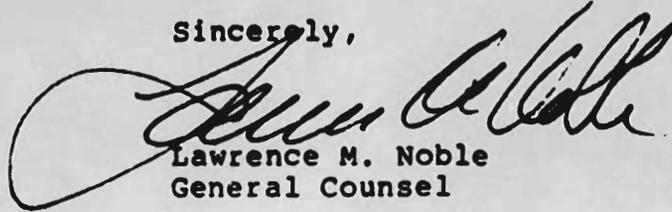
Enclosure
Subpoena

8804 071 9400
8 0 4 0 9 4 0 0 4 0 4

Please confirm your scheduled appearance with Celia Jacoby on our toll free line (800/424-9530) within two days of your receipt of this notification.

If you have any questions, please direct them to Celia L. Jacoby, the attorney handling this matter, at (202) 376-5690.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
Subpoena

004 071 0400

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)
)
)

MUR 2453

SUBPOENA

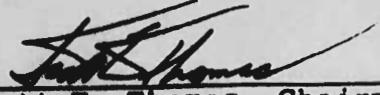
To: Patrice Malabed
145 Mt. Spring Avenue
San Francisco, California 94111

Pursuant to 2 U.S.C. § 437d(a)(3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby subpoenas you to appear for deposition with regard to various political contributions and expenditures made by you during calendar years 1979 through 1981. Notice is hereby given that the deposition is to be taken on Thursday, December 10, 1987 at the federal courtroom at the Presidio in San Francisco, California, beginning at 1 p.m. and continuing each day thereafter as necessary.

Further, pursuant to 2 U.S.C. § 437d(a)(3), you are hereby subpoenaed to produce the documents listed on the attachment to this subpoena. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals. The documents must be submitted to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. by December 7, 1987.

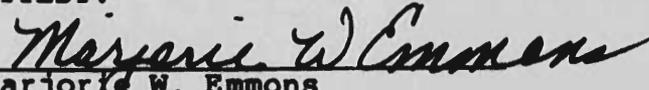
1040 110 1088

WHEREFORE, the Chairman of the Federal Election Commission
has hereunto set his hand at Washington, D.C., this 20th day of
November, 1987.



Scott E. Thomas, Chairman
Federal Election Commission

ATTEST:



Marjorie W. Emmons
Secretary to the Commission

Attachment
Documents Request (1 page)

8804 071 0402

FEDERAL ELECTION COMMISSION

Attachment to Subpoena

Please produce in their entirety the following:

1. A copy (front and back) of each check, money order or other instrument with which you made a contribution to or an expenditure on behalf of any of the following during 1979, 1980 and 1981:

Diane Feinstein
Quentin Kopp
Larry Asera
Leo McCarthy
Alan Cranston
Jimmy Carter
Ronald Reagan
Carter-Mondale Presidential Committee
Any other political candidate or committee

2. All documents and materials relating to meetings, discussions or other communications between yourself and any official, employee, staff member, director or agent of the Mabuhay Corporation concerning contributions to or expenditures on behalf of any of the political candidates or committees listed in item 1 above during 1979, 1980 and 1981.

8804 071 0403

INSTRUCTIONS

In answering this request for production of documents, furnish all documents, however obtained, including hearsay, that is in possession of, known by or otherwise available to you, including documents and information appearing in your records.

Should you claim a privilege with respect to any documents, communications, or other items about which information is requested by any of the following requests for production of documents, describe such items in sufficient detail to provide justification for the claim. Each claim of privilege must specify in detail all the grounds on which it rests.

Unless otherwise indicated, the discovery requests shall refer to the time period from January 1, 1979 to January 1, 1982, inclusive.

The following requests for production of documents are continuing in nature so as to require you to file supplementary responses or amendments during the course of this investigation if you obtain further or different information prior to or during the pendency of this matter. Include in any supplemental productions of documents the date upon which and the manner in which such further or different information came to your attention.

8804 071 0404

DEFINITIONS

For the purpose of these discovery requests, including the instructions thereto, the terms listed below are defined as follows:

"You" shall mean the named respondent in this action to whom these discovery requests are addressed, including all officers, employees, agents or attorneys thereof.

"Persons" shall be deemed to include both singular and plural, and shall mean any natural person, partnership, committee, association, corporation, or any other type of organization or entity.

"Document" shall mean the original and all non-identical copies, including drafts, of all papers and records of every type in your possession, custody, or control, or known by you to exist. The term document includes, but is not limited to books, letters, contracts, notes, diaries, log sheets, records of telephone communications, transcripts, vouchers, accounting statements, ledgers, checks, money orders or other commercial paper, telegrams, telexes, pamphlets, circulars, leaflets, reports, memoranda, correspondence, surveys, tabulations, audio and video recordings, drawings, photographs, graphs, charts, diagrams, lists, computer print-outs, and all other writings and other data compilations from which information can be obtained.

"Identify" with respect to a document shall mean state the nature or type of document (e.g., letter, memorandum), the date, if any, appearing thereon, the date on which the document was prepared, the title of the document, the general subject matter of the document, the location of the document, the number of pages comprising the document.

"Identify" with respect to a person shall mean state the full name, the most recent business and residence addresses and telephone numbers, the present occupation or position of such person, the nature of the connection or association that person has to any party in this proceeding. If the person to be identified is not a natural person, provide the legal and trade names, the address and telephone number, and the full names of both the chief executive officer and the agent designated to receive service of process for such person.

"And" as well as "or" shall be construed disjunctively or conjunctively as necessary to bring within the scope of these interrogatories and requests for the production of documents any documents and materials which may otherwise be construed to be out of their scope.

88040710405

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL

88 FEB -8 PM 1:33

CCC # 6342

SCHILLER & CERTIFIED SHORTHAND REPORTERS
HILLABRAND A Professional Corporation

February 4, 1988

Ms. Patrice Salud Willig
C/O patrick S. Hallinan
HALLINAN & POPLACK
345 Franklin Street
San Francisco, Ca.94102

In Re: MATTER UNDER REVIEW VS. ELECTION COMM.

Dear Witness

Your deposition which was recently taken pursuant to the caption on the enclosed transcript is being sent to you for review.

Please read, correct, sign, and return this transcript to our office at the address above, as soon as possible.

As officers of the court it is our responsibility for filing the deposition with the appropriate court before the trial of this matter.

Thank you for your cooperation.

Sincerely yours,

Gina Guidi
Gina Guidi

cc: All Counsel

88040710406



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

March 16, 1988

John

Certified Mail
Return Receipt Requested

Patrick S. Hallinan, Esquire
Hallinan & Poplack
345 Franklin Street
San Francisco, CA 94102

RE: MUR 2543
Leonilo L. Malabed

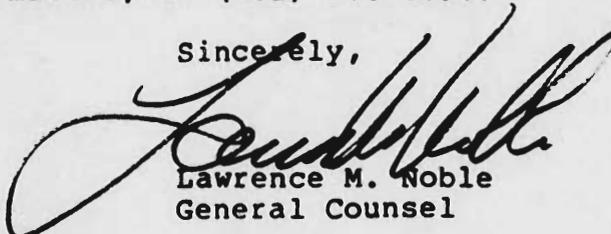
Dear Mr. Hallinan:

Enclosed are checks for witness fees payable to Leonilo Malabed and Patrice (Malabed) Willig, each in the amount of \$32.10. Please forward these checks to your clients.

We are still awaiting the receipt of the items discussed in a letter dated February 12, 1988, which items you agreed to provide at the depositions in this matter. Counsel in your office stated during a telephone conversation on March 11th that these items and a statement supporting the assertion of the Fifth Amendment privilege would be provided within a week. Prompt attention and delivery will be appreciated.

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

Sincerely,


Lawrence M. Noble
General Counsel

Enclosures
Checks (2)

98040710407

600#3828

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

LAW OFFICES OF
HALLINAN & POPLACK
345 FRANKLIN STREET
SAN FRANCISCO, CA 94102
(415) 861-1151

88 MAR 21 AM 10:17
Ann 245-3

March 17, 1988

Ms. Celia Jacoby, Esq.
Office of the General Counsel
999 E Street NorthWest
Washington, D.C. 20463

Dear Ms. Jacoby:

As the week nears its' end, I realize that I will not be able to forward all of the documents you have requested by Friday, March 18th. It appears that I will need another week to properly compile the four categories of documents we discussed. Be assured that I will do my utmost to expedite the delivery of these documents to you.

Thanking you in advance for your kind consideration, I remain,

Sincerely Yours,

Katherine Alfieri

Katherine Alfieri

88 MAR 21 PH 3:16

RECEIVED
FEDERAL ELECTION COMMISSION

88040710408

GCC # 8909

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

LAW OFFICES OF
HALLINAN & POPLACK
345 FRANKLIN STREET
SAN FRANCISCO, CA 94102
(415) 861-1151

88 MAR 28 AM 11:06

March 23, 1988

Ms. Celia Jacoby
Office of the General Counsel
999 E Street North West
Washington, D.C. 20463

Re: Dr. Leonilo Malabed

Dear Ms. Jacoby:

Enclosed please find the documents you requested of our office.

I have obtained a copy of Judge Orrick's original order as per your request. I have also taken the liberty of enclosing a copy of the order permitting our office to review the sealed file and a copy of the order unsealing the four specified documents in the sealed file.

Regarding your concern about what documents are sealed in the file, I have sworn out a declaration reciting from my memory and my notes my recollection of the contents of the sealed file.

As per your request for evidence on who the remittur was on funds transferred from the Phillipines to Dr. Malabed, I have obtained copies of two Bank of America transfer slips evidencing the remittur to be Carlos Malabed, Dr. Malabed's now deceased father.

Regarding your request for additional documents on the Bank of California loan to Larry Asera Dr. Malabed co-signed, I have obtained a declaration from the bank manager, Elpidio Pio Barrera, attesting to the terms and circumstances surrounding the loan.

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FEDERAL ELECTION COMMISSION

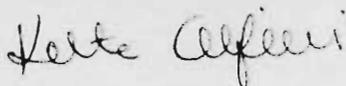
PAGE TWO
Celia Jacoby Letter

As to your request regarding the status of the federal civil case pending against Dr. Malabed in the Western District of Washington at Seattle, I have enclosed a memo reciting the grounds for his assertion of his fifth amendment privilege against self-incrimination and a copy of the complaint in the action.

I hope that these documents satisfy all of your requests and finally put an end to the Federal Election Commission's investigation of Dr. Malabed. Should I be able to be of further assistance in this matter, please do not hesitate to contact me.

Thanking you for your kind consideration and patience in this matter, I remain,

Sincerely Yours,



Katherine Alfieri
Attorney for Dr. Malabed

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FILED

JUN - 4 1986

WILLIAM L. WHITTAKER, CLERK

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

24

In re Deposition of)	
Dr. Leonilo Malabed)	
	)	No. Misc. 8688 WHO
ESTATE OF SILME G. DOMINGO,)	
et al.,	)	ORDER
)	
Plaintiffs,)	
)	
vs.)	
)	
REPUBLIC OF THE PHILIPPINES,)	
et al.,)	
)	
Defendants.)	

The Court, having reviewed the papers filed in this matter, and inspected the documents submitted to the Court, in camera, and having conducted an in camera hearing,

IT IS HEREBY ORDERED that the documents submitted to the Court by Dr. Leonilo Malabed are personal documents, not corporate documents. As such, Dr. Malabed can validly exercise his Fifth Amendment privilege with respect to those documents. They need not be disclosed in discovery in this action.

Dated: June 4, 1986.

William H. Orrick
William H. Orrick
United States District Judge

RECEIVED

1 PATRICK SANSFIELD HALLINAN
2 HALLINAN & POPLACK
3 345 Franklin Street
4 San Francisco, CA 94102
5 Telephone: 415/861-1151

DEC 4 1987

WILLIAM L. WHITTAKER
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

6 UNITED STATE DISTRICT COURT
7 NORTHERN DISTRICT OF CALIFORNIA

8 DOMINGO,

No. for Dep. 86-215

9 Plaintiff

Misc. No. 86-088

10 vs.

11 REPUBLIC OF THE PHILIPPINES,
12 et al.,

ORDER PERMITTING REVIEW OF
SEALED FILE BY DEFENDANT
MALABED'S COUNSEL

13 Defendants.

14 GOOD CAUSE APPEARING, it is hereby Ordered that Defendant
15 Malabed's attorneys, HALLINAN & POPLACK be permitted to review
16 the file of documents sealed in the above-captioned matter,
17 pursuant to this court's previous order.

18 IT IS SO ORDERED.

19 Dated: December __, 1987.

22 WILLIAM H. ORRICK
23 United States District Judge

HALLINAN & POPLACK

345 FRANKLIN STREET
SAN FRANCISCO, CALIFORNIA 94102
(415) 861-1151

8804

SUBMITTING COUNSEL ARE

DIRECTED TO SERVE THIS ORDER UPON
ALL OTHER PARTIES IN THIS ACTION

1 PATRICK SANSFIELD HALLINAN
2 HALLINAN & POPLACK
3 345 Franklin Street
4 San Francisco, CA 94102
5 Telephone: 415/861-1151

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DEC 15 1987

WILLIAM L. WHITTAKER
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

FILED

DEC 18 1987

WILLIAM L. WHITTAKER
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

6 Attorneys for Defendant

7 UNITED STATES DISTRICT COURT
8 NORTHERN DISTRICT OF CALIFORNIA

9 DOMINGO,

No for Dept. 86-215

10 Plaintiff,

Misc. No. 86-088

11 vs.

