



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE BEGINNING OF MUR # 2565

DATE FILMED 2/22/90 CAMERA NO. 4

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# Republican National Committee

E. Mark Braden  
Chief Counsel

Michael A. Hess  
Randall Davis  
Deputy Chief Counsels

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

87 DEC 21 AM 9:18

Mr. 2565

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
87 DEC 21 PM 1:11

December 17, 1987

Lawrence M. Noble, Esquire  
General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Dear Mr. Noble:

This letter is a complaint filed on behalf of the Republican National Committee (RNC) pursuant to 2 U.S.C. 437(a)(1). The RNC alleges, upon information and belief, that The Children's Home and Aid Society of Illinois has violated the Federal Election Campaign Act of 1971, as amended.

The RNC alleges that the respondent has violated and continues to violate the provisions of 2 U.S.C. 438(a)(4), which provides that any information copied from reports filed with the Federal Election Commission may not be used by any person for the purpose of soliciting contributions.

In support of this allegation, the RNC submits with this complaint a copy of a letter which solicits contribution for the Society. The solicitation was, upon information and belief, mailed by the Society in late November, 1987.

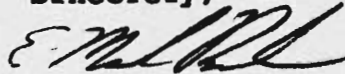
The letter in question was addressed to one of the pseudonyms authorized to be included on the RNC's reports filed with the

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Commission, pursuant to 2 U.S.C.(a)(4). The name and address of that pseudonym has been deleted from the enclosed letter.

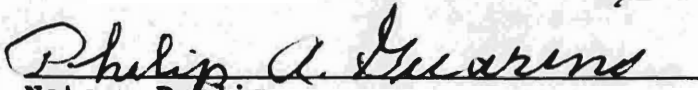
Based on these allegations, it appears that the respondent has violated the provisions of 2 U.S.C. 438(a)(4). The RNC requests that appropriate review and action be undertaken.

Sincerely,



E. Mark Braden

Sworn to and subscribed before me this 18<sup>th</sup>  
day of December, 1987.

  
Notary Public

My Commission expires: My Commission Expires June 14, 1991

Enclosures

00040781327

90040781328



CHILDREN'S HOME & AID SOCIETY OF ILLINOIS  
1122 North Dearborn Street  
Chicago, IL 60610



Nonprofit Organization  
U.S. Postage Paid  
Children's Home & Aid  
Society of Illinois

DEAR SANTA —  
12-1-87 WILL YOU BRING  
ME A MOM  
OR DAD  
THIS YEAR?  
KATHY



CHILDREN'S HOME & AID SOCIETY OF ILLINOIS



November 24, 1987

Dear Friend,

Kathy is 4 years old.

But, unlike most boys and girls her age, she doesn't have a permanent home - or a real mom or dad.

Why?

Because Kathy is in temporary foster care at Children's Home & Aid Society of Illinois. She came to us just a year ago - a frightened, lonely, and terribly sad child.

Kathy had been abused by both her parents. And, she had been sadly neglected too. She had not been kept clean...had had very little to eat...and what she had been given to eat could hardly have been called nutritious. It was not the kind of food that a little girl needs to grow up healthy and strong.

Today, Kathy is much brighter. She smiles a bit now, and enjoys playing with dolls.

But Kathy needs much more than toys...she needs a permanent home - with a mom or dad to call her very own.

Will you help Kathy find that home? Will you help Santa answer Kathy's plea?

For just \$18 you can give Kathy the Holiday gift she really wants - and needs.

By making a contribution to Children's Home & Aid

(over, please)

Society of Illinois you will be helping other kids too.

You will be providing:

- ...child and family counselling - so we can keep families together as much as possible
- ...adoptive placements
- ...foster care

And your gift will help us initiate preventive programs including working with runaways and their families.

With the Holidays just a few weeks away, there isn't much time left for Kathy to find a permanent home. But, with your help, we'll be able to do it.

It will make Kathy so happy. She's already asked me to tell you to cut out the enclosed little red stocking and hang it in your home.

She wants you to remember her - and all the other children you will be helping. And, Kathy asked me to say "thank you" for giving her a real home, and someone to call mom - or dad.

Sincerely,



Edwin Millard  
President

P.S. Please give as much as you can to help Kathy - and our other children too. But remember, any gift - no matter how small, will help.

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# YES, *i want to help Kathy find a permanent home!*

And I want to help all the other children who need permanent homes too.  
Enclosed is my tax-deductible gift for:

☐ \$15   ☐ \$20   ☒ \$24   ☐ \$50   ☐ \$100   Other \$ \_\_\_\_\_

*is size gift is especially needed.*

**CHILDREN'S  
HOME & AID  
SOCIETY**

*of Illinois*

Make check payable and send to Children's Home & Aid Society of Illinois  
1122 North Dearborn Street, Chicago, IL 60610

All contributions are tax deductible to the extent allowed by law.

P1AHR

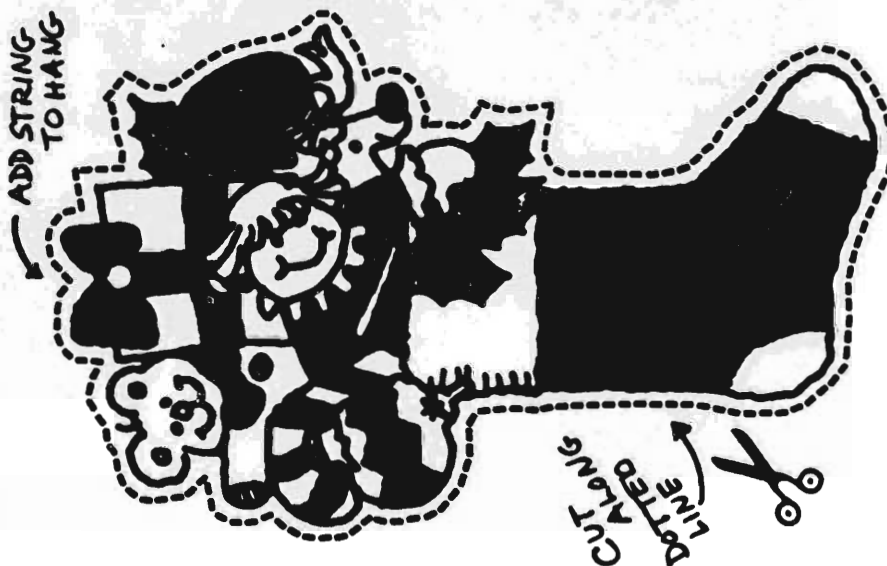
0070

Please make sure your name and address are correct. Return this form with your gift in the envelope provided.

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## Thank you!

Your gift to Kathy and all the other children who don't have permanent homes means a lot. Children's Home and Aid Society of Illinois thanks you—on their behalf—for caring and sharing.



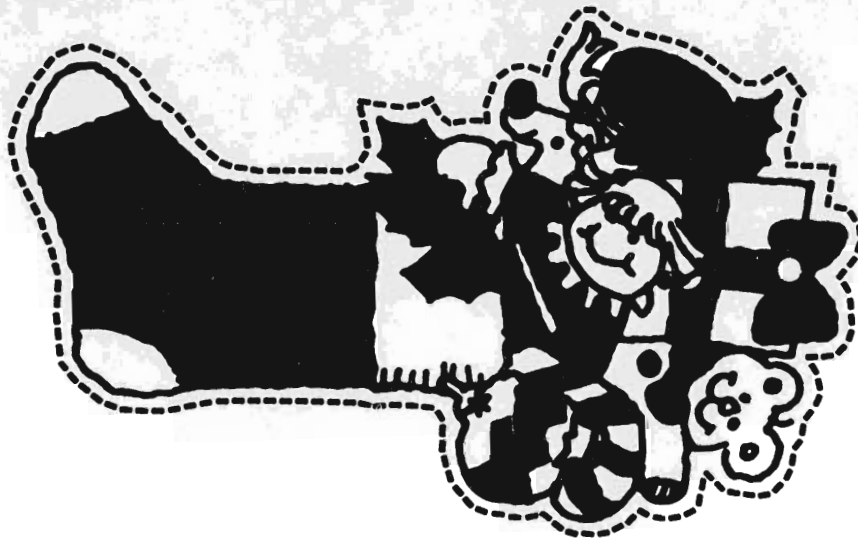
Children's Home & Aid Society of Illinois  
1122 North Dearborn Street, Chicago, IL 60610

# 104 Years of Caring—1883-1987

**Children's Home & Aid Society of Illinois** is a private non-sectarian agency that has given 104 years of loving to children who need to find a new beginning. Last year we cared for over 5,000 Illinois children and their parents with programs like these:

- **Adoptive Placement** for infants and older children.
- **Foster Care** for the child who cannot live in his own home.
- **Child/Family Counseling** to prevent family breakdown and avert severe emotional problems in children.
- **Preventive Programs** to detect problems early, intervene, and avoid a human casualty.
- **Residential Treatment** in three settings: a children's home for youngsters with serious emotional problems; and two group homes for adolescents who need therapy and guidance.
- **Maternity Counseling** to help the unmarried pregnant parent plan the future for herself and her child.