ORDER UNSEALING FOUR
SPECIFIED ITEMS IN
SEALED FILE

12 REPUBLIC OF THE
13 PHILIPPINES, et al.,

14 Defendants.

15 GOOD CAUSE APPEARING, it is hereby ordered that the list of
16 four documents, specified in Attachment A, from the file of
17 documents sealed at defendant Malabed's request in the above-
18 captioned matter, pursuant to this court's previous order, be
19 unsealed for the singular purpose of complying with the Federal
20 Elections Commission's subpoena requesting the production of
21 said documents.

22 DATED: DEC 17 1987, 1987.

23 WILLIAM H. ORRICK

24 HONORABLE WILLIAM M. ORRICK
25 United States District Judge

26 RECEIVED

27 DEC 21 1987

28 HALLINAN & POPLACK

HALLINAN & POPLACK
345 FRANKLIN STREET
SAN FRANCISCO, CALIFORNIA 94102
(415) 861-1151

1 PATRICK SANSFIELD HALLINAN
KATHERINE ALFIERI
2 HALLINAN & POPLACK
345 Franklin Street
3 San Francisco, CA 94102
Telephone: (415) 861-1151

4 Attorneys for Defendant
5 DR. LEONILO MALABED

6
7 UNITED STATES DISTRICT COURT
8 WESTERN DISTRICT OF WASHINGTON AT SEATTLE
9

10 ESTATE OF DOMINGO, et. al.

11 Plaintiffs,

No. CR 82-1055R

12 v.

13 REPUBLIC OF THE PHILLIPINES,
14 et. al.,

DECLARATION OF
KATHERINE ALFIERI

15 Defendants.

16 Katherine Alfieri asserts the following:

17 I am an attorney duly licensed to practice law in the state
18 of California. I have also been admitted to the federal bar in
19 the Northern District of California. I am an associate in the
20 law firm, Hallinan & Poplack, which has been retained as counsel
21 for Dr. Malabed.

22 Pursuant to the Honorable William H. Orrick's order in the
23 matter known as, Misc. No. 86-088, certain documents submitted to
24 the court for in camera review were sealed at Dr. Malabed's
25 request.

26 After receiving the Federal Election Commission's subpoena
27 requiring Dr. Malabed to produce copies of any documents, checks,
28

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1 or instruments used to contribute to various political
2 campaigns, I obtained the court's permission to review the sealed
3 file for the sole purpose of determining whether documents
4 existed in it which fell within the scope of the commission's
5 subpoena.

6 After review of the sealed file, I determined that four such
7 documents were encompassed by the subpoena and requested the
8 court to unseal those four documents so that we could comply
9 with the commission's document production request.

10 I reviewed the sealed file for several hours from cover to
11 cover. It is based upon my recollection and the notes I took
12 during my review of the sealed file that I state on information
13 and belief that the documents contained in the file included the
14 following:

- 15 (1) Declaration of Bonefacio Gillego
- 16 (2) Declaration of Leonilo Malabed, M.D.
- 17 (3) Declaration of Paul Couenhoven, Esq.
- 18 (4) Motion to Compel Production of Documents
- 19 (5) Declaration of Russell P. Cestare
- 20 (6) Deposition of Leonilo Malabed, M.D.
- 21 (7) Court Reporter Notes of Carl Plinee (Ct. Rptr.)
- 22 (8) Various Personal Checks from Dr. Leonilo Malabed's
23 personal checking account from 1979-1982.

24 I declare under penalty of perjury that the foregoing is
25 true and correct to the best of my knowledge, except where stated
26 on information and belief, as to those matters I believe them to
27 be true, and if called upon to testify to the matters stated
28 herein, I would be competent to so testify.

25 ///

26 ///

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The attached check is in reimbursement of payment to the beneficiary as indicated below:

THE BANK OF CALIFORNIA

4/23/79

No. 50114

Without charges to us

SAN FRANCISCO, CALIFORNIA
(City) (State)

Advise and upon identification pay:

Under advice, credit account of: DR. LEONILO L. MALABED

Currency

Foreign Amount

By Order Of: CARLOS MALABED

Rate

U.S. \$ 150,000.00

Remarks:

Payment made in accordance with instructions from:

Due To Due From ACCOUNT NO. 568-834300-2

Their cable dated 4/23/79

PHILIPPINE NATIONAL BANK
MANILA, PHILIPPINES

\$ 2.50

Net Amount of Check

Their Reference No.

U.S. \$ 149,997.50

THE BANK OF CALIFORNIA INTERNATIONAL DIVISION

ID 12221 (Rev. 4-75)

ADVICE
NON-NEGOTIABLE

Authorized Signature

The attached check is in reimbursement of payment to the beneficiary as indicated below:

THE BANK OF CALIFORNIA

4/23/79

No. 50111

Without charges to us

SAN FRANCISCO, CALIFORNIA
(City) (State)

Advise and upon identification pay:

Under advice, credit account of: DR. LOENILO M. MALABED

Currency

Foreign Amount

By Order Of: CARLOS MALABED

Rate

U. S. Dollars

Remarks:

Payment made in accordance with instructions from:

Due To Due From ACCOUNT NO. 568-834300-2

Their cable dated 4/23/79

PHILIPPINE NATIONAL BANK
MANILA, PHILIPPINES

U.S. \$ 200,000.00

Less Handling Charges

\$ 2.50

Net Amount of Check

Their Reference No.

U.S. \$ 199,997.50

THE BANK OF CALIFORNIA INTERNATIONAL DIVISION

88040710417

ID 12221 (Rev. 4-75)

ADVICE
NON-NEGOTIABLE

Authorized Signature

1 PATRICK SANSFIELD HALLINAN
2 KATHERINE A. ALFIERI
3 HALLINAN & POPLACK
4 345 Franklin Street
5 San Francisco, CA 94102
6 Telephone: (415) 861-1151

7 Attorneys for Defendant
8 LEONILO MALABED, M.D.

9
10 UNITED STATES DISTRICT COURT
11 WESTERN DISTRICT OF WASHINGTON AT SEATTLE

12 ESTATE OF DOMINGO, et al.,

13 Plaintiffs,

NO. C82-1055R

14 v.

15 REPUBLIC OF THE PHILLIPINES,
16 et al.,

DECLARATION OF
ELPIDIO PIO BARRERA

17 Defendants.

18 I, ELPIDIO PIO BARRERA, assert the following:

19 I was the Bank Manager at the Bank of California from 1979-
20 1982.

21 In 1980, Larry Asera was running for Congress in Sonoma
22 County. In order to finance his campaign, he sought a fifty
23 thousand dollar (\$50,000) loan from the Bank of California.

24 The Bank of California provided Larry Asera with the fifty
25 thousand dollar loan. The loan was co-signed by Dr. Leonilo
26 Malabed.

27 Larry Asera unexpectedly lost the election, and resultantly
28 defaulted on the loan.

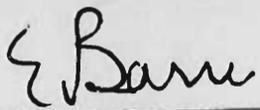
Therefore, Dr. Malabed became responsible on the loan and

1 paid off the loan in installments.

2 I am personally familiar with the circumstances surrounding
3 this particular loan due to my involvement as a deponent and
4 declarant on behalf of the Bank of California and the parties
5 in the matter, Estate of Domingo, et. al., v. Republic of the
6 Phillipines, et.al., C82-1055R.

7 I declare under penalty of perjury that the foregoing is
8 true and correct, except where stated on information and belief,
9 and as to those matters I believe them to be true. I would be
10 competent to testify to any of the matters stated herein if I
11 were called upon to do so.

12 Executed this day of March, 1988 at San Francisco,
13 California.

14 
15 _____
16 ELPIDIO PIO BARRERA

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LAW OFFICES OF
8 8 0 4 HOLLAND & POZLAK
348 FRANKLIN STREET
SAN FRANCISCO, CALIFORNIA 94102
(415) 861-1151

TO: Celia Jacoby, Esq.
FROM: Katherine Alfieri, Esq.
RE: Basis for Dr. Malabed's Fifth Amendment Assertion
DATE: March 23, 1988

BACKGROUND

The action entitled, Estate of Domingo et. al. v. Republic of the Phillipines, et.al., No. C82-1055R, was originally filed in September of 1982. Dr. Malabed is named as one of nineteen defendants, which include Ferdinand and Imelda Marcos, and the Republic of the Phillipines.

This litigation arose out of the murders of Silme Domingo and Gene Viernes. Domingo and Viernes were prominent and active members of the anti-Marcos opposition in the United States. They were shot and killed in Seattle Washington in June of 1981. The assailants who shot and killed Viernes and Domingo were tried and convicted of the murders.

Plaintiffs allege that the Mabuhay Corporation was a vehicle through which monies were moved to the United States from the Phillipines. Plaintiffs' further allege that the money transferred to the Mabuhay Corporation was used for the purposes of suppressing dissent by anti-Marcos Filipinos in the United States. Moreover, plaintiffs' allege that the Mabuhay corporation was a public cover for a secret Phillipine slush fund which provided the money that was actually used to purchase the murders of Domingo and Viernes.

Plaintiffs further allege that during the period of time immediately prior to 1982, Dr. Malabed was acting as an agent for the Phillipine Marcos government. Therefore, as a foreign government agent he was responsible to register his status pursuant to the Foreign Agent Registration Act.

STATUS OF THE CASE

The federal causes of action alleged by plaintiffs include: 42 USC Section 1985(3), 42 USC Section 1986, 28 Section 1602 Et. Seq., and pendent state claims of wrongful death. Defendants have not yet filed answers to the complaint. We have had the 42 USC Section 1985(3) and 1986 causes of action recently dismissed for failure to state a claim.

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THE BASIS OF THE FIFTH AMENDMENT ASSERTION

Dr. Malabed's fifth amendment privilege assertion is valid for two distinct reasons. First, plaintiffs' allegation in the federal civil lawsuit, alleges that the Mabuhay Corporation, in which Dr. Malabed was involved, was used as a cover for a secret Phillipine slush fund which paid for the murders of Domingo and Viernes. Dr. Malabed's fifth amendment assertion directly correlates to this obvious potential criminal liability.

Also, plaintiffs' allegations that Dr. Malabed was an agent of the Phillipine government while in the United States gives rise to the potential liability he faces pursuant to the Federal Agents Registration Act. Again, Dr. Malabed's fifth amendment assertion directly correlates to this potential liability.

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HON. BARBARA J. ROTHSTEIN

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DEC 21 1987

HALLINAN & POPLACK

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

Estate of SILME G. DOMINGO by Personal)
Representative TERRI J. MAST; LIGAYA)
R. DOMINGO and KALAYAAN M. DOMINGO,)
Children of the Deceased, by their)
mother and next friend TERRI J. MAST;)
Estate of GENE A. VIERNES by Personal)
Representative BARBARA VIERNES,)

Plaintiffs,

v.

FERDINAND MARCOS, IMELDA MARCOS;)
REPUBLIC OF THE PHILIPPINES;)
CONSTANTINE L. BARUSO, PAUL D. LIAM,)
each individually and in their)
official capacities; FORTUNATO L.)
DICTADO, JIMMIE B. RAMIL, POMPEYO B.)
GULOY, JANUARIO "BOYSIE" CAMPO,)
EDUARDO LOPEZ, JANE DOE BARUSO, JANE)
DOE LIAM, JANE DOE DICTADO, JANE DOE)
RAMIL, JANE DOE GULOY, JANE DOE)
CAMPO, JANE DOE LOPEZ; LEONILO)
MALABED and YVONNE MALABED,)

Defendants.

CIVIL ACTION
NO. C82-1055(V)R

THIRD AMENDED
COMPLAINT FOR DAMAGES
WITH JURY DEMAND

INTRODUCTORY STATEMENT

On June 1, 1981, Silme Domingo and Gene Viernes were murdered. The murders were made to appear as if they arose out of a dispute over union dispatch involving disgruntled cannery workers. In reality, they were committed at the direction of officials of...

THIRD AMENDED COMPLAINT
FOR DAMAGES - 1

GIBBS, DOUGLAS, THEILER & DRACHLER
1613 Smith Tower, Seattle, WA 98104
(206) 623-0900

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1 the Philippine government. They were based on information about
2 Domingo and Viernes provided by the Philippine and U.S. govern-
3 ments. The murders were arranged by defendant Constantine Baruso
4 on behalf of the Philippine government. The murders were but one
5 overt act of a broader tortious conspiracy to surveil, harass and
6 intimidate the class of anti-Marcos Filipinos in the United
7 States. This opposition includes individuals and organizations who
8 exercise their lawful and constitutional right to oppose the policy
9 and actions of the Marcos regime in the Philippines and the policy
10 of U.S. government support for that regime. The parties to this
11 broader conspiracy include officials and agents of the Philippine
12 and U.S. governments, and private individuals such as defendant
13 Baruso who have acted as agents of either or both governments.

14 The broader conspiracy has existed since Marcos imposed
15 martial law in the Philippines and sent his first agents to the
16 U.S. in 1973. Agreements by officials of both governments were
17 reached in late 1980 and early 1981 to intensify the level of
18 surveillance and harassment of the anti-Marcos opposition. ¶¶13-19
19 herein. These agreements led directly to the surveillance of and
20 subsequent murders of Domingo and Viernes.

21 Domingo and Viernes were prominent and active members of the
22 anti-Marcos opposition. They were also officials of the Interna-
23 tional Longshoremen's and Warehousemen's Union ("I.L.W.U.") Local
24 37. In March through June 1981 they became the specific targets of
25 the intensified intelligence operations. Viernes' and Domingo's
26 views, travel and activities in Northern California, the Philip-

27 THIRD AMENDED COMPLAINT
FOR DAMAGES - 2

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1 pines, Honolulu and Seattle attracted the interest and concern of
2 U.S. and Philippine intelligence agencies and agents, who exchanged
3 specific and highly explosive information about them. ¶20 et seq.
4 Philippine government agents initiated an operation, involving
5 defendant Baruso and others, to murder Domingo and Viernes. They
6 were murdered on June 1, 1981. ¶¶33-40. When Domingo named his
7 assailants, agents and officials of the two governments acted to
8 avoid criminal liability for the hitmen and Baruso and to prevent
9 the exposure of the underlying conspiracy. ¶¶41-46.

10 The murders of Domingo and Viernes have their origin in the
11 ongoing conspiracy against the anti-Marcos opposition, involving
12 officials and agents of the U.S. and Philippine governments. ¶47
13 et seq. The conspiracy has engaged and continues to engage in
14 specific tortious overt acts. These are of the same character as
15 those used in the Domingo-Viernes operation, including the collec-
16 tion of intelligence information regarding the anti-Marcos opposi-
17 tion, ¶57, the mutual exchange of such information by the two
18 governments, ¶¶58-59, and the use of physical violence and threats
19 thereof to harass and silence the anti-Marcos opposition. ¶60.

20 The actions of the Philippines and its agents and officials
21 which subject it to liability include the tortious acts of:

22 (a) Joining the conspiracy against the anti-Marcos opposition
23 as alleged herein and agreeing to carry out its aim and goals by
24 the agreed upon means;

25 (b) Failing to prevent the conspiracy, knowing that acts of
26 physical violence, threats and harassment of the anti-Marcos

27
THIRD AMENDED COMPLAINT
FOR DAMAGES - 3

GIBBS, DOUGLAS, THEILER & DRACHLER
1613 Smith Tower, Seattle, WA 98104
(206) 623-0900

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1 opposition would be perpetrated by agents of the Philippines;

2 (c) Surveiling and conspiring with defendant Baruso to murder
3 Domingo and Viernes on account of their anti-Marcos beliefs and
4 activities;

5 (d) Directing and participating in the cover-up of the
6 murders of Domingo and Viernes.

7 The actions of the U.S., its agents and officials include the
8 tortious acts of:

9 (a) Joining the conspiracy against the anti-Marcos opposition
10 as alleged herein and agreeing to carry out its aims and goals by
11 the agreed upon means;

12 (b) Failing to prevent the acts taken pursuant to this
13 conspiracy, knowing that acts of physical violence, threats and
14 harassment of the anti-Marcos opposition would be perpetrated by
15 agents of the Philippines;

16 (c) Collecting and disseminating to agents and officials of
17 the Philippines specific intelligence information regarding the
18 beliefs, activities and aims of Viernes and Domingo, knowing that
19 the collection and dissemination of such information to the Philip-
20 pines would directly cause its agents to conduct further intel-
21 ligence operations and acts of physical violence, threats or
22 intimidation directed at them;

23 (d) Failing to prevent acts of physical violence, threats and
24 the murders of Domingo and Viernes, by agents of the Philippines,
25 while knowing that such acts were likely and having the power and
26 ability to prevent said acts;

27
THIRD AMENDED COMPLAINT
FOR DAMAGES - 4

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1 (e) Participating in the cover-up of the murders of Domingo
2 and Viernes.

3 JURISDICTION

4 1. This court has jurisdiction of this matter under 28
5 U.S.C. §§1330, 1331, 1343, 1346, 1602 et seq., 1651, 2201, 2202 and
6 2671 et seq., under 42 U.S.C. §§1985(3) and 1986, and under pendent
7 jurisdiction with respect to causes of action under laws of the
8 State of Washington. The amount in controversy exceeds \$10,000,
9 exclusive of costs and interest.

10 PLAINTIFFS

11 2. Plaintiff Terri J. Mast sues as personal representative
12 of the estate of Silme G. Domingo, deceased. Plaintiff Mast is a
13 citizen of the United States and the State of Washington. Silme G.
14 Domingo was a citizen of the United States and a resident of the
15 State of Washington.

16 3. Plaintiffs Ligaya R. Domingo and Kalayaan M. Domingo are
17 the minor daughters of Silme G. Domingo. They are citizens of the
18 United States and residents of the State of Washington. They bring
19 this action through their mother, guardian and next friend, plain-
20 tiff Terri J. Mast.

21 4. Plaintiff Barbara Viernes sues as personal representative
22 of the estate of Gene A. Viernes, deceased. Plaintiff Viernes is a
23 citizen of the United States and a resident of the State of
24 Washington. Gene A. Viernes was a citizen of the United States and
25 a resident of the State of Washington.

26
27
THIRD AMENDED COMPLAINT
FOR DAMAGES - 5

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DEFENDANTS

1
2 5. The Republic of the Philippines ("the Philippines") is a
3 foreign state. It is not immune from suit herein, because the
4 action is of a type enumerated in 28 U.S.C. §1605(a)(5). The
5 tortious actions alleged herein of the agents, officials and
6 employees of the Philippines, including Unnamed Philippine Agent 1,
7 caused the deaths of Domingo and Viernes in the United States and
8 were performed within the scope of their office, employment or
9 duties for the Philippines.

10 5A. Defendants Ferdinand and Imelda Marcos are residents of
11 the State of Hawaii. They were at all times relevant officers and
12 agents of the Republic of the Philippines and part of the con-
13 spiracy against the anti-Marcos Philippine opposition as alleged in
14 this complaint. They are sued individually and in their capacity
15 as such officers and agents. In addition, the Marcos defendants
16 are liable to plaintiffs under the theories stated in this third
17 amended complaint for the acts of the other defendants and unknown
18 Philippine government agents as alleged herein.

19 6. Wherever the term "unknown Philippine agents" appears it
20 refers to certain specific agents, officers or officials of the
21 Philippine government, acting in their official capacity and within
22 the scope of their responsibility, duties and employment, who are
23 part of the conspiracy against the anti-Marcos opposition and for
24 whose actions the government of the Philippines is liable. The
25 identities of these agents and Unnamed Philippine Agent 1 are
26 currently not known to plaintiffs. They will be added as defen-

27
THIRD AMENDED COMPLAINT
FOR DAMAGES - 6

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1 dants when their identities become known.

2 7. Paragraph 7 is deleted because the Court has dismissed
3 the United States.

4 8. Wherever the term "unknown U.S. agents" appears it refers
5 to certain specific agents, officers, or officials of the United
6 States acting in their official capacities and within the scope of
7 their responsibility, duties and employment and as part of the
8 conspiracy against the anti-Marcos opposition. The identities of
9 these agents and of Unnamed U.S. Agent A are currently not known to
10 plaintiffs. They will be added as defendants when their identities
11 are known.

12 9. Constantine L. Baruso is a resident of Seattle, Washing-
13 ton. He is or was at relevant times an officer and agent of the
14 Philippines and of the United States and part of the conspiracy
15 against the anti-Marcos opposition. He is sued individually and in
16 his capacity as such officer and agent.

17 10. Paul D. Liam, also known as Napoleon D. Liam and as Paul
18 David, is a resident of Seattle, Washington. He is or was at rele-
19 vant times an intelligence operative, officer and agent of govern-
20 mental agencies of the United States and of the Philippines and
21 part of the conspiracy against the anti-Marcos opposition. He is
22 sued individually and in his capacity as such an officer and
23 agent.

24 11. Fortunato L. Dictado is the leader of the Tulisan gang.
25 Jimmie B. Ramil, Pompeyo B. Guloy, Januario "Boysie" Campo, and
26 Eduardo Lopez are members of the Tulisan gang. Dictado and Ramil

27
THIRD AMENDED COMPLAINT
FOR DAMAGES - 7

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1 are residents of the Washington State Penitentiary in Walla Walla.
2 Guloy is a resident of the Washington State Penitentiary in
3 Monroe. Collectively, the defendants named in this paragraph are
4 referred to herein as "the Tulisan gang defendants."

5 12. Jane Does Baruso, Liam, Dictado, Ramil, Guloy, Campo and
6 Lopez are the wives of the other named defendants. The marital
7 community of each is liable for the acts of the husband defendant
8 alleged herein.

9 12A. Leonilo Malabed was at all relevant times an agent of
10 the Philippines and a member of the conspiracy against the anti-
11 Marcos opposition, as alleged herein. Malabed is sued individually
12 and in his capacity as such agent. The marital community is liable
13 for the acts of defendant Leonilo Malabed.

14 FACTS

15 I. THE MURDERS OF DOMINGO AND VIERNES

16 13. The surveillance and murders of Domingo and Viernes for
17 their anti-Marcos views flowed directly from intensification of the
18 ongoing conspiracy against the anti-Marcos opposition, which inten-
19 sification was caused by the agreements reached between officials
20 of the United States and Philippine governments as alleged herein.

21 A. INTENSIFICATION OF THE CONSPIRACY

22 14. In December, 1980 Imelda Marcos, wife of Philippine
23 President Ferdinand E. Marcos and acting as an official of the
24 Philippines, met with President-elect Ronald Reagan at the Waldorf
25 Towers Hotel in New York City. In this meeting, Mrs. Marcos
26 secured Mr. Reagan's agreement to two objectives. The first was to

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1 allow the Philippine government to increase and upgrade the
2 presence and use of intelligence agents in the U.S. to monitor and
3 operate against anti-Marcos Philippine activists as well as to
4 direct the F.B.I. and military intelligence agencies to conduct
5 similar intelligence operations against the anti-Marcos movement in
6 the U.S. The second was the agreement to support passage of a
7 U.S.Philippine extradition treaty which could be used to extradite
8 to the Philippines leading anti-Marcos critics living in the U.S.

9 15. After this meeting, Imelda Marcos communicated personal-
10 ly to others, including prominent members of the anti-Marcos
11 opposition Steve Psinakis and the late Philippine Senator Benigno
12 Aquino. She told them she had secured Reagan's approval for a
13 crack-down on the anti-Marcos opposition in the U.S. She specifi-
14 cally threatened physical retaliation against those anti-Marcos
15 activists who undertook specific actions in the Philippines to
16 "cause trouble" for the regime. On information and belief she
17 communicated the agreement to General Fabian Ver, who is Director
18 of Philippine intelligence agencies, and to her brother, Ambassador
19 to the U.S. Benjamin T. Romualdez. She directed them to implement
20 the agreement reached, which they did.

21 16. On information and belief, Reagan communicated the sub-
22 stance of his discussion with Imelda Marcos to then-Secretary of
23 State Alexander Haig, Attorney General William French Smith,
24 Defense Secretary Caspar Weinberger and to Vice President George
25 Bush. These officials agreed to take the appropriate steps within
26 their respective agencies to increase the efforts of each agency to

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1 monitor, surveil and neutralize anti-Marcos opposition groups and
2 to cooperate with Philippine agents conducting similar operations.
3 In 1981 Haig personally delivered a letter to Ferdinand Marcos
4 signed by Reagan promising such an effort. Bush also personally
5 conveyed similar assurances that same year.

6 17. This agreement was also discussed in the National
7 Security Council early in the administration of Ronald Reagan.
8 High officials and unknown agents of the U.S. were and are aware of
9 the ongoing conspiracy against the anti-Marcos opposition and agree
10 with its objectives as described herein. Specifically, they knew
11 from their review of the documents described in Paragraph 61 and
12 other intelligence cables, documents and summaries that Philippine
13 intelligence agents have engaged in a pattern and practice since
14 1973 of monitoring and operating against the anti-Marcos opposition
15 in the U.S. They knew that these operations included the use of
16 illegal overt acts of physical violence, harassment and murder of
17 leading and active members of the anti-Marcos opposition. They
18 knew that the acts they were undertaking, alleged in the preceding
19 paragraph, were part of the conspiracy. They further knew that,
20 with the increase in the level of surveillance on the anti-Marcos
21 opposition, specific information regarding that opposition would be
22 collected and disseminated to Philippine intelligence agencies.
23 They further knew that the Philippines would target specific
24 anti-Marcos individuals mentioned in such reports for further
25 surveillance, physical violence, harassment and intimidation.

26 18. As a result of these meetings and discussions, U.S. in-

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1 intelligence agencies, including the State Department, the Federal
2 Bureau of Investigation ("F.B.I"), the Central Intelligence Agency
3 ("C.I.A."), the Defense Intelligence Agency ("D.I.A."), the
4 National Security Agency ("N.S.A."), and Naval Intelligence
5 instituted specific intelligence operations. The twin aims of
6 these operations were to secure increased intelligence information
7 on the activities and leadership of the anti-Marcos movement in the
8 U.S. and to cooperate fully with Philippine agents and intelligence
9 agencies conducting similar operations. Specifically it was agreed
10 that these agencies would share intelligence information with
11 Philippine agents both in the U.S. and the Philippines. High
12 officials of the State Department, F.B.I., C.I.A., D.I.A., N.S.A.,
13 and Naval Intelligence instructed their respective employees and
14 agents to implement these operations, which they did, including
15 those directed against Viernes and Domingo as alleged in Paragraphs
16 21 et seq.