**Help children who need help. Help them find a new beginning and a permanent home.**



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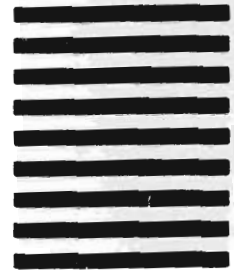
NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

**BUSINESS REPLY MAIL**

FIRST CLASS PERMIT NO. 10150 CHICAGO, ILLINOIS

POSTAGE WILL BE PAID BY ADDRESSEE

**Children's Home & Aid Society**  
1122 North Dearborn Street  
Chicago, Illinois 60610





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 24, 1987

E. Mark Braden  
Chief Counsel  
Republican National Committee  
310 First Street, SE  
Washington, D. C. 20003

RE: MUR 2565

Dear Mr. Braden:

This letter acknowledges receipt of your complaint, received on December 21, 1987, alleging possible violations of the Federal Election Campaign Act of 1971, as amended (the "Act"), by the Children's Home and Aid Society of Illinois. The respondent 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 2565. 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 Retha Dixon, Docket Chief, at (202) 376-3110.

Sincerely,

Lawrence M. Noble  
General Counsel

*Lois G. Lerner*  
By: Lois G. Lerner  
Associate General Counsel

Enclosure  
Procedures

90040781334





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 24, 1987

Children's Home & Aid Society  
Of Illinois  
1122 N. Dearborn Street  
Chicago, IL 60610

RE: MUR 2565  
Children's Home & Aid  
Society Of Illinois

Gentlemen:

The Federal Election Commission received a complaint which alleges that the Children's Home & Aid Society Of Illinois 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 2565. Please refer to this number in all future correspondence.

Under the Act, you have the opportunity to demonstrate in writing that no action should be taken against the Children's Home & Aid Society Of Illinois 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 Section 437g(a)(4)(B) and Section 437g(a)(12)(A) of Title 2 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.

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If you have any questions, please contact Charles Snyder, 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  
General Counsel

*Lois G. Lerner*

By: Lois G. Lerner  
Associate General Counsel

Enclosures

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

90040781336



QCC# 5126

GARDNER, CARTON & DOUGLAS

1001 PENNSYLVANIA AVENUE, N.W. • SUITE 750

WASHINGTON, D.C. 20004

(202) 347-9200

CABLE-COMMLAW

TELEX: 5106001315

TELECOPIER: (202) 628-0470

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MICHAEL L. GLASER  
FRANCIS E. FLETCHER, JR.  
M. SCOTT JOHNSON  
G. CHRISTOPHER GRINER  
J. CURTIS MOFFATT  
DAVID B. DEMPSEY  
E. MICHAEL FLANAGAN

WILLIAM P. BERNTON, COUNSEL

M. PETER ADLER\* PAUL KORMAN  
LYNN M. CLANCY PETER W. QUIGLEY\*\*  
MARY E. EVANS NANCY M. RIZZO  
SCOTT M. HEIMBERG KATHARINE B. SACKS\*\*  
RONALD J. JARVIS DONNA K. THIEL

\*ADMITTED IN MINNESOTA ONLY  
\*\*ADMITTED IN PENNSYLVANIA ONLY

QUAKER TOWER  
321 NORTH CLARK STREET  
CHICAGO, IL 60610-4795  
(312) 644-3000

800 S. MILWAUKEE AVENUE  
LIBERTYVILLE, IL 60048  
(312) 367-0320

370-17TH STREET  
DENVER, CO 80202-3520  
(303) 592-5400

600 NORTH PEARL STREET  
PLAZA OF THE AMERICAS  
LOCK BOX NO. 175  
DALLAS, TX 75201-2809  
(214) 953-1321

January 14, 1988

BY HAND

Charles Snyder, Esquire  
Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

RE: MUR 2565  
Children's Home and Aid Society of Illinois

Dear Mr. Snyder:

I enclose for filing the FEC form, Statement of Designation of Counsel in the above-referenced matter.

I would be most grateful if you or your designee could provide our messenger a date-stamped copy of the enclosed for return to me.

Very truly yours,

*Mary E. Evans*  
Mary E. Evans

MEE/vjh  
Enclosure

cc: John K. Notz, Jr.  
Mr. Edwin Millard

0298E

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FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
88 JAN 14 PM 3:40

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STATEMENT OF DESIGNATION OF COUNSEL

MUR 2565

NAME OF COUNSEL: GARDNER, CARTON & DOUGLAS  
ADDRESS: ATTN: MARY E. EVANS\*/J. Curtis Moffatt  
1001 PENNSYLVANIA AVENUE, N.W. - SUITE 750  
WASHINGTON, D.C. 20004  
TELEPHONE: (202) 347-9200

The above-named individual is hereby designated as my  
counsel and is authorized to receive any notifications and other  
communications from the Commission and to act on my behalf before  
the Commission.

Jan 4, 1988  
Date

Edith M. Oland  
Signature  
President

RESPONDENT'S NAME: Children's Home & Aid Society of Illinois  
ADDRESS: 1122 N. Dearborn Street  
Chicago, IL 60610

HOME PHONE: deemed confidential  
BUSINESS PHONE: 312/944-3313

\* / Correspondence should be addressed  
to Mary E. Evans.

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600#5142

GARDNER, CARTON & DOUGLAS

1001 PENNSYLVANIA AVENUE, N.W. · SUITE 750

WASHINGTON, D.C. 20004

(202) 347-9200

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\*ADMITTED IN MINNESOTA ONLY  
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January 15, 1988

BY HAND

Lawrence M. Noble, Esquire  
Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

RE: MUR 2565  
Children's Home and Aid Society of Illinois

Dear Mr. Noble:

I enclose for filing the response and an accompanying affidavit on behalf of Children's Home and Aid Society of Illinois in response to the complaint filed by the Republican National Committee in the matter designated by the Commission as MUR 2565.

If you have any questions, please telephone me at 347-9200.

Very truly yours,

*Mary E. Evans*  
Mary E. Evans

MEE/vjh  
Enclosure

cc: Charles Snyder, Esquire  
Office of General Counsel

John K. Notz, Jr. Esquire  
Gardner, Carton & Douglas

Mr. Edwin Millard, President  
Children's Home and Aid Society of Illinois

0300E

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RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
88 JAN 15 PM 2:30

# GARDNER, CARTON & DOUGLAS

1001 PENNSYLVANIA AVENUE, N.W. · SUITE 750

WASHINGTON, D.C. 20004

(202) 347-9200

CABLE-COMMLAW

TELEX: 510600131F

TELECOPIER: (202) 628-0470

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January 15, 1988

Lawrence M. Noble, Esquire  
General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 2565  
Children's Home and Aid Society of Illinois

Dear Mr. Noble:

Children's Home and Aid Society of Illinois (the "Society" or the "Respondent") hereby responds through its attorneys to the complaint filed with the Federal Election Commission ("FEC" or the "Commission") alleging that Children's Home may have violated 2 U.S.C. § 438(a)(4) of the Federal Election Campaign Act of 1971, as amended (the "Act"). By this letter, we request that no action be taken against the Society in this matter.

## The Charity, Children's Home and Aid Society of Illinois

The Society's main office is located at 1122 North Dearborn Street, Chicago, Illinois 60610. The Society is a 105 year old not-for-profit, private, non-sectarian child care agency which provides comprehensive services to disadvantaged children and families throughout parts of the state of Illinois. The Society's work includes adoptive placement for infants and older children, foster care, child/family counselling, day care, early detection preventive programs, residential treatment and group homes for adolescents, pregnancy and early parent counseling.

GARDNER, CARTON & DOUGLAS

Mr. Lawrence M. Noble  
January 15, 1988  
Page 3

the Society still has no independent knowledge whether the list entitled "Contributors to International Children's Causes" was compiled from FEC data filed by the RNC.<sup>1/</sup>

Applicable Law and Analysis

1. Statutory Authority. Section 434(b)(3)(A) of the Act requires political committees registered with the FEC to file with the Commission a list of names and addresses of all contributors who donated more than \$200 in any year. The Commission is required by statute to make the lists of contributors available at the FEC for public inspection and copying subject only to the limitation "that any information copied from such reports or statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes." 2 U.S.C. § 438(a)(4).

Section 438(a)(4) provides, in full, as follows:

The Commission shall --

(4) within 48 hours after the time of the receipt by the Commission of reports of statements filed with it, make them available for public inspection, and copying, at the expense of the person requesting such copying, except that any information copied from such reports or statements may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. A political committee may submit 10 pseudonyms on each report filed in order to protect against the illegal use of names and addresses of contributors, provided such committee

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<sup>1/</sup> Without admitting or waiving any defense that the statutory and regulatory restrictions apply in these circumstances to the Society, the Society has suspended any further solicitation from the list coded "0070" until this Complaint has been resolved and the derivation of the names confirmed.