17 19. As a direct result of these discussions and agreements,
18 in March, 1981 agents of the F.B.I., Naval Intelligence and other
19 U.S. agencies began conducting intelligence gathering activities
20 targeting the anti-Marcos opposition, including such organizations
21 as the K.D.P.-Union of Democratic Filipinos and the Movement for a
22 Free Philippines. These activities included physical surveillance,
23 personal interviews, background checks, mail covers, electronic
24 surveillance, the use of confidential informants, analyses of the
25 literature and publications of the anti-Marcos opposition, and
26 other forms of intelligence collection and analysis. These efforts

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1 took place nationwide, including in San Francisco, Los Angeles, St.
2 Louis, Boston, McLean, Virginia, Washington, D.C. and elsewhere.
3 Involved in this intelligence collection and analysis, among
4 others, were F.B.I. agents Mike Henry and Leo Montoya (San Francis-
5 co office), State Department officials Alice K. Straub and John
6 Maisto (Political Officer, American Embassy, Manila), and unknown
7 intelligence agents of the Naval Investigative Service in Alameda,
8 California. Specifically targeted for such techniques were the
9 late Philippine Senator Benigno Aquino, Raul Manglapus, Steve
10 Psinakis, and the leadership of the K.D.P. in the San Francisco Bay
11 Area.

12 B. THE ACTIONS OF DOMINGO AND VIERNES PRECEDING THEIR MURDERS

13 20. In early March, 1981, Viernes planned to travel to the
14 Philippines to visit his relatives and meet with numerous in-
15 dividuals and organizations of the anti-Marcos opposition, includ-
16 ing anti-Marcos trade unions. He first met with the K.D.P. leader-
17 ship in the Bay Area in early March. He also hoped to propose a
18 resolution at the April, 1981 I.L.W.U. convention regarding the
19 poor working conditions in the Philippines resulting from Marcos'
20 anti-labor martial law decrees.

21 21. In March, 1981, as a result of the increased surveillance
22 activities directed at the K.D.P. leadership in the Bay Area
23 described in Paragraphs 16 through 19, U.S. intelligence agencies,
24 including the F.B.I. and Naval Intelligence, learned of Viernes'
25 trip to the Philippines. Through these surveillance activities,
26 unknown Naval Intelligence and F.B.I. agents reported to their

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1 superiors that Viernes was carrying \$290,000 to give to the opposi-
2 tion movement in the Philippines.

3 22. This report was false. Nevertheless, pursuant to the
4 conspiracy it was communicated by unknown U.S. intelligence agents
5 to their intelligence counterparts in the Philippine intelligence
6 agencies and was believed by them. In fact, Viernes had withdrawn
7 a small amount of money from an Oakland, California bank account of
8 the K.D.P. and took it with him to the Philippines. He also took
9 numerous packages containing gifts for relatives and associates.
10 Viernes was also surveilled by U.S. intelligence agencies, includ-
11 ing Naval Intelligence, while in the Philippines and was observed
12 in possession of numerous packages which were delivered by Viernes
13 to numerous friends and relatives. These unknown agents reported
14 the results of their surveillance to their superiors.

15 23. U.S. intelligence officials and agents, including Unnamed
16 U.S. Agent A and others named herein as well as those unknown, who
17 collected, summarized, analyzed or exchanged information regarding
18 Viernes' trip were aware of the ongoing conspiracy against the
19 anti-Marcos opposition. They were aware of the presence of Philip-
20 pine intelligence agents in the U.S. They knew that the acts they
21 were performing, as alleged herein, were part of the conspiracy.
22 They knew that the Philippines had engaged in a pattern and
23 practice of targeting active and effective anti-Marcos opponents
24 for physical violence, threats and intimidation. They knew that
25 the information they reported regarding Viernes, given its charac-
26 ter and explosive quality, would be communicated to the Philippine

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1 government and its agents and operatives in the U.S. They knew
2 that specific operations against Viernes, including physical
3 violence, would result from the information collected and con-
4 veyed.

5 24. Ferdinand and Imelda Marcos, General Fabian Ver and other
6 Philippine agents and officials were aware the K.D.P. has been a
7 leading U.S.-based anti-Marcos organization since 1973. They were
8 aware the organization supported the National Democratic Front in
9 the Philippines, which is a broad coalition of anti-Marcos groups
10 including the guerilla New People's Army (which had risen in
11 strength and influence in the 1970's) and workers, students, and
12 professional organizations. The Marcos regime is engaged in armed
13 conflict and civil war with the N.P.A. in many rural areas.

14 25. In early 1981, Ferdinand and Imelda Marcos and the Marcos
15 regime became increasingly concerned with the rapid growth and
16 influence of the Kilusang Mayo Uno ("K.M.U.") or May First Move-
17 ment, a broad federation of labor unions and workers organizations
18 with more than 350,000 members. Founded on May 1, 1980 the
19 K.M.U. supports free and independent trade unions and opposes
20 martial law, particularly its anti-labor decrees. The K.M.U. has
21 publicly taken positions against the regime, including opposition
22 to U.S. military bases and aid. They planned and carried out large
23 demonstrations against Marcos on May 1, 1981 which caused grave
24 concern to the regime.

25 26. By late 1980 and throughout 1981 Ferdinand and Imelda
26 Marcos, agents and officials of the Philippine government consid-

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1 ered the K.M.U.'s anti-Marcos sentiments a growing threat to the
2 regime. They considered the K.M.U. "subversive" and "communist
3 influenced" and in 1980 initiated a program of intensive surveil-
4 lance and disruption of the K.M.U.

5 27. In March 1981, Viernes met with the leadership of the
6 K.M.U, including its President Felixberto Olalia and General
7 Secretary Crispin Beltran. The surveillance program was in full
8 effect. Viernes was photographed, surveilled and identified by
9 Marcos agents.

10 28. From this information and information about Viernes
11 provided by U.S intelligence sources as described in Paragraphs 21
12 et seq., unknown agents of the Philippines and specifically
13 Ferdinand Marcos and General Fabian Ver were able to determine
14 Viernes' identity and the purpose of his trip. This information
15 caused extreme alarm within Philippine intelligence circles which
16 resulted in further intelligence operations against Viernes. In
17 particular, these agents were concerned that the \$290,000 believed
18 brought and delivered by Viernes would substantially assist the
19 K.M.U. or other opposition groups in conducting their work and
20 activities. They were also greatly concerned about how Viernes and
21 the K.D.P. had been able to raise so much money to support the
22 opposition.

23 29. Viernes left the Philippines for Honolulu to attend the
24 convention of the I.L.W.U. Upon his re-entry to the U.S. from the
25 Philippines Viernes was "red-flagged" by unknown agents of U.S.
26 intelligence agencies, meaning his name was placed on a com-

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1 puterized "national security" index which subjected him to surveil-
2 lance during and subsequent to his re-entry to the U.S. This
3 surveillance continued in effect during Viernes' activities with
4 Domingo at the I.L.W.U. convention in Hawaii described herein.

5 30. In Hawaii, the Philippine government's intelligence
6 agents were and are headed by Philippine Consul General Trinidad
7 Alconcel. These Philippine government agents learned and reported
8 that Viernes had met with the K.M.U. and other opposition groups in
9 the Philippines. They learned he had openly discussed these
10 meetings in Hawaii with fellow I.L.W.U. delegates. They also
11 reported that Viernes and Domingo, as elected delegates to the
12 I.L.W.U. convention, were sponsoring an anti-Marcos resolution
13 which would, for the first time, put the I.L.W.U. on record
14 criticizing the Marcos regime's treatment of the K.M.U. and the
15 Philippine trade union movement. These agents were particularly
16 concerned because the resolution would create an I.L.W.U. inves-
17 tigating team to go to the Philippines and report on working
18 conditions and the effect of martial law on trade unions. This
19 resolution was regarded as a clear and immediate threat to the
20 Marcos regime by Philippine officials, including Alconcel and Ver.

21 31. Officials attached to the Philippine consulate in Hawaii,
22 including Alconcel, in consultation with Manila, decided to try to
23 defeat the resolution. At the convention, bitter discussion
24 occurred, with pro-Marcos delegates Bart Alcaraz and Benny Quitives
25 opposing the resolution. Alcaraz was and is a Philippine operative
26 in Hawaii who was the head of personal security when Marcos and/or

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1 Imelda Marcos visited Hawaii in 1980, 1981 and 1982.

2 32. These efforts failed, however, and the resolution
3 passed. Domingo and Viernes had engineered its passage. This was
4 regarded as an important victory not only in the anti-Marcos
5 opposition in the U.S., but by the K.M.U. It was considered a
6 significant defeat by officials of the Philippine government and
7 General Fabian Ver.

8 C. THE MURDER PLOT

9 33. On information and belief, immediately after the conven-
10 tion vote, officials at the highest levels of the Marcos regime,
11 including Ferdinand Marcos, General Ver and unknown agents under
12 his command, decided that Viernes and Domingo should be killed
13 because of the significance of their beliefs and actions. The
14 Philippine government, acting through unknown Philippine agents,
15 agreed to provide a large sum of money to accomplish the murders.

16 34. On information and belief, in early May, 1981 Philippine
17 Consulate agents and officials in Hawaii and then I.L.W.U. Local 37
18 president Constantine Baruso met in Honolulu. The meeting im-
19 pressed upon Baruso the gravity of the matter. He was directed to
20 explore ways and means of killing Domingo and Viernes without
21 detection. He agreed to do so and was requested to meet with
22 Philippine agents in Seattle and San Francisco on his return to the
23 mainland U.S.

24 35. Immediately upon returning to Seattle on May 4, Baruso
25 made a plane reservation to fly to San Francisco on May 16 and
26 return the next day. In Seattle and San Francisco, he met with

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1 consulate officials who again impressed upon him the seriousness of
2 the matter and criticized him for allowing Domingo and Viernes to
3 implement effectively their anti-Marcos opposition as Local 37
4 officers. He also met with unknown agents of the Philippine
5 government to discuss the murders. They planned to give the
6 murders the appearance of an internal union dispute over dispatch.

7 35A. While in San Francisco on May 16 and May 17, 1981,
8 defendant Baruso received the sum of \$15,000 cash as payment for
9 the murders of Domingo and Viernes. The funds for this payment
10 came from a secret Philippine government intelligence slush fund.
11 The public "cover" for this fund was the Mabuhay Corporation,
12 controlled by Ferdinand Marcos, General Fabian Ver, and defendant
13 Leonilo Malabed. One bank account of the Mabuhay Corporation was
14 at the Philippine Bank of California, a bank wholly-owned by the
15 Philippine government. Funds for operating expenses of the Mabuhay
16 Corporation were provided by the Philippine National Bank, also
17 wholly-owned by the Philippine government, and through secret
18 Philippine government courier agents whose identities are presently
19 unknown to plaintiffs.

20 35B. For a period of at least five years from 1978 to 1983,
21 the Mabuhay Corporation expended over \$750,000 of foreign funds to
22 expand the propaganda presence of the Marcos regime, make illegal
23 campaign contributions to political candidates, and conduct special
24 missions and special security projects in the U.S., all on behalf
25 of the Marcos defendants. These special security projects, paid
26 for by the Mabuhay Corporation, included the Domingo/Viernes

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1 murders, other overt acts of the conspiracy and extensive efforts
2 to monitor and operate against the anti-Marcos Philippine opposi-
3 tion in the United States.

4 36. Baruso met with and discussed the murders of Domingo and
5 Viernes with Tulisan gang members Ramil, Guloy, Teodorico "Boy
6 Pilay" Dominguez, and Dictado. Baruso agreed to provide his own
7 gun as the murder weapon as insurance that he personally stood
8 behind the murder. He agreed to pay the hitmen \$5,000 and to help
9 them avoid conviction if caught. The Tulisan defendants agreed to
10 carry out the murders.

11 37. While the murders of Domingo and Viernes were being
12 planned, pursuant to his role in the conspiracy against the anti-
13 Marcos opposition, defendant Paul D. Liam continued his intel-
14 ligence activities described in Paragraph 57. These were directed
15 at Domingo and Viernes. Liam communicated with other co-conspira-
16 tors about the murders, including Baruso. He knew the identities
17 of the Tulisan hitmen.

18 38. In order to ascertain and further assist the progress of
19 the murder plan, agents of the Philippine government, including
20 General Fabian Ver, dispatched Unnamed Philippine Agent 1 to
21 Seattle. This person was a Lieutenant Colonel or other high-rank-
22 ing official in the Armed Forces of the Philippines and highly
23 trusted by General Ver. He came to the U.S. in mid-May 1981 and
24 attended a meeting with Ernesto Querubin and Tony Baruso. At the
25 meeting, the murder and its cover story were discussed and ap-
26 proved. Payment for the murders was approved and provided for.

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1 Unnamed Philippine Agent 1 returned to the Philippines and reported
2 to General Ver and other officials that the plan was in full ef-
3 fect. Officials and agents of the U.S. State Department, F.B.I.,
4 C.I.A., D.I.A., N.S.A., Naval Intelligence, Bureau of Customs, and
5 Immigration and Naturalization Service, including those named
6 herein and others unknown, were aware of the presence of this
7 military official in the U.S.

8 38A. Defendant Baruso returned from San Francisco on May 17
9 and thereafter used the funds obtained from the Mabuhay Corporation
10 account and Malabed to compensate himself and two hit men for the
11 murders of Domingo and Viernes.

12 39. On June 1, 1981 at approximately 4:40 p.m., Ramil, Guloy
13 and Dominguez entered the hall of I.L.W.U. Local 37. Using the
14 gun Baruso provided, they shot Viernes and Domingo, killing Viernes
15 instantly. Domingo named his three assailants but died the next
16 day.

17 40. The murders of Domingo and Viernes and the cover-up were
18 overt acts of the conspiracy against the anti-Marcos opposition
19 herein.