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GARDNER, CARTON & DOUGLAS

Mr. Lawrence M. Noble  
January 15, 1988  
Page 2

Statement of Facts

As the facts presented in the attached affidavit of Ms. Margaret Lortie, Director of Development for the Society's 1987 holiday appeal, state, the Society contacted by telephone on or about October 12, 1987 a list consultant with whom it had worked on previous solicitations. The Society asked the list consultant to provide contributor lists of a certain quantity, particularly tailored to a group of potential donors who had contributed to children's charities in the past. The list consultant apparently worked with a list broker to obtain lists meeting the Society's requirements. A few weeks later, the Society was presented with 25 lists of potential donors. See Exhibit B attached to Affidavit of Margaret Lortie.

Once the lists were acquired for a fee from the consultant, the Society finalized the logistics of the mailing with a computer firm in the Chicago area which merged and purged the lists to eliminate duplications and with a data company also in the Chicago area which generated the inside addresses on a professionally written appeal letter. The 1987 holiday appeal was mailed on or about November 25, 1987.

On December 31, 1987 the Society received a letter from the FEC stating that the FEC received a complaint from the Republican National Committee (the "RNC") alleging violation of the provisions of 2 U.S.C. § 438(a)(4). Prior to receipt of formal notice of the RNC's complaint by the Commission, the Society received on December 23, 1987 a letter from the RNC and a copy of the complaint it had filed with the Commission.

It was during this late December period that the Society first learned that it may have acquired a list filed by the RNC with the Commission. At no point during the solicitation preparations did the Society know that it may have acquired a list filed by the Complainant with the FEC. No representations were made to it by anyone at any time as to the ownership or source of the list or that the acquired lists contained any names filed by the RNC with the Commission.

The Society acquired the solicitation list it used for its 1987 holiday appeal in the usual course of its business. The Society had no reason to believe that the list had been obtained from the FEC or contained information filed with FEC by the RNC or any other reporting entity. Similarly, as of this date, but for the assertions of the RNC in its complaint,

GARDNER, CARTON & DOUGLAS

Mr. Lawrence M. Noble  
January 15, 1988  
Page 4

attaches a list of such pseudonyms to the appropriate report. The clerk, secretary, or commission shall exclude these lists from the public record;

2. Regulations. The regulations provide, in relevant part, the following "sale or use restriction" provisions:

(a) Any information copied, or otherwise obtained from any report or statement, or any copy, reproduction, or publication thereof, filed with the Commission, Clerk of the House, Secretary of the State, or any Secretary of State or other equivalent State officer, shall not be sold or used by any person for the purpose of soliciting contributions or for any commercial purpose, except that the name and address of any political committee may be used to solicit contributions from such committee.

11 C.F.R. § 104.15(a).

3. Advisory Opinions. In its Advisory Opinions interpreting § 438(a)(4) and its implementing regulations, the Commission has declared that the "principal, if not sole, purpose of restricting the sale or use of information copied from reports is to protect individual contributors having their names sold or used for commercial purposes." FEC Advisory Opinion 25: Sale of Lists of Contributors, FED. ELECTION CAMP. FIN. GUIDE (CCH) § 5865 (1986); FEC Advisory Opinion 38: Use of Information in Reports, FED. ELECTION CAMP. FIN. GUIDE (CCH) § 5624 (1981); FEC Advisory Opinion 5: Sending Letters to an Opponent's Contributors, FED. ELECTION CAMP. FIN. GUIDE (CCH) § 5590 (1981); FEC Advisory Opinion 78: Campaign Use of Expenditure Information, FED. ELECTION CAMP. FIN. GUIDE (CCH) § 5530 (1980).

The complaint against the Society does not advance the Commission's own interpretation of § 438(a)(4)'s prohibitions since the Society has no basis for knowing if the acquired list was compiled from FEC filings. We contend that it is the act of copying or compiling of data on file at the Commission regarding contributors for commercial sale or use which the Act was intended to prevent. Since most Advisory Opinions construing the sale or use provisions of the Act and

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GARDNER, CARTON & DOUGLAS

Mr. Lawrence M. Noble  
January 15, 1988  
Page 5

regulations focus upon commercial sale activity,<sup>2/</sup> this suggests to us that the word "used" in the "sold or used" language of the Act and regulations can be read as a broader synonym for sold. A public charity's fund solicitations are not, by definition, a commercial use.

The list the Society used was not copied by or on behalf of the Society from FEC files or otherwise obtained for commercial use from FEC files by it. The Society had no knowledge (and to this date still has no knowledge independent of the RNC's complaint) that the acquired lists had been obtained from the FEC. The Society, acting in the normal course of its charitable work, dealt with a broker who made it available to it for a fee a contributors list alleged in the RNC's complaint to be in violation of the Act.

4. Federal Enforcement Action Under 2 U.S.C. § 438(a)(4). The most recently published federal enforcement action brought under 2 U.S.C. § 438(a)(4) by the Commission is FEC v. American International Demographic Services, Inc., 629 F. Supp. 317 (E.D. Va. 1986). That enforcement action involved the marketer of names of potential contributors to political organizations required to make periodic filings with the FEC obtained through the FEC.

The court in American International found that (i) a mailing list company and its founder (the defendants) arranged for the "dumping" with a list management company <sup>3/</sup> of an illegally obtained FEC tape of names and that (ii) the defendants represented that they owned the tapes obtained from the FEC "and had the right, authority and control over them" sufficient to authorize the list manager to sell the names.

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<sup>2/</sup> Research of Commission actions to date indicate that the issue of the purchase or rental of brokered list allegedly compiled from FEC data has not been addressed by the Commission.

<sup>3/</sup> The opinion described the list manager as one who publicizes and rents mailing lists owned by individuals and who brings the mailing lists to the attention of brokers and mailers for a fee. 629 F. Supp. at 318, n. 1.

GARDNER, CARTON & DOUGLAS

Mr. Lawrence M. Noble  
January 15, 1988  
Page 6

A fictitious name was included in an FEC filing by the National Republican Congressional Committee which later received a solicitation from an organization who was then able to trace the list to the defendant based upon a code on the mailing label. The defendants in that case were held to have willfully violated § 438(a)(4) by having the list manager rent FEC tapes to brokers and mailers and to have used the tapes for commercial purposes proscribed by 2 U.S.C. § 438(a)(4). However, there is no indication that the soliciting party was the subject of any enforcement proceeding.

By contrast, the Society contends that the statutory proscription of the use of public campaign contribution filings for "soliciting contributions or for commercial purposes" does not apply to the Society as the purchaser of contributor lists later found to have been obtained from FEC reports. Rather, the available legal authority makes clear that the Act was intended by Congress and the Commission to apply to the person who sells information obtained from such FEC filings. To interpret the statute adversely with respect to a purchaser of contributor lists to whom (i) no representation of ownership, control or authority to provide for a fee a list found to have been obtained from FEC public reports was made and by whom (ii) no statutory obligation of due diligence is required,<sup>4/</sup> would frustrate the Congressional intent behind this proviso and charitable fundraising by organizations such as the Society.

Our research is supported by the legislative history. Congress intended that § 438(a)(4) be put in place to protect campaign contributors from the barrage of solicitations that would surely follow if "list brokers" were allowed to sell donor lists on file at the FEC. 117 Cong. Rec. 30,057-58 (1971); see also FEC Advisory Opinion 78: Campaign Use of Expenditure Information, FED. ELECTION CAMP. FIN. GUIDE (CCH) § 5530 (1980) ("The prevention of list brokering, not the suppression of financial information, is the purpose of 2 U.S.C. § 438(a)(4).")

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<sup>4/</sup> Research indicates that an entity who acquires a contributor list need not show as a matter of law investigation of the reliability of the seller of a contributor list.

GARDNER, CARTON & DOUGLAS

Mr. Lawrence M. Noble  
January 15, 1988  
Page 7

Summary and Request for Relief

1. The Society acted in the usual course of its business in acquiring the solicitation list complained about by the RNC from a source it believed to be reliable, with whom it had an ongoing relationship and about whom it had no reason to believe would "broker" an FEC/RNC list of contributors.
2. Section 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15 appear to attach liability to any person who "otherwise obtains" an FEC list and uses it to solicit contributions for commercial purposes. The Society had no knowledge until this complaint was brought to its attention (and to this date still has no knowledge independent from the RNC's complaint) that the acquired list was an RNC list filed with the FEC. Accordingly, the Society did not itself obtain any list from the FEC public records for commercial use.
3. If the Commission has any matter to enforce, the Society contends that it is against the party who obtained the FEC filing from the FEC and sold any such list.
4. There was no agency relationship whatsoever between the party who obtained the list and the Society.
5. The Society did not violate 2 U.S.C. § 438(a)(4).