20 D. COVER-UP OF THE MURDERS

21 41. Within hours of the shootings, Baruso learned Domingo was
22 not killed instantly as planned. He realized the Tulisan gang
23 defendants would soon be arrested and that other co-conspirators,
24 including himself and other agents of the Philippines, would be
25 implicated.

26 42. Baruso then took steps to cover up the murders. He made

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1 telephone contact with unknown agents and officials of the U.S.
2 State Department on three occasions within 24 hours of the murders.
3 The purpose was to protect himself and the murder conspiracy, to
4 emphasize to the State Department the political and criminal
5 implication of Domingo's naming his assailants, and to obtain the
6 U.S. government's assistance in the cover-up. At the same time
7 Baruso communicated for the same purpose with agents of the Philip-
8 pine government.

9 43. Baruso also decided not to pay the Tulisan defendants,
10 because of the risk of his being implicated. This decision angered
11 the hitmen, including Dictado, who caused the murder weapon to be
12 recovered and identified by the Seattle Police Department. Baruso
13 was arrested in July, 1981 but was released. He has never been
14 charged with the murders.

15 44. As a result of the phone conversations with Baruso, the
16 State Department officials, whose identities are presently unknown
17 to plaintiffs, communicated the substance of these three conversa-
18 tions to unknown agents and officials in the Justice Department and
19 the F.B.I.

20 45. As a result of communications initiated by Baruso,
21 unknown U.S. and Philippine agents took specific steps to conceal
22 the events behind the murders, to protect the Tulisan defendants
23 and Baruso from criminal liability and to prevent the Philippine
24 government from being implicated in the murders. These steps
25 included, but were not limited to the following:

26 a) The use of professional witness LeVane Forsythe; He

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1 testified falsely in the trial of Ramil and Guloy that Domingo
2 stated shortly after being shot that he did not know his as-
3 sailants.

4 b) The release during the trials of Ramil and Guloy of
5 certain previously classified documents concerning the K.D.P. in
6 the files of the U.S. State Department and elsewhere, to slander
7 that organization and attempt to turn public opinion against
8 Domingo and Viernes by labelling them "communists" out to "take
9 over" Local 37;

10 c) The successful effort to obstruct and thwart the Seattle
11 F.B.I. investigation into the murders of Domingo and Viernes; This
12 effort included F.B.I. agent George Fisher's refusal to allocate
13 sufficient resources to the investigation and his attempt to obtain
14 the U.S. Attorney's and King County Prosecutor's approval for full
15 immunity from prosecution for Baruso.

16 d) The murder of Teodorico "Boy Pilay" Dominguez in
17 January, 1983, to silence him because his personal knowledge of the
18 involvement of Baruso and others was a threat to Baruso and the
19 Philippines if he decided to testify;

20 e) The 1982 "investigation" by a trade attache from the
21 Philippine Consulate in San Francisco, who traveled to Seattle
22 under General Ver's direction, and published a false account
23 which tied the murders to an "internal union dispute;"

24 f) The meetings and discussions between Baruso and
25 representatives of the Philippine government in Honolulu in Decem-
26 ber, 1981 and September, 1982, which included the agreement that

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1 the Philippines could be used as a safe haven for defendants
2 Baruso, Lopez, Ramil and Guloy; Lopez and Esteban Ablang, one of
3 the murderers of Theodoro Dominguez, are now in the Philippines
4 pursuant to said agreements. Baruso has expressed his intention to
5 depart to the Philippines shortly.

6 g) The removal or purging of intelligence files from
7 their normal filing locations by the U.S. intelligence agencies
8 who surveilled Viernes' trip to the Bay Area, the Philippines and
9 Hawaii in 1981.

10 46. To further the objectives of the conspiracy Baruso has
11 established and maintained close personal and political associa-
12 tions with officials, agents and employees of the Philippine
13 government, including Ferdinand and Imelda Marcos, Secretary of
14 Labor Oble, Secretary of Tourism Joe Aspiras, San Francisco and
15 Hawaii Consul General Trinidad Alconcel, Seattle Consul General
16 Ernesto Querubin, former Seattle Consul General Mariano Landicho,
17 Lourdes "Lulu" de la Cruz (former Seattle consulate employee now
18 working in Hawaii), and other lower level officials of the Philip-
19 pine government. Pursuant to the conspiracy Baruso has provided
20 intelligence information and has been provided access to such
21 information regarding the anti-Marcos opposition, including Domingo
22 and Viernes. He has been given high level national security
23 clearance by the U.S. government to permit him access to classified
24 information regarding that opposition.

25 46A. Malabed authored a document in April, 1982 which reflec-
26 ted the financial transactions described in Paragraphs 35A and 35B

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1 herein. See also ¶61(g). He authored this document after discus-
2 sions with and the agreement of Ferdinand Marcos, General Ver, and
3 others in the Philippines, and in order to account for the funds
4 received and expended by Dr. Malabed in the manner described in the
5 document. The document itself was removed from the presidential
6 office at Malacanang Palace by Ferdinand Marcos, Imelda Marcos,
7 General Fabian Ver on or about the last week of February, 1986 in
8 order to avoid its discovery by the government of President Cory
9 Aquino.

10 46B. The acts of removing this and other documents from the
11 Philippines and transporting them to the U.S. constitutes overt
12 acts of the conspiracy designed to avoid the detection of those
13 responsible for funding the Domingo/Viernes murders and other overt
14 acts of the conspiracy alleged in the Amended Complaint. By such
15 acts these individuals ratified the conspiracy to murder Domingo
16 and Viernes and the conspiracy to violate the civil and constitu-
17 tional rights of the anti-Marcos Filipinos, as alleged herein.

18 II. THE CONSPIRACY AGAINST THE ANTI-MARCOS OPPOSITION

19 47. The conspiracy against the anti-Marcos opposition which
20 gave rise to the murders of Domingo and Viernes is an illegal
21 agreement by the Philippine and U.S. governments and their agents
22 and officials, along with private individuals, to silence and
23 destroy the opposition to the Marcos government and to violate the
24 right of its members to equal protection of the laws. This con-
25 spiracy inflicts tortious injury upon the members of opposition and
26 seeks to prevent and deter the anti-Marcos opposition from exercis-

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1 ing their civil and constitutional rights.

2 47A. Ferdinand and Imelda Marcos are the highest level
3 individuals who are most responsible for the creation, functioning,
4 direction and control of the conspiracy alleged herein; they have
5 provided overall direction of the actions of the other defendants
6 and Philippine agents alleged in this complaint. Ferdinand and
7 Imelda Marcos created and/or controlled the various Philippine
8 intelligence agencies, the Presidential Security Command, and the
9 National Bureau of Investigation. They are legally responsible to
10 plaintiffs for the efforts of these organizations and their agents
11 to monitor and operate against the anti-Marcos Philippine opposi-
12 tion in the U.S., its funding through the Mabuhay Corporation and
13 other financial institutions, and the selection of targets for
14 physical violence, including the Domingo/Viernes murders.

15 48. The anti-Marcos opposition holds opinions and beliefs
16 opposed to the current government of the Philippines under the
17 regime of Ferdinand Marcos and to the official U.S. policy of
18 support for that regime. The members of this opposition engage in
19 the full exercise of their constitutional and democratic rights to
20 express opinions, form associations, educate the public and seek a
21 full redress of grievances against these policies. Their actions
22 and beliefs have been lawful and constitutionally protected. This
23 opposition includes the K.D.P.-Union of Democratic Filipinos, the
24 Coalition Against the Marcos Dictatorship/Philippine Solidarity
25 Network, Friends of the Filipino People, and the Movement for a
26 Free Philippines. It also includes anti-Marcos individuals.

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1 49. The conspiracy accomplishes its unlawful goals by
2 unlawful means, including:

3 a) Gathering information, surveilling, infiltrating,
4 monitoring and reporting on the ideas, goals, activities, associa-
5 tions, publications, organizations and leadership of the opposi-
6 tion;

7 b) Exchanging this information collected with co-
8 conspirators;

9 c) Conducting operations against the opposition and its
10 members by disrupting, intimidating, silencing, and inflicting tor-
11 tuous personal injury, and threats thereof.

12 Each of these means was used against Domingo and Viernes.

13 50. The purpose of gathering and exchanging information
14 concerning the opposition is to enable the conspiracy to target its
15 most effective and leading members for monitoring and harassment,
16 including physical threats and violence. A further and co-equal
17 objective of this conspiracy is to conceal the actions of the co-
18 conspirators and avoid their detection by lying, falsifying, bri-
19 bery, perjury, destruction of records and documents, and similar
20 unlawful acts.

21 51. The participants in the conspiracy include agents, offi-
22 cials, and employees of the U.S. and Philippine governments, both
23 those who are named herein and those whose identities are currently
24 unknown, as well as private individuals used to carry out specific
25 overt acts. Each of the conspirators agrees with the goals and
26 means of the conspiracy and has performed specific overt acts to

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1 further these goals.

2 52. Starting in 1973, agents of the Philippines came to the
3 U.S. or were recruited in the U.S. to carry out the goals of the
4 conspiracy. Nineteen operatives came in 1973. Some were attaches
5 or other employees of the Philippine Embassy and the various
6 Philippine consulates in the U.S.

7 53. On April 25 and 26, 1973, the Philippines, through
8 Foreign Secretary Carlos P. Romulo, sent a cable to the Philippine
9 Embassy in Washington, D.C. It contained a list of purported
10 anti-Marcos activists whose passports were revoked because their
11 activities in the U.S. were considered "detrimental to national
12 interests." The cable commanded that intelligence operations be
13 directed against them which would be "coordinated with the military
14 attaches" then attached to the Embassy, which was done. Romulo
15 confirmed publicly on May 25, 1975, that the list contained names
16 of those "who are not a credit to our nation in the U.S." The
17 resultant intelligence operation was known to agents and officials
18 of the U.S. government. Since 1973, there have been numerous overt
19 and tortious acts committed by the Philippine government as set
20 forth below, directed at the anti-Marcos opposition. The ac-
21 tivities and presence of Philippine agents in the U.S. are in
22 violation of U.S. and international law.

23 53A. In 1977 and throughout the time period until February
24 1986, the defendant Republic of the Philippines, together with
25 Ferdinand Marcos, Imelda Marcos, General Fabian Ver, and Leonilo
26 Malabed caused corporations to be formed and bank accounts to be

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1 opened in the United States. One such corporation was the Mabuhay
2 Corporation, controlled by Leonilo Malabed, and the bank accounts
3 opened included those of the Mabuhay Corporation at the Philippine
4 Bank of California. Malabed was an incorporator of this bank. The
5 purpose of creating such corporations and accounts was to create a
6 cover for the illegal and overt acts of the conspiracy, so as to
7 avoid detection in carrying out the goals of the conspiracy, as
8 alleged herein. Such corporations and bank accounts were used to
9 expand the propaganda presence of the Marcos regime in the United
10 States, to expand its political influence, to conduct special and
11 security projects to surveil or harass and conduct physical
12 violence against the anti-Marcos opposition, including the murders
13 of Domingo and Viernes, and other unlawful purposes.

14 54. Pursuant to the agreements described in Paragraphs 14
15 through 19, intelligence operations against the anti-Marcos opposi-
16 tion were intensified in 1982 prior to the state visit of Ferdinand
17 and Imelda Marcos to the U.S. in September, 1982. According to the
18 Defense Intelligence Agency five high-ranking members of the
19 Philippine military were assigned to the Philippine Embassy in
20 Washington, D.C. with the responsibility to monitor, report on and
21 possibly operate against anti-Marcos Philippine activists in the
22 U.S. This team of "military attaches" included Brigadier General
23 Angel G. Kanapi, Commander Domingo F. Tucay, Jr., Lieutenant
24 Colonels Melchor P. Rosales, Roman P. Maddela, and Narciso L. A-
25 baya. This team did, in fact, conduct a series of operations
26 designed to disrupt and neutralize anti-Marcos activities and

27
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1 demonstrations in Washington, D.C. and elsewhere in September,
2 1982. As predicted by the D.I.A., General Kanapi personally
3 directed this operation. This use of military attaches to conduct
4 such intelligence operations was the direct continuation and
5 expansion of their use since 1973 and is illegal under U.S. law.

6 55. Officials and agents of the U.S. government have been and
7 are aware of the illegal intelligence activities alleged herein and
8 the threat they pose to the physical safety of the anti-Marcos
9 opposition and to their free exercise of constitutionally protected
10 rights. These U.S. agents and officials have taken no steps to
11 halt, limit or curtail these actions, or to require compliance with
12 the law. To the contrary, these officials have engaged in, joined,
13 and acted to further the objectives of the conspiracy. They have
14 themselves conducted intelligence gathering operations directed at
15 the anti-Marcos opposition. They have exchanged and provided
16 information concerning this opposition on a regular basis with
17 agents and officials of the Philippines.

18 55A. The use of the Philippine government funds in the manner
19 described in the Mabuhay Corporation Statement of Expenses, and the
20 acts of Ferdinand Marcos, General Fabian Ver, and Dr. Leonilo
21 Malabed, as alleged herein, are illegal under domestic and interna-
22 tional law. Each such criminal act is a separate overt act of the
23 conspiracy alleged herein.

24 56. Overt acts of the conspiracy have included a) monitoring,
25 surveillance and infiltration, b) exchange of information, and c)
26 physical violence, as described below.