For the above-stated reasons, attorneys for the Respondent, Children's Home and Aid Society of Illinois request that no action be taken against the respondent in MUR 2565.

Respectfully submitted,

Gardner, Carton & Douglas

By: 

J. Curtis Moffatt  
Mary E. Evans

Attorneys for the Respondent  
Children's Home and Aid Society  
of Illinois

00040781346

GARDNER, CARTON & DOUGLAS

Mr. Lawrence M. Noble  
January 15, 1988  
Page 8

Sworn to and subscribed before me this 15th day of January  
1988.

Judy Cooper  
Notary Public

My Commission expires: My Commission Expires August 14, 1990

Attachments

cc: Charles Snyder, Esquire  
Office of General Counsel

John K. Notz, Jr. Esquire  
Gardner, Carton & Douglas

Mr. Edwin Millard  
Children's Home and Aid Society of Illinois

0291E

00040781347

BEFORE THE FEDERAL ELECTION COMMISSION

NATIONAL REPUBLICAN COMMITTEE

Complainant

vs.

CHILDREN'S HOME AND AID SOCIETY  
OF ILLINOIS

Respondent

MUR 2565

AFFIDAVIT OF MARGARET LORTIE

The Affiant, Margaret Lortie, being first duly sworn according to law, on this 14th day of January, 1988 deposes and says as follows:

1. I am employed at the Children's Home and Aid Society of Illinois (the "Society"), a 100 year old charity located at 1122 North Dearborn, Chicago, Illinois. My telephone number at the Society is (312) 944-3313. I have worked at the Society for more than 5 years. In my position as Director of Development, I directed our 1987 Holiday Mail Appeal which included the story of a four-year old child, called Kathy. Solicitation letter attached as Exhibit A.

2. On or about October 12, 1987, in preparation for the Society's 1987 Holiday Mail Appeal, I telephoned a list consultant with whom the Society has an ongoing professional relationship. This was the second time we engaged the list purchasing services of this consultant. I told the consultant what our requirements were in terms of

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the approximate number of potential donors we had in mind. Specifically, I mentioned that we were looking for a group of potential donors who had contributed to charities and especially those who had contributed to children's charities in the past.

3. As I understand it, the Society's list consultant/broker following our telephone call, worked with a mail order house to rent 25 lists from another party. List attached as Exhibit B. The lists were then shipped in early November for us to a local computer firm which merges and purges mailing lists to prevent duplication of names.

4. Once purged, the lists were then sent on our behalf to a local data company -- which having already received our professionally written and printed letter -- generated the inside address, folded, stuffed and addressed the envelopes and placed the mailing into the U.S. mail.

5. The Society's 1987 Holiday Mail Appeal was dated November 24, 1987 and mailed on or about November 25, 1987.

6. On December 31, 1987 the Society received a letter from the Federal Election Commission (the "FEC") stating that the FEC received a complaint from the Republican National Committee (the "RNC") alleging violation of the provisions of 2 U.S.C. §438 (a)(4).

7. Attached to the complaint was the return form for contributions with the following name and address printed on the form:

Copy of form attached as Exhibit C.

8. The number 0070 which appears on the form corresponds to the Society's designated code for the list described as "Contributors to International Children's Causes". Attached as Exhibit B. The handwritten encoding was written by me. Again, this descriptive list was obtained from our broker/consultant.

9. Throughout preparation for and implementation of the Society's 1987 Holiday Mail Appeal, there was never any indication whatsoever that the mailing list -- apparently containing a fictitious name which I understand provides a legal way to protect from unauthorized lists which are filed with the FEC -- came from the FEC or the RNC.

10. The Society never copied the list from documents located in the public inspection room of the FEC to solicit contributions. The Society never reproduced itself information located in the public inspection room of the FEC. Nor did the Society knowingly obtain such information for the purposes of making a solicitation.

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11. It never was the intent of the Society to obtain a list filed with the FEC and the Society had no basis to know the list sold to it came from the FEC or more particularly, the RNC.

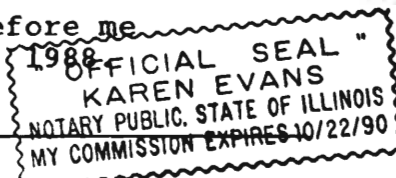
12. As a public charity, we had no reason to believe and no way of knowing under these circumstances that any list responsive to our requirements would even include political contributors, let alone be claimed as an RNC filing obtained from the public records of the FEC.

I DO SOLEMNLY SWEAR UNDER THE PENALTIES OF THE PERJURY THAT THE FACTS AND MATTERS SET FORTH IN THE AFOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY PERSONAL KNOWLEDGE, INFORMATION AND BELIEF.

Margaret Lortie  
Margaret Lortie

Subscribed and sworn to before me  
this 14 day of January, 1988

Karen Evans  
Notary Public



My Commission expires: 10-22-90

Attachments (3)

0294E



CHILDREN'S HOME & AID SOCIETY OF ILLINOIS  
1122 North Dearborn Street  
Chicago, IL 60610

Nonprofit Organization  
U.S. Postage Paid  
Children's Home & Aid  
Society of Illinois



DEAR SANTA —

12-1-87

WILL YOU BRING  
ME A MOM  
OR DAD  
THIS YEAR?  
KATHY

00040781352

CHILDREN'S HOME & AID SOCIETY OF ILLINOIS



November 24, 1987

Dear Friend,

Kathy is 4 years old.

But, unlike most boys and girls her age, she doesn't have a permanent home - or a real mom or dad.

Why?

Because Kathy is in temporary foster care at Children's Home & Aid Society of Illinois. She came to us just a year ago - a frightened, lonely, and terribly sad child.

Kathy had been abused by both her parents. And, she had been sadly neglected too. She had not been kept clean...had had very little to eat...and what she had been given to eat could hardly have been called nutritious. It was not the kind of food that a little girl needs to grow up healthy and strong.

Today, Kathy is much brighter. She smiles a bit now, and enjoys playing with dolls.

But Kathy needs much more than toys...she needs a permanent home - with a mom or dad to call her very own.

Will you help Kathy find that home? Will you help Santa answer Kathy's plea?

For just \$18 you can give Kathy the Holiday gift she really wants - and needs.

By making a contribution to Children's Home & Aid

(over, please)/

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Society of Illinois you will be helping other kids too.

You will be providing:

- ...child and family counselling - so we can keep families together as much as possible
- ...adoptive placements
- ...foster care

And your gift will help us initiate preventive programs including working with runaways and their families.

With the Holidays just a few weeks away, there isn't much time left for Kathy to find a permanent home. But, with your help, we'll be able to do it.

It will make Kathy so happy. She's already asked me to tell you to cut out the enclosed little red stocking and hang it in your home.

She wants you to remember her - and all the other children you will be helping. And, Kathy asked me to say "thank you" for giving her a real home, and someone to call mom - or dad.

Sincerely,



Edwin Millard  
President

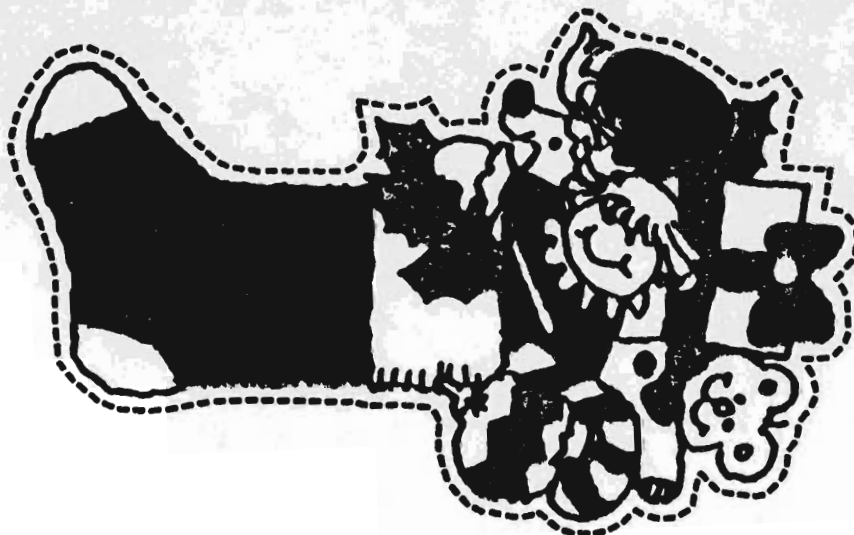
P.S. Please give as much as you can to help Kathy - and our other children too. But remember, any gift - no matter how small, will help.

# 104 Years of Caring—1883–1987

Children's Home & Aid Society of Illinois is a private non-sectarian agency that has given 104 years of loving to children who need to find a new beginning. Last year we cared for over 5,000 Illinois children and their parents with programs like these:

- **Adoptive Placement** for infants and older children.
- **Foster Care** for the child who cannot live in his own home.
- **Child/Family Counseling** to prevent family breakdown and avert severe emotional problems in children.
- **Preventive Programs** to detect problems early, intervene, and avoid a human casualty.
- **Residential Treatment** in three settings: a children's home for youngsters with serious emotional problems; and two group homes for adolescents who need therapy and guidance.
- **Maternity Counseling** to help the unmarried pregnant parent plan the future for herself and her child.

**Help children who need help. Help them find a new beginning and a permanent home.**



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00040781356



NO POSTAGE  
NECESSARY  
IF MAILED  
IN THE  
UNITED STATES

**BUSINESS REPLY MAIL**

FIRST CLASS PERMIT NO. 10150 CHICAGO, ILLINOIS

POSTAGE WILL BE PAID BY ADDRESSEE

**Children's Home & Aid Society**  
1122 North Dearborn Street  
Chicago, Illinois 60610



CHILDREN'S HOME & AID SOCIETY  
1987 Holiday Appeal  
Job #87-114

\* Precede each code  
with a 00

(2)

List

Quantity

Bright's Creek

5,000 67

Chicago Magazine

10,000 09

Childcraft Education Corp.

5,000 68 (10-29)

Children's Reading Institute

5,000 69

Contributors to International  
Children's Causes

15,000 70 ✓

Contributors to a National  
Youth Organization

8,138 (all) 71

Dedicated Progressives

5,000 72

Donors to a Health Charity

4,954 (all) 73 (A.K.F. 4733)

Donors to a Nationwide Appeal

75,000 11 (25,000)

Forbes Magazine

10,000 74

Gencon

10,000 75

Harry & David

5,000 76

Health Magazine

5,000 56

Joan Cook

10,000 77

Lillian Vernon

15,000 78

Lovers of Animals

10,000 79 - Lost Donor  
we

Metropolitan Home Magazine

10,000 60

Multi-Response Charitable  
Donors

15,000 80

National Donors to Handicapped  
Cause

25,000 61

North Shore Animal League

15,000 63

--more--

FY '88'

ACTIVITY CODES

ACQ#1

90040781357

CODE TO FIELD 0009-EX.



CHILDREN'S HOME & AID SOCIETY  
1987 Holiday Appeal  
Job #87-114  
Page 2

List

Parents Magazine

Prevention Magazine

Spiegel

Walter Drake

Working Mother Magazine

Quantity

10,000 81

10,000 82

15,000 64

15,000 65

5,000 84

318,092

90040781358

11/2/87

9 0 0 4 0 7 8 1 3 5 9

# YES, I want to help Kathy find a permanent home!

And I want to help all the other children who need permanent homes too.  
Enclosed is my tax-deductible gift for:

☐ \$15    ☐ \$20    ☒ \$24    ☐ \$50    ☐ \$100    Other \$ \_\_\_\_\_

*is a big gift in  
especially  
needed.*

**CHILDREN'S  
HOME & AID  
SOCIETY**

Make check payable and send to Children's Home & Aid Society of Illinois  
1122 North Dearborn Street, Chicago, IL 60610

All contributions are tax deductible to the extent allowed by law.

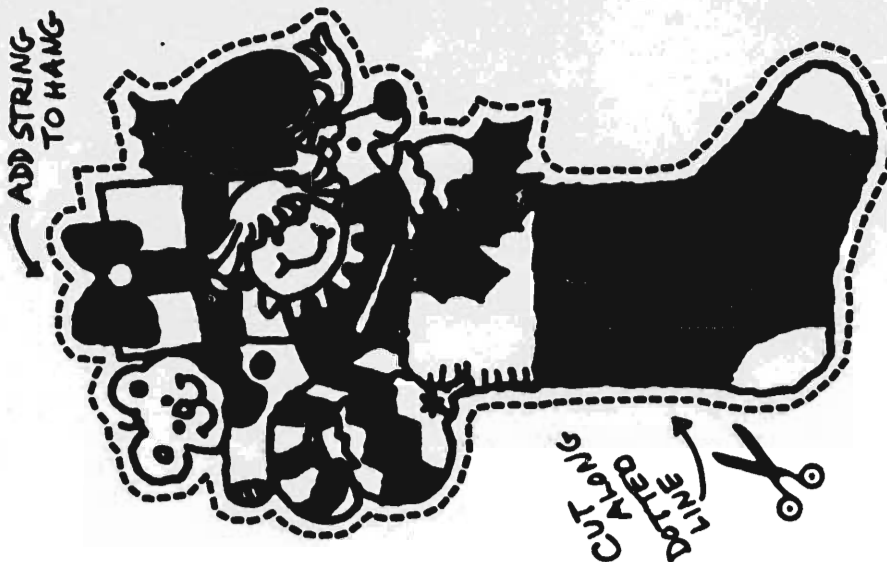
P1AHR

0070

Please make sure your name and address are correct. Return this form with your gift in the envelope provided.

## Thank you!

Your gift to Kathy and all the other children who don't have permanent homes means a lot. Children's Home and Aid Society of Illinois thanks you—on their behalf—for caring and sharing.



Children's Home & Aid Society of Illinois  
1122 North Dearborn Street, Chicago, IL 60610

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

88 MAR 25 11 54 47

FIRST GENERAL COUNSEL'S REPORT

**SENSITIVE**

**ELECTIVE SECTION**

**APR 05 1988**

MUR #2563  
DATE COMPLAINT  
RECEIVED BY OGC 12/21/87  
DATE OF NOTIFICATION TO  
RESPONDENT: 12/24/87  
STAFF MEMBER: Snyder

COMPLAINANT: Republican National Committee  
RESPONDENT: The Children's Home and Aid Society of  
Illinois  
RELEVANT STATUTES: 2 U.S.C. § 438(a)(4); 11 C.F.R. § 104.15  
RELEVANT REPORTS  
CHECKED: RNC Reports  
FEDERAL AGENCIES  
CHECKED: None

I. GENERATION OF MATTER

This matter was generated by a complaint filed by the Republican National Committee ("RNC") alleging that the Children's Home and Aid Society of Illinois ("Children's Home") had solicited contributions from fictitious persons, whose pseudonyms appeared on reports filed by the RNC with the Commission. Specifically, the pseudonym " " was solicited by Children's Home at the address

II. FACTUAL AND LEGAL ANALYSIS

Under the Federal Election Campaign Act ("the Act"), reports filed with the Federal Election Commission ("the Commission") are made available for public inspection and copying,

except that any information copied from such reports or statements may not be

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sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. A political committee may submit 10 pseudonyms on each report filed in order to protect against the illegal use of names and addresses of contributors, provided such committee attaches a list of such pseudonyms to the appropriate report. The Clerk, Secretary, or the Commission shall exclude these lists from the public record.

2 U.S.C. § 438(a)(4). In the present case, complainant alleges that Children's Home solicited a contribution from a fictitious person whose pseudonym appeared on a report it filed with the Commission.<sup>\*/</sup> On that basis, it is alleged that Children's Home violated 2 U.S.C. § 438(a)(4).

In its response to the complaint, Children's Home argued that the prohibition on soliciting contributions from persons whose names appear on reports filed with the Commission does not apply to itself as the purchaser of the list which contained the RNC pseudonym, but rather to the persons who compiled and sold the list obtained and used by Children's Home. Respondent does not identify the source of the tainted list.

<sup>\*/</sup> According to the Reports Analysis Division, RNC did not file a list of its pseudonyms. In view of the fact that a sworn complaint has been submitted stating that the named addressee of respondent's letter was a pseudonym provides a basis for a finding that disclosure information may have been used to solicit contributions in violation of the Act. This analysis was the basis for Commission's finding of reason to believe in MUR 2140.

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Respondent's argument finds no support in the Commission's regulations, which state:

(a) Any information copied, or otherwise obtained, from any report or statement, or any copy, reproduction, or publication thereof, filed with the Commission ..., shall not be sold or used by any person for the purpose of soliciting contributions or for any commercial purpose ....

(b) For purposes of 11 C.F.R. § 104.15, "soliciting contributions" includes soliciting any type of contribution or donation, such as political or charitable contributions.

11 C.F.R. § 104.15 (emphasis added). Accordingly, it would be no defense if Children's Hospital did not itself copy the names from reports filed with the Commission onto the mailing list it used; respondent does not deny that it obtained the information in question, and that it used said information for the purpose of soliciting contributions. To be sure, respondent sought the funds to serve the purposes of its organization, specifically to help children without permanent homes. That fact, however, does not alter the legal setting of the case, as the regulations specifically prohibit the use of information obtained from F.E.C. reports for soliciting charitable donations. Accordingly, this Office recommends that the Commission find reason to believe Children's Hospital violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.

Respondent is correct, however, in pointing out that the actual copying of information from reports filed with the

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Commission for the compilation of mailing lists, and the sale or rental thereof, also constitutes a violation of 2 U.S.C.