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1 A. MONITORING, SURVEILLANCE AND INFILTRATION

2 57. Participants in the conspiracy have collected information
3 regarding the personal and political ideas, traits and leadership
4 characteristics of members of the anti-Marcos opposition. They
5 have conducted physical, photographic, auditory and electronic
6 surveillance of members, activities, publications and organizations
7 of the opposition, including Domingo and Viernes. The monitoring,
8 surveillance and infiltration has included, but not been limited
9 to, the following:

10 a) The use by Philippine intelligence agencies and Naval
11 Intelligence of defendant Paul D. Liam from 1976 through 1981 to
12 infiltrate the K.D.P., including its Seattle chapter, in order to
13 gather information on the anti-Marcos opposition, steal the politi-
14 cal plans and other documents of the K.D.P., monitor the views and
15 activities of Domingo and Viernes, provide photographs regarding
16 the opposition to the Philippine and U.S. governments, and embezzle
17 funds of the K.D.P.;

18 b) The use by Naval Intelligence, other U.S.intelligence
19 agencies and Philippine intelligence agencies of an informant,
20 Monte Martinez, to infiltrate and monitor the K.D.P. in the Bay
21 Area and West Coast from the years 1976 to the present; This
22 agent has provided detailed reports regarding the K.D.P., its
23 activities and leadership to Mr. E. A. Nowicke, special agent of
24 the Naval Investigative Service, "participating agent" D. E. Usrey,
25 and others acting as "control agents." He attended, reported on
26 and photographed the meetings of the Filipino Far West Conventions

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1 from 1976 to 1982. Copies of his reports were provided to the
2 F.B.I., including San Francisco agent Mike Henry, and to Philippine
3 intelligence agencies.

4 c) The use of numerous informants and agents by Naval
5 Intelligence, the F.B.I. and other U.S. intelligence agencies to
6 attend and report on the many meetings and educational gatherings
7 of the anti-Marcos opposition; This has included, for example, the
8 national conference of anti-martial law organizations held in
9 December 1974 in Chicago and follow-up meetings held throughout the
10 country. The F.B.I. has obtained over 1300 pages of reports
11 regarding the ideas, publications, leadership and activities of the
12 K.D.P. national organization and hundreds of pages of such reports
13 regarding each of the leading members of the K.D.P.

14 d) The use of unknown Philippine agents to attend,
15 surveil, report on, and disrupt numerous public educational ac-
16 tivities of the anti-Marcos opposition; This has included, but
17 has not been limited to the following:

18 i) The September 22, 1976 picket-line at the San
19 Francisco consulate;

20 ii) The September 22, 1976 through 1981 picket-
21 lines at the Seattle consulate;

22 iii) The teach-in held in Washington, D.C. in
23 September, 1982, to educate the public concerning the Marcos state
24 visit to the U.S.;

25 iv) The meetings and discussions at the Filipino
26 Peoples Far West Convention in Los Angeles over Labor Day Weekend,

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1 1982;

2 v) The numerous picket-lines and demonstrations
3 against the Marcos state visit held in major U.S. cities in Septem-
4 ber, 1982;

5 e) The burglary of the Washington, D.C. office of the
6 Congress Task Force of the Philippine Solidarity Network prior to
7 the Marcos state visit in September, 1982;

8 f) The F.B.I.'s attempts to use San Francisco journalist
9 Laurence Johnson to spy on the Movement for a Free Philippines and
10 anti-Marcos opposition member Steve Psinakis in February, 1981;
11 F.B.I. agent Leo Montoya used Johnson to obtain in advance a
12 manuscript of Psinakis' book Two "Terrorists" Meet.

13 g) The theft of sensitive documents from Hermie Rotea,
14 an officer of the M.F.P., during the November 1975 convention of
15 the M.F.P. in Los Angeles; San Francisco Philippine consulate
16 official Mr. Makalintal paid for photographs of the stolen docu-
17 ments.

18 h) The publication and dissemination of classified,
19 false or derogatory information concerning the anti-Marcos opposi-
20 tion in numerous newspapers, leaflets and publications for the
21 purpose of disrupting and dividing the anti-Marcos opposition.

22 B. EXCHANGE OF INFORMATION

23 58. U.S. and Philippine government agents and officials
24 participating in the conspiracy have conducted a regular and
25 systematic exchange of intelligence information regarding the
26 opposition. The exchange of reports, documents and intelligence

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1 information is accomplished by the C.I.A. (by courier), the D.I.A.,
2 the F.B.I.'s Legal Attache in Manila, through the F.B.I.'s Foreign
3 Liaison Desk, the State Department's Political Officer in Manila,
4 and by liaison meetings involving representatives of the U.S. and
5 Philippine intelligence agencies. The Justice Department, acting
6 through attorney Michael Abell, attended such a liaison/exchange
7 meeting in Manila in late 1980.

8 59. The exchange of intelligence information has included,
9 but not been limited to, the following:

10 a) U.S. intelligence reports regarding the activities of
11 Gene Viernes prior to, during, and after his trip to the Philip-
12 pines were exchanged with Philippine intelligence agencies and
13 General Fabian Ver.

14 b) The documents seized in the F.B.I. search of Steve
15 Psinakis' house on December 17, 1982 and federal grand jury trans-
16 cripts related to this investigation were provided to General Ver
17 within one week.

18 c) The investigative reports compiled during the 1981
19 F.B.I. investigation of the Movement for a Free Philippines were
20 provided to General Ver.

21 d) Numerous investigative reports compiled by the F.B.I.
22 and Naval Intelligence concerning the leadership of the K.D.P. have
23 been provided to Philippine intelligence agencies throughout the
24 last ten years.

25 e) Investigative reports compiled by Philippine agents
26 in the U.S. and in the Philippines have been and are regularly

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1 made available to U.S. intelligence agencies through diplomatic
2 channels and the U.S. embassy.

3 C. PHYSICAL VIOLENCE AGAINST THE ANTI-MARCOS OPPOSITION

4 60. Pursuant to the conspiracy agents of the Philippines have
5 engaged in specific overt acts of physical violence and threats
6 thereof, against leading and effective members of the anti-Marcos
7 opposition. Specific known examples include the following:

8 a) The murders of Domingo and Viernes on June 1, 1981;

9 b) The murder of Philippine Senator Benigno Aquino on
10 August 21, 1983 at the Manila Airport;

11 c) The threats to and disappearance of Primitivo Mijares
12 in 1976, who was last seen in custody of an official attached to
13 the Philippine consulate in San Francisco; Mijares' disappearance
14 and likely murder were in retaliation for his testimony critical of
15 Marcos before Congress in 1975 and his exposure of an attempt to
16 bribe him not to testify.

17 d) The attempt to assassinate Raul Manglapus, former
18 Foreign Minister of the Philippines and founder of the Movement
19 for a Free Philippines, in 1978; General Ver offered to drop a
20 murder charge in the Philippines against George Torre of Chicago if
21 he agreed to assassinate Manglapus.

22 e) The threat of physical violence to Heherson Alvarez,
23 a leader of the Movement for a Free Philippines who arrived in
24 the U.S. in 1974 after escaping from the Philippines; Alvarez
25 was warned by Philippine agents to s anti-Marcos activities and
26 told to "remember he had a family in the Philippines." Not long

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1 thereafter, the mutilated body of his 22-year-old brother Marsman
2 Alvarez was found in the Philippines. He had been arrested by
3 soldiers the evening before. This murder was in retaliation for
4 Alvarez' anti-Marcos views and activities.

5 f) The assassination and kidnap plot by Philippine
6 agents directed at Congress Task Force Director Walden Bello and
7 Coalition Against the Marcos Dictatorship/Philippine Solidarity
8 Network national coordinator Geline Avila in September, 1982,
9 during the Marcos state visit; Specific steps to effectuate the
10 plot were taken, including dispatching three men to visit the homes
11 of numerous anti-Marcos opposition leaders in the Washington, D.C.
12 area, including Raul Manglapus and Jon Melegrito, to learn the
13 whereabouts of Bello and Avila. This plot was thwarted when Bello
14 and Avila were personally warned by the late Senator Benigno
15 Aquino.

16 g) The attempt to threaten physically former Philippine
17 diplomat Joselito Azurin and his family in 1979, after he defected
18 from the Marcos government and joined the Movement for a Free
19 Philippines.

20 D. DOCUMENTS OF THE CONSPIRACY

21 61. Despite efforts to maintain its secrecy, the proof of the
22 existence of the conspiracy against the anti-Marcos opposition is
23 contained in the following known documents:

24 a) The 1979 secret Senate Foreign Relations Committee
25 report authored by Michael Glennon; It is based on interviews
26 with U.S. intelligence officials and his review of hundreds of

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1 classified documents. The report, the interviews, and source
2 materials relied upon are now in the possession of the C.I.A. and
3 the Justice Department. The report describes the intelligence
4 operation in the U.S. of six foreign governments, including the
5 Philippines.

6 b) The secret Defense Intelligence Agency circular dated
7 July 18, 1982 authored by analyst Donald Berlin, which lists the
8 five members of the Philippine military attache team assigned to
9 "monitor and possibly operate against" anti-Marcos Philippine
10 activists in the U.S.;

11 c) Philippine government cables from Manila to the
12 Philippine Embassy in Washington, D.C. from 1973 to the present,
13 which cables were intercepted by and are now in the possession of
14 U.S. State Department officials; These cables authorize specific
15 overt acts to monitor and harass the anti-Marcos opposition in the
16 U.S.

17 d) The transcribed testimony before a court in Manila of
18 Armando Fernandez, Philippine Consul General in Los Angeles, in
19 which he stated under oath that he collects information on the
20 anti-Marcos movement, including the K.D.P., as part of his regular
21 duties; Fernandez produced a copy of an internal K.D.P. one-year
22 plan as proof thereof.

23 e) The Philippine government cable to the Philippine
24 Embassy in Washington, D.C., dated April 25, 1973 and marked
25 "confidential," naming members of the anti-Marcos opposition,
26 described in Paragraph 53;

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1 f) The Ingles Report, authored by Undersecretary of
2 Foreign Affairs Jose D. Ingles in 1976, which contains sworn state-
3 ments of high level officials of the Philippine government, includ-
4 ing General Ver, which admit conducting intelligence operations in
5 the U.S., including cash payments to steal documents from and bribe
6 members of the anti-Marcos opposition.

7 g) The Mabuhay Corporation Statement of Expenses,
8 authored by Leonilo Malabed, itemizes expenditures for illegal and
9 conspiratorial overt acts against the anti-Marcos opposition,
10 including Domingo and Viernes.

11 In addition to the foregoing, voluminous files maintained by agents
12 and officials of the F.B.I., Naval Intelligence, State Department
13 and other U.S. agencies exist which prove the existence of the
14 conspiracy against the anti-Marcos opposition and the participation
15 of U.S. agents in that conspiracy.

16 CLAIMS FOR RELIEF

17 FIRST CAUSE OF ACTION: 42 U.S.C. §1985(3)

18 62. Paragraphs 1 through 61 are incorporated by reference.

19 63. All defendants and other officials, employees and agents
20 of the U.S. and Philippine governments, both named herein or
21 unknown, including Unnamed Philippine Agent 1 and Unnamed U.S. Ag-
22 ent A, have participated in the ongoing conspiracy described above
23 for the purpose of depriving a class of persons of equal protection
24 of the laws and of the right to enjoy equal privileges and im-
25 munities of the laws. This class consisted and consists of those
26 persons of Philippine ancestry in the United States who oppose the

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1 Marcos regime and its policies and actions. Domingo and Viernes
2 were and are members of this class of persons. This class is
3 engaged in the effort to guarantee and obtain the rights of all
4 Filipinos living in the U.S. to fully exercise their human, civil
5 and constitutional rights, and to be free from efforts to subvert
6 or deny those fundamental freedoms, based on national origin or
7 political beliefs. The actions of the defendants and of the named
8 and unknown agents and officials of the U.S. and Philippine
9 governments alleged herein were done in furtherance of this
10 conspiracy and were motivated by animus against that class to which
11 Domingo and Viernes belonged.

12 64. Pursuant to this same conspiracy all defendants and the
13 other named and unknown agents and officials of the two governments
14 have deprived Domingo and Viernes and that class to which they
15 belonged described in the preceding paragraph, of specific rights
16 guaranteed by the laws and the U.S. Constitution, including the
17 freedom of speech, freedom of association, freedom of the press,
18 the right to petition for redress of grievances, the right to
19 establish communication and friendly relations with individuals,
20 groups, and organizations in other countries, the right to be free
21 from illegal searches, seizures and illegal surveillance, the right
22 not to be subjected to summary punishment or execution, the right
23 to interstate and international travel, the right to engage in a
24 lawful profession, the right to life, the right to privacy, the
25 right to organize and participate in trade unions, and other rights
26 guaranteed by the U.S. Constitution.

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1 65. The murders of and injuries to Domingo and/or Viernes and
2 the specific efforts to avoid detection as alleged in Paragraphs 40
3 through 46 were overt acts undertaken pursuant to the illegal
4 objectives of this class-based conspiracy. By their actions, the
5 defendants and other agents and officials of the two governments,
6 both named herein and unknown, deprived the two men and the class
7 described above of those rights guaranteed by the laws and the U.S.
8 Constitution enumerated in the preceding paragraph. In so doing,
9 the defendants were motivated by animus against that class des-
10 cribed above to which Domingo and Viernes belonged.

11 66. The conspiracy described herein continues, as does the
12 animus on the part of the defendants directed against the class
13 described.

14 67. The actions of the defendants alleged in this cause of
15 action constitute a violation of, inter alia, 42 U.S.C. §1985(3).