§ 438(a)(4). Unfortunately, respondent does not identify the sources from which it obtained the subject mailing list.

Accordingly, this Office recommends that the Commission issue interrogatories to respondent in order to discover the identity of the owner and compiler of the list in question.

III. RECOMMENDATIONS

1. Find reason to believe that The Children's Home and Aid Society of Illinois violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.
2. Approve the attached letter.
3. Approve the attached questions.

Lawrence M. Noble  
General Counsel

Date

3/25/88

By:

  
Lois G. Lerner  
Associate General Counsel

Attachments

1. Response to Complaint
2. Proposed letter
3. Questions

Staff Person: Charles Snyder

00040781363

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of       )  
                              )  
Person(s) Unknown       )       MUR 2565

CERTIFICATION

I, Marjorie W. Emmons, recording secretary for the Federal Election Commission executive session of April 5, 1988, do hereby certify that the Commission decided by a vote of 5-0 to reject, at this time, the recommendations contained in the General Counsel's March 25, 1988 report and instead take the following actions in MUR 2565:

1. Find reason to believe that person(s) unknown violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.
2. Direct the Office of General Counsel to send appropriate questions, based on the meeting discussion of April 5, 1988, to The Children's Home and Aid Society of Illinois.
3. Direct the Office of General Counsel to send an appropriate letter.

Commissioners Aikens, Elliott, Josefiak, McGarry, and Thomas voted affirmatively for the decision; Commissioner McDonald was not present during the consideration of this matter.

Attest:

4-6-88

Date

Marjorie W. Emmons

Marjorie W. Emmons  
Secretary of the Commission

90040781364





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 14, 1988

E. Mark Braden, Esquire  
Chief Counsel  
Republican National Committee  
310 First Street, S.E.  
Washington, D.C. 20003

RE: MUR 2565

Dear Mr. Braden:

Your complaint dated December 17, 1987 concerning the above-captioned matter stated that the Children's Home and Aid Society of Illinois solicited contributions from pseudonyms included on reports filed by the Republican National Committee (RNC). The Commission's Reports Analysis Division, however, has not received a copy of a pseudonym list from the RNC.

This Office therefore requests a list of all pseudonyms used by the RNC. Please send this list to Charles Snyder, the attorney assigned to this matter, at the following address:

Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Please be advised that 2 U.S.C. § 438(a)(4) requires a political committee that submits pseudonyms on a report to attach a list of those pseudonyms to that report.

Sincerely,

Lawrence M. Noble  
General Counsel

By: Lois G. Lerner  
Associate General  
Counsel

00040781365



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

April 14, 1988

CERTIFIED MAIL  
RETURN RECEIPT REQUESTED

Mary E. Evans, Esquire  
Gardner, Cantor & Douglas  
1001 Pennsylvania Avenue, N.W.  
Suite 750  
Washington, D.C. 20004

RE: MUR 2565

Dear Ms. Evans:

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 questions in connection with an investigation it is conducting. The Commission considers your client a witness in this matter.

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. You are required to submit the information under oath within 15 days of your receipt of these questions.

If you have any questions, please direct them to Charles Snyder, the attorney handling this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Questions

00040781366

**BEFORE THE FEDERAL ELECTION COMMISSION**

In the Matter of

)  
)  
)

MUR 2565

**INTERROGATORIES**

TO: **Edwin Millard**  
**President - Children's Home and**  
**Aid Society of Illinois**  
**1122 North Dearborn Street**  
**Chicago, Illinois 60610**

In furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby requests that you submit answers in writing and under oath to the questions set forth below within 15 days of your receipt of this request.

00040781367

## 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.

00040781368

Questions to:

**The Children's Home and Aid Society  
Edwin Millard, President**

1. Describe in detail the method whereby you obtained the names and addresses you solicited in your 1987 Holiday Mail Appeal (hereinafter "the mailing"), which included the story of a four-year old child, called Kathy.
2. Identify the list consultant or list consultants whose services you used in connection with preparing the mailing.
3. Identify the list broker or brokers whose services you used in connection with the mailing.
4. (a) Identify the mail order house from which mailing lists were obtained in connection with preparing the mailing.  
(b) Identify the party from whom you or your agents rented mailing lists that were used in connection with the mailing.  
(c) Identify the computer firm that performed merging, purging, or other services with respect to the lists you obtained in connection with the mailing.  
(d) Identify the data company that prepared, addressed, and mailed the letters that were disseminated in connection with the mailing.
5. Identify all other persons, apart from those referred to above, who assisted in obtaining, preparing, or marketing the mailing lists used in the mailing.
6. State whether you paid for the mailing lists used for the mailing, directly or indirectly. If so, state how much you paid for said mailing lists, what interest you obtained in such mailing lists, and on what terms.
7. State whether you inquired as to the source of names used for solicitation. State what, if any, representations were made to you as to the source of the names and addresses of persons you solicited in connection with the mailing. Identify the person or persons who made each such representation.

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6cc#9233

GARDNER, CARTON & DOUGLAS

1001 PENNSYLVANIA AVENUE, N.W. · SUITE 750

WASHINGTON, D.C. 20004

(202) 347-9200

CABLE-COMMLAW

TELEX: 5106001315

EASYLINK: 62928003

TELECOPIER: (202) 628-0470

MARTIN R. HOFFMANN  
MICHAEL L. GLASER  
FRANCIS E. FLETCHER, JR.  
M. SCOTT JOHNSON  
G. CHRISTOPHER GRINER  
J. CURTIS MOFFATT  
DAVID B. DEMPSEY  
E. MICHAEL FLANAGAN  
RONALD J. JARVIS

COUNSEL  
WILLIAM P. BERNTON  
L. STEPHEN QUATANNENS

M. PETER ADLER\*      NANCY RIZZO MOHLER  
LYNN M. CLANCY      MATTHEW J. PLACHE  
MARY E. EVANS      PETER W. QUIGLEY  
SCOTT M. HEIMBERG      KATHARINE B. SACKS\*  
PAUL KORMAN      LYNN E. SHAPIRO\*  
ALAN J. LIPSITZ      DONNA K. THIEL

\*NOT ADMITTED IN DISTRICT OF COLUMBIA

QUAKER TOWER  
321 NORTH CLARK STREET  
CHICAGO, IL 60610-4795  
(312) 644-3000

800 S. MILWAUKEE AVENUE  
LIBERTYVILLE, IL 60048  
(312) 367-0320

370-17TH STREET  
DENVER, CO 80202-3520  
(303) 592-5400

600 NORTH PEARL STREET  
PLAZA OF THE AMERICAS  
LOCK BOX NO. 175  
DALLAS, TX 75201-2809  
(214) 953-1321

May 9, 1988

Lawrence M. Noble, Esq.  
General Counsel  
Office of General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

Re: MUR 2565

Dear Mr. Noble:

On behalf of Children's Home & Aid Society of Illinois, I hereby submit its answers to the interrogatories issued by the Federal Election Commission in the above-referenced matter.

If you have any questions, please contact the undersigned directly.

Very truly yours,

  
Mary E. Evans

MEE/vjh  
Enclosures

cc: Charles Snyder, Esq.  
John K. Notz, Jr., Esq.  
J. Curtis Moffatt, Esq.  
Mr. Edwin Millard

0470E

88 MAY -9 PM 2:21

RECEIVED  
FEDERAL ELECTION COMMISSION

00000781370



**Answers to Questions:**

Children's Home & Aid Society of Illinois  
Edwin Millard, President

1. Margaret A. Lortie, Director of Development, contacted Mailworks Inc., the direct mail consultant used by Children's Home & Aid Society of Illinois. On information and belief Mailworks purchased the magnetic tapes from ListBank. Mailworks, Inc., located at 230 North Michigan Avenue, Chicago, Illinois (312/263-0665), Wendy Fisher, President, has been our copy writing consultant for several years. In October 1987, Mailworks was retained by the Society to analyze results of previous direct mail campaigns and suggest lists to rent for our Christmas appeal. Twenty-three (23) lists were rented, one of which was the Contributors to International Children's Causes.
2. Mailworks, Inc., was the list consultant used by the Society.
3. ListBank was the broker whose services were used by Mailworks.
4. a) The owner of the lists, rented on our behalf by Mailworks is Advance Management Systems, 9255 Sunset Boulevard, Penthouse, Los Angeles, California, 90069, 213/810-9200. President unknown to me or Margaret A. Lortie.
- b) ListBank, Inc., 2220 Charter Point Drive, Arlington Heights, Illinois, 60004, 312/632-0909, contact: Dana McClenahn, was the list broker we used. President unknown to me or Margaret A. Lortie.
- c) The merge, purge services were provided by Phoenix Data Processing, 4648 Western Avenue, Lisle, Illinois, 312/810-9200. President unknown to me or Margaret A. Lortie.
- d) The data company that prepared, addressed, and mailed the letters was Precise Data Services, 7550 Plaza Court, Willowbrook, Illinois, 312/986-8880, William Sloyan, Sr., President.
5. Margaret Ann Lortie, Director of Development, Children's Home & Aid Society of Illinois was the Society project coordinator.
6. The following lists were rented at the listed costs:
- Contributors to International Children's Causes - total \$819.19
  - Chicago Magazine (active subscribers) - total \$670.00
  - Health Magazine (active subscribers) - total \$307.50
  - Walter Drake (last 12 month buyers) - total \$778.10
  - Lillian Vernon (last 12 month buyers) - total \$960.00
  - Harry and David (last 12 month buyers) - total \$420.00
  - Parents Magazine (active subscribers) - total \$554.14
  - North Shore Animal League 1987 - total \$1,012.50
  - Forbes Magazine (active subscribers) - total \$920.00
  - Cont. to A National Youth Organization Donors - total \$413.15
  - Spiegel (last 12 month buyers) - \$1,425.00
  - Revention Magazine (active subscribers) - \$592.13
  - Gencon (last 12 months donors) - total \$575.50
  - Multi-response Charitable Donors (last 12 months) - total \$675.65