16 SECOND CAUSE OF ACTION: 42 U.S.C. §1986

17 68. Paragraphs 1 through 67 are incorporated by reference.

18 69. Each defendant had actual knowledge of the ongoing
19 conspiracy against the anti-Marcos opposition set forth above.
20 Unknown Philippine agents, Unnamed Philippine Agent 1, defendants
21 Baruso, Liam and Leonilo Malabed, the Tulisan gang defendants,
22 certain unknown U.S. government agents and officials, and Unnamed
23 U.S. Agent A knew that Domingo and Viernes were subject to physical
24 injury pursuant to the conspiracy.

25 70. Each defendant, unknown agents and officials of the U.S.
26 and Philippines, Unnamed Philippine Agent 1 and Unnamed U.S. Agent

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1 A had the power to prevent or to aid in preventing the commission
2 of the acts taken pursuant to the conspiracy. Each failed,
3 neglected or refused to prevent or aid in preventing the commission
4 of those acts. As a result of this failure, neglect or refusal,
5 Domingo and Viernes were killed.

6 71. All defendants have deliberately concealed and continue
7 to conceal material facts relating to their wrongdoing and to the
8 murders of Domingo and Viernes. The plaintiffs did not discover
9 all the essential elements of this cause of action until after that
10 date one year before the filing of the original complaint.

11 72. The actions of the defendants alleged in this cause of
12 action constitute a violation of, inter alia, 42 U.S.C. §1986.

13 THIRD CAUSE OF ACTION: 28 U.S.C. §1602 ET SEQ.

14 (FOREIGN SOVEREIGN IMMUNITIES ACT)

15 73. Paragraphs 1 through 72 are incorporated by reference.

16 74. The Philippine government, other agents and officials of
17 the Philippines, Unnamed Philippine Agent 1, and defendants Baruso,
18 Liam, and Leonilo Malabed have committed the tortious acts and have
19 participated in the ongoing conspiracy against the anti-Marcos
20 opposition described herein. They also planned and committed the
21 tortious acts alleged herein, specifically including the murders
22 of Domingo and Viernes. At all times these defendants, agents and
23 officials were functioning in their official or employment ca-
24 pacities for the Philippines, and at all times they were acting
25 within the scope of said capacities. None of the actions com-
26 plained of constituted the exercise or performance of a discretion-

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1 ary function or the failure to exercise or perform a discretionary
2 function.

3 75. This cause of action arises under the authority of, inter
4 alia, 28 U.S.C. §§1602 et seq. and 1651. The Philippines is not
5 immune from suit because this action is of a type enumerated in 28
6 U.S.C. §1605(a)(5).

7 FOURTH CAUSE OF ACTION: 28 U.S.C. §§2671 ET SEQ.

8 (FEDERAL TORT CLAIMS ACT)

9 76. This cause of action and Paragraphs 76 through 79 are
10 deleted because the Court has dismissed the United States.

11 FIFTH CAUSE OF ACTION: PENDENT STATE CLAIMS, SURVIVORS AND
12 WRONGFUL DEATH

13 80. Paragraphs 1 through 79 are incorporated by reference.

14 81. The Tulisan gang defendants and Baruso wilfully, mali-
15 ciously, deliberately and intentionally committed an assault and
16 battery upon Domingo and Viernes which caused their deaths, for
17 which all defendants are liable.

18 82. The defendants combined in an illegal and unlawful
19 conspiracy toward the common unlawful objective of murdering
20 Domingo and Viernes and concealing their actions from detection.

21 83. Pleading in the alternative, the defendants' actions
22 complained of were negligent, negligent per se, reckless, and
23 carried out knowing that their conduct created a grave risk of
24 death to Domingo and Viernes. Specifically, the actions of agents
25 and officials of the U.S., as alleged in Paragraph 78, are ac-
26 tionable torts as pendent state claims. The actions complained of

27 THIRD AMENDED COMPLAINT
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proximately caused their deaths.

84. The pendent state claims, on behalf of the estates of Domingo and Viernes and the Domingo children, arise under the laws of the State of Washington and R.C.W. 4.20.010 et seq.

PRAYER FOR RELIEF

WHEREFORE, plaintiffs pray for judgement against defendants, jointly and severally, as follows:

1. For the Estate of Silme G. Domingo, compensatory damages in the total amount of \$5,000,000.00;

2. For the Estate of Silme G. Domingo, punitive damages in the total amount of \$5,000,000.00;

3. For Ligaya Domingo and Kalayaan Domingo, compensatory damages in the total amount of \$5,000,000.00;

4. For Ligaya Domingo and Kalayaan Domingo, punitive damages in the total amount of \$5,000,000.00;

5. For the Estate of Gene A. Viernes, compensatory damages in the total amount of \$5,000,000.00;

6. For the Estate of Gene A. Viernes, punitive damages in the total amount of \$5,000,000.00;

7. For an order declaring the actions of the Philippine and U.S. defendants to be in violation of the constitutional rights of the anti-Marcos opposition and the Plaintiffs;

8. For attorneys fees and costs of suit;

9. For such other relief as is just and equitable.

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1 DATED: December 15, 1987.

2 Attorneys for Plaintiffs

3 SCHROETER, GOLDMARK & BENDER

4
5 By Michael E. Withey
6 Michael E. Withey

7 GIBBS, DOUGLAS, THEILER & DRACHLER
8 James A. Douglas

9 John Caughlan

10 Elizabeth Schott

11 PLAINTIFFS DEMAND A JURY.

12 OF COUNSEL:

13 CENTER FOR CONSTITUTIONAL RIGHTS
14 853 Broadway
15 New York, NY 10003
(212) 672-3303

16 By: Margaret Ratner
17 Michael Ratner
18 Rhonda Copelon

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THIRD AMENDED COMPLAINT
FOR DAMAGES - 43

GIBBS, DOUGLAS, THEILER & DRACHLER
1613 Smith Tower, Seattle, WA 98104
(206) 623-0900

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GCC # 9138

RECEIVED
FEDERAL ELECTION COMMISSION
MAIL ROOM

Mar 2453

88 APR 25 AM 9:59

LAW OFFICES OF
HALLINAN & POPLACK
345 FRANKLIN STREET
SAN FRANCISCO, CA 94102
(415) 861-1151

April 22, 1988

88 APR 25 PM 3:00

RECEIVED
FEDERAL ELECTION COMMISSION

Ms. Celia Jacoby, Esq.
Office of the General Counsel
999 E Street North West
Washington, D.C. 20463

Re: Dr. Leonilo Malabed

Dear Ms. Jacoby:

Since I have received no word from you since we spoke over a month ago and I have yet to receive a response to the March 23, 1988 letter and packet of materials I sent to you, I thought it best to follow-up with a letter.

I am curious as to whether the Federal Elections Commission has taken your recommendation and closed their investigation of Dr. Malabed. If not, I am interested in determining what the Commission's intentions are in this matter.

If the Commission has closed its' investigation, I would like to request a copy of its' final determination in the matter. Should I be able to provide you with any more information which would expedite this process, please do not hesitate to contact our office.

Thanking you in advance for you time and consideration, I remain,

Sincerely yours,

Katherine A. Alfieri

Katherine A. Alfieri, Esq.

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RECEIVED
FEDERAL ELECTION COMMISSION
SECRET
CONFIDENTIAL

88 MAY 12 AM 10:02

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of
Leonilo L. Malabed

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MUR 2453

EXECUTIVE SESSION
MAY 24 1988

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On June 1, 1987, the Federal Election Commission (the "Commission") received a signed, sworn and notarized complaint from Michael Withey. That complaint alleged that Dr. Leonilo L. Malabed had made contributions to various candidates through the Mabuhay Corporation on behalf of another, Ferdinand Marcos, who is a foreign national. The complaint asserted that such contributions by a foreign national made in the name of another would violate 2 U.S.C. §§ 441e and 441f.

After considering the allegations and supporting materials, on October 20th, the Commission found reason to believe that Leonilo L. Malabed had violated 2 U.S.C. § 441f and opened an investigation. The focus of the inquiry was the source of funds available to Dr. Malabed or the Mabuhay Corporation to make political contributions, particularly any funds transferred from the Philippines. Any possible involvement or relationship between Dr. Malabed or the Mabuhay Corporation and Mr. Marcos was also considered. The identification of persons in whose names the alleged contributions may have been made was another aspect of the investigation.

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To investigate these allegations, this Office sought testimony from the directors of the Mabuhay Corporation (Messrs. Esperanza, Inacay and Jayme); from Patrice and Leonilo Malabed; and from Bonifacio Gillegos, a representative of the Philippine Government. Mr. Gillegos was a member of the Philippine commission which attempted to locate assets removed from the Philippines by Mr. Marcos. During the course of that activity Mr. Gillegos apparently investigated the Mabuhay Corporation according to the affidavit contained in the complaint. Production of documents relating to the alleged illegal contributions was also sought from the above persons.

Subpoenas to produce documents and to appear for depositions were directed to these individuals on November 24th at the most current address available for each party. In response to the subpoena to Mr. Gillegos, the Philippine consulate in New York indicated that he presently resides in Manila and is a congressman in the Philippine legislature. The Philippine Commission on Good Government, according to the consulate, has been disbanded. The search for assets "illicitly" withdrawn from the Philippines is presently focussed on civil suits for possession of such assets. The consulate stated that it would forward the document request to Mr. Gillegos; however, he would be under no compulsion to respond. Nor has a response been received. Additionally all investigatory files of that commission have apparently been removed to the Philippines.

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Our attempts to locate the directors of the Mabuhay Corporation also met with little success. Their known addresses were seven and eight years old. Letters were returned by the postal service; requests for forwarding addresses were unproductive. According to the respective post office branches, no forwarding addresses for these individuals had been filed. The telephone company had no listing for any of these persons in the San Francisco and Marin County areas. The organizations (Philippine-American Chamber of Commerce and Jewish Home for Aged) with which Messrs. Jayme and Inacay had apparently been associated were unable to provide their present whereabouts. According to the California Department of Real Estate, Mr. Esperanza's real estate license was revoked in 1983. No additional information was available through that department. Counsel who had organized the Mabuhay Corporation stated that he had never met any of the directors, except Dr. Malabed who provided their names and addresses. All records concerning the Mabuhay Corporation were given to Dr. Malabed in late 1979 or early 1980. According to the statement of incorporation, one of the directors was a priest. Rev. Fred Al Bitanga was located through the San Francisco Archdiocese. Rev. Bitanga stated that his name had been added to the list of directors without his knowledge, although the other directors were known to him. Further he has not associated with any of these gentlemen since he was assigned to a different parish. He believed, however, that Mr. Jayme was still in San Francisco.

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The address which Rev. Bitanga provided was one at which correspondence (through the U.S. mail and by Federal Express) was refused as Mr. Jayme no longer resided there. Dr. Malabed also stated that he did not know the addresses of his former associates, except that of Mr. Jayme. However, that address was the same as one previously located through Rev. Bitanga. Attempts to locate these gentlemen through Philippine community groups discovered through a directory search also proved unsuccessful.

II. LEGAL AND FACTUAL ANALYSIS

On January 21, 1988, the depositions of Leonilo Malabed and Patrice (Malabed) Willig were held. The public records indicated that a Mrs. Leonilo Malabed and a Patrice Malabed, of the same address as Dr. Malabed, had made political contributions. The deposition of Mrs. Willig inquired into the funds used and whether any reimbursement had been made. Mrs. Willig stated that she had not made any contributions, but her name may have appeared as a result of a political fundraiser which she had attended in her mother's stead. She could provide no other information pertinent to the investigation.

Dr. Malabed firmly disputed all allegations raised by the complaint. Without equivocation Dr. Malabed swore that he had never discussed political contributions with Mr. Marcos or any other representative of the Philippine government. He acknowledged making certain political contributions, but denied that contributions in the amounts alleged had been made by him or through any entity associated with him. He testified that

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"[a]ll I could say is that I did not make these [political] contributions, and neither did Mabuhay Corporation make a contribution, close to those amounts. All my political contributions were from my own personal funds."

He further testified that the Mabuhay Corporation was never capitalized and had no employees, and that the corporation was dissolved when its sole purpose (to acquire a radio station) failed. Under oath he stated that the Mabuhay Corporation had made no political contributions. All funds used to establish and operate the Mabuhay Corporation came from his personal accounts; Dr. Malabed expressly denied the corporation's receipt of funds from any other source. Other than \$25,000 which he loaned to the enterprise, Dr. Malabed stated that the corporation had no funds or bank accounts. All payments for corporate operations were advanced through his personal checking account. He further affirmed that all funds transferred to him from the Philippines were derived from an inheritance or other familial sources.

Dr. Malabed's adamancy concerning the legitimate source of funds, his limited political contributions, the non-involvement of the Mabuhay Corporation and the lack of any contact or interaction between the Mabuhay Corporation and Marcos must be contrasted with less definitive remarks concerning the "Mabuhay Statement of Expenses." The complaint relied principally on this Mabuhay Statement to evidence political contributions in excess of the statutory limits. The complaint also provided documentary proof (credit advices from the Philippine National Bank) that Dr. Malabed had received funds transferred from the Philippines; however, the remitter of those transfers was not disclosed.

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Dr. Malabed categorically denied that the currency transfers had originated with anyone other than his family. He agreed to provide documentary evidence of the legitimacy of these transfers. This was supplied through transfer slips which demonstrate that Carlos Malabed, his father, transferred substantial sums to him from the Philippines. 1/ He further testified that the Internal Revenue Service had reviewed the transfers and closed its consideration without any adverse consequences.