00040781371



Answers to Questions

Page Two

- Lovers of Animals - total \$595.00
- National Donors to Handicapped Cause (last 12 months) - total \$1580.63
- Dedicated Progressives (active donors) - total \$315.00
- Childcraft Education Corp. (last 12 month buyer) - total \$440.00
- Brights Creek (last 12 month buyers) - total \$355.00
- Joan Cook (last 12 month buyers) - total \$550.00
- Donors to a Health Charity (former donors) - total \$212.50
- Children's Reading Institute (active subscribers) - total \$327.31
- Donors to a Nationwide Appeal (last 12 months) - total \$4,301.33

Terms of the rental agreement were simple -- a one time use of these names for the purpose of obtaining new donors to the Society. As of March 25, 1988, total income earned from all abovementioned lists was \$31,010.

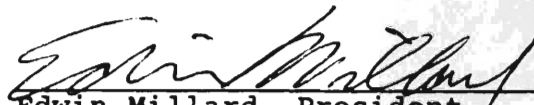
Please note that although 25 lists were ordered only 23 were used. Therefore only 23 lists are shown as paid (documents attached).

7. The only information Margaret A. Lortie received was the name of the file. Margaret A. Lortie did not inquire further as to the sources used to compile the list. The name was given to Margaret A. Lortie by a Mailworks representative.

00040781372

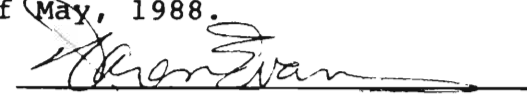
**AFFIDAVIT**

I am Edwin Millard, President of the Children's Home & Aid Society of Illinois. Upon receipt of the interrogatories issued by the Federal Election Commission in MUR 2565 the forgoing responses were prepared under my supervision and direction and are true and accurate to the best of my knowledge, information and belief.

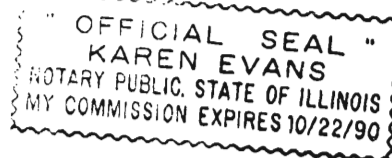
  
Edwin Millard, President

County of Cook  
State of Illinois

Subscribed and sworn to before me  
this 6<sup>th</sup> day of May, 1988.

Notary Public 

My commission expires: 10-22-90



00040781373

Questions to:

**The Children's Home and Aid Society**  
**Edwin Millard, President**

1. Describe in detail the method whereby you obtained the names and addresses you solicited in your 1987 Holiday Mail Appeal (hereinafter "the mailing"), which included the story of a four-year old child, called Kathy.
2. Identify the list consultant or list consultants whose services you used in connection with preparing the mailing.
3. Identify the list broker or brokers whose services you used in connection with the mailing.
4. (a) Identify the mail order house from which mailing lists were obtained in connection with preparing the mailing.  
(b) Identify the party from whom you or your agents rented mailing lists that were used in connection with the mailing.  
(c) Identify the computer firm that performed merging, purging, or other services with respect to the lists you obtained in connection with the mailing.  
(d) Identify the data company that prepared, addressed, and mailed the letters that were disseminated in connection with the mailing.
5. Identify all other persons, apart from those referred to above, who assisted in obtaining, preparing, or marketing the mailing lists used in the mailing.
6. State whether you paid for the mailing lists used for the mailing, directly or indirectly. If so, state how much you paid for said mailing lists, what interest you obtained in such mailing lists, and on what terms.
7. State whether you inquired as to the source of names used for solicitation. State what, if any, representations were made to you as to the source of the names and addresses of persons you solicited in connection with the mailing. Identify the person or persons who made each such representation.

90040781374

**The LISTBANK INC.**

UNICO Business Forms, Inc.



2220 Charter Point Drive

Chicago, Illinois 60601-1112

#67-114

INVOICE

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT NO. 4391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER CHILDREN'S HOME & AID

TERMS NET 30 DAYS FROM MAIL DATE

|                                                |              |                  |              |             |                     |        |
|------------------------------------------------|--------------|------------------|--------------|-------------|---------------------|--------|
| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA | SHIPPED TO:         |        |
| 710029                                         | 11/23/87     | 8710012          | 1-03-87      | FEDERAL EX. | CREATIVE AUTOMATION |        |
| DESCRIPTION                                    |              |                  |              | QUANTITY    | COST PER M          | AMOUNT |
| CONTRIBUTORS TO INTER'L CHILDRENS CAUSES       |              |                  |              | 13812       | 55.00               | 759.66 |
| SCF SELECT                                     |              |                  |              | 13812       | 2.50                | 34.53  |
| NON-RETURN MAG TAPE                            |              |                  |              |             |                     | 25.00  |
| SHIPPING                                       |              |                  |              |             |                     | 25.00  |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |             |                     | 0.00   |
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At some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, et al delivered to a mailer or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

WHITE COPY - ORIGINAL YELLOW COPY - REMITTANCE COPY GREEN - FILE COPY

8  
CHILDREN'S HOME & AID SOCIETY  
OF ILLINOIS  
1122 NORTH DEARBORN STREET  
CHICAGO, ILLINOIS 60610  
F.E.I.N. 36-2167743

CHECK NO. 045775

MAILWORKS INC

DESCRIPTION

VOUCHER ACCOUNT

|            |           |      |
|------------|-----------|------|
| 8806-0583R | 9601-2451 | 0583 |
| 8806-0596  | 9601-2451 | 0591 |
| 8806-0597  | 9601-2451 | 0577 |

TOTAL

14,512.08  
1,800.35  
3,548.35

\$19,860.78

NET AMOUNT

WHEN MAKING INQUIRY ABOUT THIS REMITTANCE, PLEASE REFER TO OUR VOUCHER NUMBER.

CHILDREN'S HOME & AID SOCIETY  
OF ILLINOIS

PAY TO THE ORDER OF

MAILWORKS INC  
230 N MICHIGAN AVENUE  
CHICAGO IL 60601

CONTINENTAL BANK  
CHICAGO, ILLINOIS

⑈045775⑈ ⑈07⑈000039⑈ 7⑈7⑈058⑈

G 045775

1/07/88

045775

PAY THIS AMOUNT

\$19,860.78

NON NEGOTIABLE

27919

CHILDREN'S HOME & AID SOCIETY OF ILLINOIS  
REQUISITION

(For internal use only — not an Authorization for Purchase)

JAN

|                                                                   |                                                                                                                                                                                                                                                               |                                                         |  |
|-------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------|--|
| 1. Department                                                     |                                                                                                                                                                                                                                                               | DEVELOPMENT                                             |  |
| 2. Quantity                                                       | 3. Description                                                                                                                                                                                                                                                | 4. Estimated Cost                                       |  |
|                                                                   | <p style="text-align: right;">9807</p> <p>CHRISTMAS MAILING APPEAL (ACQUISITIONS)</p> <p>LISTS</p> <p>LESS SUBSCRIPTION LIST NOT USED</p> <p>(See highlighted on invoice)</p> <p style="text-align: right;">TOTAL DUE:</p> <p>Invoice #0583 (Job #87-114)</p> | <p>\$ 15,107.08</p> <p>- 595.00</p> <p>\$ 14,512.08</p> |  |
| 5. Suggested Vendor (if any)                                      |                                                                                                                                                                                                                                                               | 6. Account                                              |  |
| MAILWORKS, INC.<br>230 North Michigan Avenue<br>Chicago, IL 60601 |                                                                                                                                                                                                                                                               | 9601 2451                                               |  |
|                                                                   |                                                                                                                                                                                                                                                               | 7. Date Needed:                                         |  |
|                                                                   |                                                                                                                                                                                                                                                               | January 7, <del>1987</del> 1988                         |  |
| 8. Deliver To:                                                    |                                                                                                                                                                                                                                                               |                                                         |  |
| Payment to Mailworks                                              |                                                                                                                                                                                                                                                               |                                                         |  |
| Signatures:                                                       |                                                                                                                                                                                                                                                               |                                                         |  |
| 9. Originator                                                     |                                                                                                                                                                                                                                                               | Date                                                    |  |
| Cecilia Brown Reed                                                |                                                                                                                                                                                                                                                               | 12/30/87                                                |  |
| Director                                                          |                                                                                                                                                                                                                                                               | Date                                                    |  |
| [Signature]                                                       |                                                                                                                                                                                                                                                               | 12/30/87                                                |  |
| Administrator                                                     |                                                                                                                                                                                                                                                               | Date                                                    |  |
| [Signature]                                                       |                                                                                                                                                                                                                                                               | 12/30/87                                                |  |