Concerning the Mabuhay Statement, Dr. Malabed's testimony was relatively constrained. The Mabuhay Statement consists of ten headings under which various expenditures are indicated. The first seven entries apparently are "Legal Fees, Good Faith Deposit, Finder's Fee & Liaison, Appraiser's Fee, Representation Expenses, Telephone and Miscellaneous Expenses." Dr. Malabed acknowledged that he supplied the information contained in these seven entries to the Statement's preparer. However, he could not recall to whom or why he supplied that information. He further testified that he did not prepare this document, that it was never considered by the corporate directors, and that it was apparently drafted after the corporation was defunct.

1/ Documents submitted reveal that on April 23, 1979, Carlos Malabed transferred \$150,000 and \$200,000 from the Philippine National Bank to Dr. Malabed. The complaint had provided copies of transfer advices of \$150,000 and \$40,000, dated January 31 and February 12, 1979, respectively. Dr. Malabed under oath affirmed that these latter sums were also derived from familial and personal resources. According to the credit advice, the transfer of \$150,000 was initiated by Dr. Malabed himself.

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The next entry on the Statement is "Political Contributions (Cleared Through PSC-CG)." Regarding this entry, Dr. Malabed categorically denied supplying the information to anyone or making contributions in the sums stated, personally or through his corporation. He did, however, concede that he had personally made contributions to some of the listed candidates but not in the amounts indicated on the Statement. Nor has research of FEC contributor records under names associated with Dr. Malabed revealed contributions aggregating to these amounts.

The remaining two headings are "Special Missions" and "Advances to C.G. (Special Security Projects)." Nothing on the face of the Mabuhay Statement indicates that these entries related to electoral activities. Nor did the complaint suggest that these entries were related to electoral activities.

The final item on the Mabuhay Statement was a handwritten entry which acknowledged the receipt of certain funds less monies retained by the Chief of Staff. Dr. Malabed admitted that he wrote the handwritten legend on the document, but that someone else (whose name he could not remember) was to sign that legend. Nor could he remember at whose direction or why he wrote that legend. The legend which was dated April 11, 1982 does not refer to political activities and apparently was written several years after the events alleged by the complaint.

Beyond the remarks described above, Dr. Malabed refused to answer further questions concerning the Mabuhay Statement and

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asserted the Fifth Amendment. 2/ This privilege was applied principally to the final two entries which apparently did not raise election law issues. The Fifth Amendment to the U.S. Constitution provides that no person shall be compelled in any criminal case to be a witness against himself.

The invocation of this privilege by Dr. Malabed appears to be sufficiently grounded in a reasonable apprehension of prosecution to warrant consideration by the Commission. There is currently a suit pending (also apparently brought by the complainant Withey) which alleges that the Marcos government had procured the assassination of several political opponents in the United States. Payment for those deaths was allegedly filtered through the Mabuhay Corporation and Dr. Malabed. Dr. Malabed is a defendant in that suit. There is also an investigation underway to determine if Dr. Malabed failed to register as a

2/ The privilege against self-incrimination applies whenever the answer might subject the answerer to criminal responsibility. It can be claimed in any proceeding whether criminal or civil, administrative or judicial, investigatory or adjudicatory. Application of Gault, 87 S.Ct. 1428 (1967). The protection includes information which would support a conviction or would furnish a link in the evidentiary chain that could lead to prosecution, provided the witness has reasonable cause to fear the subpoenaed information might lead to or be used in a criminal prosecution against him. U.S. v. Kuh, 541 F.2d 672 (7th Cir. 1976); U.S. v. Harper, 397 F. Supp. 983 (D. Pa. 1975). To sustain the privilege it need only be evident that a responsive answer to the question or an explanation of why it cannot be answered might be dangerous because injurious disclosure would result. Where a witness can demonstrate any possibility of prosecution which is more than fanciful, he has demonstrated a reasonable fear of prosecution sufficient to meet constitutional muster. In Re Folding Carton Antitrust Litigation, 609 F.2d 867 (7th Cir. 1979).

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foreign agent; such failure if determined could subject him to criminal sanctions. Thus Dr. Malabed's invocation of the Fifth Amendment privilege appears to be properly asserted as to the information on the Mabuhay Statement.

Some uncertainty relating to portions of the Mabuhay Statement remains. However, those aspects (Special Missions and Advances to C.G.) do not evidently relate to federal political activities or contributions. Further as to these items Dr. Malabed has raised his privilege against self-incrimination.

Regarding the entry "Political Contributions," Dr. Malabed acknowledged making limited contributions to certain of the indicated candidates. However, contributions in the large dollar amounts described in the Statement cannot be ascertained.

Dr. Malabed also expressly denied making contributions beyond those reflected in the public records, directly or indirectly.

It further appears that the funds which Dr. Malabed received from the Philippines originated with his family. Nor is there any evidence that the Mabuhay Corporation had access to any funds except those provided by Dr. Malabed. Again, there was no apparent use of the Mabuhay Corporation or foreign funds to influence federal elections.

In view of the definitive denials under oath by Dr. Malabed of the use of the Mabuhay Corporation for any purpose to influence any election, whether legally or illegally, the lack of any evidence that contributions in the dollar amounts alleged

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were made, and the passage of time, this Office believes that the evidence is insufficient to go forward in this matter.

Therefore, this Office recommends that the Commission take no further action in MUR 2453.

III. RECOMMENDATIONS

1. Take no further action against Leonilo L. Malabed.
2. Close the file in this matter.
3. Approve and send the attached letters.

5/11/88
Date

Lawrence M. Noble (2P)
Lawrence M. Noble
General Counsel

Attachment

1. Letters (4)

Staff Person: C. L. Jacoby

88040710475



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE
GENERAL COUNSEL

FROM: MARJORIE W. EMMONS/KAREN E. TRACH *ATZ*
COMMISSION SECRETARY

DATE: MAY 16, 1988

SUBJECT: MUR 2453 - General Counsel's Report
Signed May 11, 1988

The above-captioned document was circulated to the
Commission on THURSDAY, MAY 12, 1988, at 4:00.

Objection(s) have been received from the Commissioner(s)
as indicated by the name(s) checked below:

- Commissioner Aikens _____
- Commissioner Elliott _____
- Commissioner Josefiak _____
- Commissioner McDonald _____
- Commissioner McGarry _____
- Commissioner Thomas X

This matter will be placed on the meeting agenda
for TUESDAY, MAY 24, 1988.

Please notify us who will represent your Division before the
Commission on this matter.

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of)
) MUR 2453
Leonilo L. Malabed)

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of May 24, 1988, do hereby certify that the Commission decided by a vote of 5-1 to take the following actions in MUR 2453:

1. Take no further action against Leonilo L. Malabed.
2. Close the file in this matter.
3. Approve and send the letters attached to the General Counsel's report dated May 11, 1988.

Commissioners Aikens, Elliott, Josefiak, McDonald, and McGarry voted affirmatively for the decision; Commissioner Thomas dissented.

Attest:

5/24/88

Date

Marjorie W. Emmons

Marjorie W. Emmons
Secretary of the Commission

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film



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 26, 1988

General Fabian Ver
2701 Eucalyptus Avenue
Long Beach, CA 90806

RE: MUR 2453
Fabian Ver

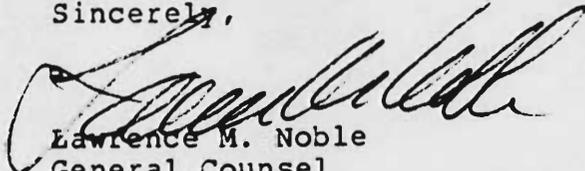
Dear General Ver:

On November 24, 1987, you were notified that the Federal Election Commission determined to take no action at that time against you.

After considering the circumstances of the matter, the Commission determined on May 24, 1988, to close its file. The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

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

Sincerely,


Lawrence M. Noble
General Counsel

88040710478



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

May 26, 1988

Richard A. Hibey, Esquire
Andersen, Hibey, Nauheim & Blair
1708 New Hampshire Avenue, N.W.
Washington, D.C. 20009

RE: MUR 2453
Ferdinand E. Marcos

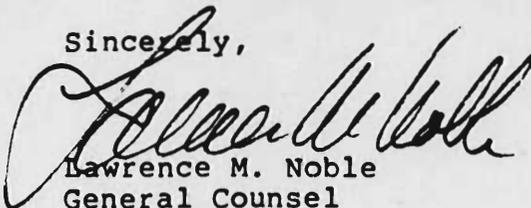
Dear Mr. Hibey:

On November 24, 1987, you were notified that the Federal Election Commission determined to take no action against your client, Ferdinand E. Marcos, at that time.

After considering the circumstances of the matter, the Commission determined on May 24, 1988, to close its file. The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

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

Sincerely,



Lawrence M. Noble
General Counsel

88040710479



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 26, 1988

Patrick S. Hallinan, Esquire
Hallinan & Poplack
345 Franklin Street
San Francisco, CA 94102

RE: MUR 2453
Leonilo L. Malabed

Dear Mr. Hallinan:

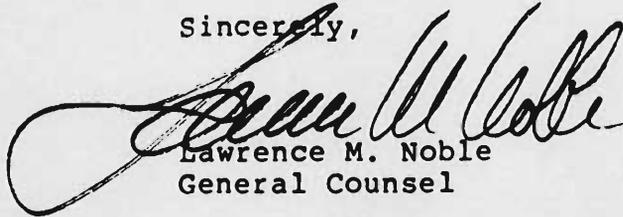
On November 24, 1987, your client, Leonilo L. Malabed, was notified that the Federal Election Commission had found reason to believe that he violated 2 U.S.C. § 441f.

After considering the circumstances of the matter, the Commission determined on May 24, 1988, to take no further action against Dr. Malabed, and closed its file. The file will be made part of the public record within 30 days. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

The Commission reminds you that making contributions in the name of another person appears to be a violation of 2 U.S.C. § 441f. Your client should take immediate steps to insure that this activity does not occur in the future.

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

Sincerely,



Lawrence M. Noble
General Counsel

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

May 26, 1988

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

Michael E. Withey, Esquire
Schroeter, Goldmark & Bender, P.S.
540 Central Building
Third & Columbia
Seattle, Washington 98104

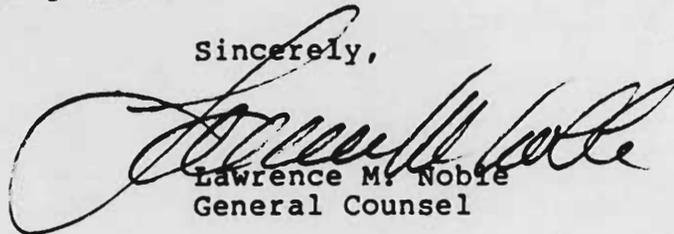
RE: MUR 2453

Dear Mr. Withey:

The Federal Election Commission has reviewed the allegations of the complaint you filed on June 1, 1987. On the basis of the information provided in your complaint, the Commission found reason to believe that Leonilo L. Malabed violated 2 U.S.C. § 441f. However, after considering the circumstances of the matter, the Commission decided to take no further action against Ferdinand E. Marcos, Fabian Ver and Leonilo L. Malabed. Accordingly, on May 24, 1988, the Commission closed the file in this matter. The Federal Election Campaign Act of 1971, as amended ("the Act"), allows a complainant to seek judicial review of the Commission's dismissal of this action. See 2 U.S.C. § 437g(a)(8).

Should additional information come to your attention that you believe establishes a violation of the Act, you may file a complaint pursuant to the requirements set forth in 2 U.S.C. § 437g(a)(1) and 11 C.F.R. § 111.4.

Sincerely,



Lawrence M. Noble
General Counsel

Enclosure
General Counsel's Report

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

THIS IS THE END OF MJR # 2543

DATE FILMED 7/1/88 CAMERA NO. 2

CAMERAMAN K.A.U.

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FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

✓ N 4.25.88

THE FOLLOWING MATERIAL IS BEING ADDED TO THE
PUBLIC FILE OF CLOSED MUR 2453 .

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600#4835

FEDERAL ELECTION COMMISSION
MAIL ROOM

87 NOV 24 AM 9:46

LAW OFFICES
MCGUINNESS & WILLIAMS
A PARTNERSHIP INCLUDING PROFESSIONAL CORPORATIONS
SUITE 1200
1015 FIFTEENTH STREET, N. W.
WASHINGTON, D. C. 20005
202 789-8600

JAMES F. SCHOENER
202 789-8644

RECEIVED
FEDERAL ELECTION COMMISSION
OFFICE OF GENERAL COUNSEL
87 NOV 25 AM 11:15

November 23, 1987

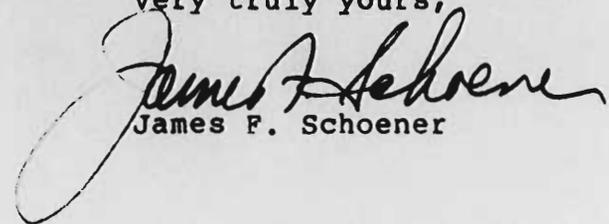
Office of the General Counsel
Federal Election Commission
999 E. Street, N.W.
Washington, D.C. 20463

Re: Flowers Industries T.A.C.
MUR 2453

Gentlemen:

In accordance with the conciliation agreement signed in this matter, a check for \$500.00 as civil penalty is enclosed.

Very truly yours,


James F. Schoener

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