A-1 11-81

Instructions on Back

ACCOUNTING

00040781377





TO: Ms. Margaret Lortie  
Director of Development  
Childrens Home & Aid Society  
of Illinois  
1122 North Dearborn  
Chicago, IL 60610

DATE: December 22, 1987

INVOICE NO. 0583

JOB NO. 87-114

DESCRIPTION OF SERVICES: Job #87-114 - 1987 Holiday Appeal

Reimbursement due Mailworks, Inc. on the following List  
Rental invoices:

| List Rental<br>Invoice No. | Amount      |
|----------------------------|-------------|
| 71001.....                 | \$ 485.44   |
| 71002.....                 | \$ 670.00   |
| 71003.....                 | \$ 307.50   |
| 71004.....                 | \$ 778.10   |
| 71005.....                 | \$ 960.00   |
| 710011.....                | \$ 420.00   |
| 710012.....                | \$ 554.14   |
| 710013.....                | \$ 1,012.50 |
| 710014.....                | \$ 310.53   |
| 710015.....                | \$ 920.00   |
| 710016.....                | \$ 413.15   |
| 710017.....                | \$ 1,425.00 |
| 710018.....                | \$ 592.13   |
| 710019.....                | \$ 575.50   |
| 710020.....                | \$ 675.65   |
| 710027.....                | \$ 595.00   |
| 710029.....                | \$ 819.19   |
| 710033.....                | \$ 1,580.63 |
| 710034.....                | \$ 315.00   |
| 710036.....                | \$ 440.00   |

Total List Rental (less shipping) \$ 13,849.46

Handling Fee for the above  
(less shipping) \$ 692.47

Total Shipping Charges on the above \$ 565.15

Reimbursement due Mailworks, Inc. \$ ~~15,107.08~~ 14,512.08

TOTAL AMOUNT DUE: \$ ~~15,107.08~~

This is a partial invoice covering 20 of the  
total 25 invoices. The 5 remaining invoices  
to be billed at later date.

Past due accounts subject to 1.5% per month,  
18% per annum service charge.

**Mailworks, inc.**

230 North Michigan Avenue, Chicago, IL 60601 • Telephone (312) 263-0665

00040781378

DO NOT PAY  
per M. Lortie

→ 14,512.08



✓

**The LISTBANK INC.**

2220 Clydesdale Drive, Chicago, IL 60601

OK 11/13/87  
#87-114

**INVOICE**

**CLIENT:**

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS 312-263-0665

CLIENT PO. # 1391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

INVOICE #

710002

INVOICE DATE

11/05/87

LISTBANK ORDER #

8710029

DATE SHIPPED

SHIPPED VIA

FEDERAL EX

SHIPPED TO:

CREATIVE AUTOMATION

| DESCRIPTION                                    | QUANTITY | COST PER M | AMOUNT      |
|------------------------------------------------|----------|------------|-------------|
| CHICAGO MAGAZINE ACTIVE SUBSCRIBERS            | 10000    | 60.00      | 600.00      |
| SCF SELECT                                     | 10000    | 5.00       | 50.00       |
| NON-RETURN MAG TAPE                            |          |            | 20.00       |
| SHIPPING                                       |          |            | 25.75       |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |          |            | 0.00        |
|                                                |          |            | *****675.75 |

\*\*\* THANK YOU FOR YOUR ORDER \*\*\*

TOTAL AMOUNT DUE

At some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc. is delivered to a mailer or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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0004078133

# The LISTBANK INC.

2220 Charles E. Ford Drive, Arlington Heights, IL 60004 312-263-0665

INVOICE

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT P.O. # 1391

CLIENT KEY #

MAIL DATE: 11/25/87

OFFER: CHILDREN'S HOME &amp; AID

TERMS: NET 30 DAYS FROM MAIL DATE

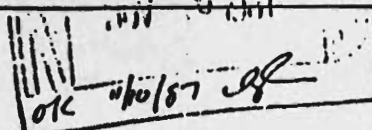
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| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA | SHIPPED TO:         |        |
| 710003                                         | 11/05/87     | 8710017          | 10-21-87     | FEDERAL EX  | CREATIVE AUTOMATION |        |
| DESCRIPTION                                    |              |                  |              | QUANTITY    | COST PER M          | AMOUNT |
| HEALTH MAGAZINE ACTIVE SUBSCRIBERS             |              |                  |              | 5000        | 55.00               | 275.00 |
| SCF SELECT                                     |              |                  |              | 5000        | 2.50                | 12.50  |
| NON-RETURN MAG TAPE                            |              |                  |              |             |                     | 20.00  |
| SHIPPING                                       |              |                  |              |             |                     | 30.00  |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |             |                     | 0.00   |
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If at some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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# The LISTBANK INC.

2220 Church Street, Chicago, Illinois 60604 312-632-0000



INVOICE  
#87-114

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT PO. # 1391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

|                                                                                                                                                                                                                                                        |              |                  |              |                             |                     |        |
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| INVOICE #                                                                                                                                                                                                                                              | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA                 | SHIPPED TO:         |        |
| 710004                                                                                                                                                                                                                                                 | 11/05/87     | 8710023          |              | AIRBORNE                    | CREATIVE AUTOMATION |        |
| DESCRIPTION                                                                                                                                                                                                                                            |              |                  |              | QUANTITY                    | COST PER M          | AMOUNT |
| WALTER DRAKE LAST 12 MONTH BUYERS<br>SCF SELECT<br>ORDER EXPEDITED VIA FEDERAL EXPRESS<br>NON-RETURN MAG TAPE<br>SHIPPING<br>MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED.<br>9<br>3<br>1<br>3<br>8<br>7<br>0<br>0<br>4<br>0<br>7<br>8<br>1<br>3<br>0 |              |                  |              | 15162                       | 45.00               | 682.29 |
|                                                                                                                                                                                                                                                        |              |                  |              | 15162                       | 5.00                | 75.81  |
|                                                                                                                                                                                                                                                        |              |                  |              |                             |                     | 14.00  |
|                                                                                                                                                                                                                                                        |              |                  |              |                             |                     | 20.00  |
|                                                                                                                                                                                                                                                        |              |                  |              |                             |                     | 15.00  |
|                                                                                                                                                                                                                                                        |              |                  |              |                             |                     | 0.00   |
| *** THANK YOU FOR YOUR ORDER ***                                                                                                                                                                                                                       |              |                  |              | TOTAL AMOUNT DUE: \$1107.10 |                     |        |

If at any time future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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**The LISTBANK INC.**

2220 CH. 10th Street, Chicago, IL 60601

INVOICE

CLIENT:

HAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT PO. # 1391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

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| INVOICE #<br>710005                            | INVOICE DATE<br>11/05/87 | LISTBANK ORDER #<br>8710021 | DATE SHIPPED | SHIPPED VIA<br>UPB BLUE | SHIPPED TO:<br>CREATIVE AUTOMATION |        |
|------------------------------------------------|--------------------------|-----------------------------|--------------|-------------------------|------------------------------------|--------|
| DESCRIPTION                                    |                          |                             |              | QUANTITY                | COST PER M                         | AMOUNT |
| LILLIAN VERNON LAST 12 MONTH BUYERS            |                          |                             |              | 15000                   | 60.00                              | 900.00 |
| SCF SELECT                                     |                          |                             |              | 15000                   | 3.00                               | 45.00  |
| NON-RETURN MAG TAPE                            |                          |                             |              |                         |                                    | 15.00  |
| SHIPPING                                       |                          |                             |              |                         |                                    | 17.00  |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |                          |                             |              |                         |                                    | 0.00   |
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If at some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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# The LISTBANK INC.

2220 Chapter Point Drive, Arlington Heights, IL 60014, 312 632 0800

## INVOICE

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

TF87-114

CLIENT P.O. # 1391

CLIENT KEY #

MAIL DATE: 11/25/87

OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA | SHIPPED TO:               |            |        |
|------------------------------------------------|--------------|------------------|--------------|-------------|---------------------------|------------|--------|
| 710011                                         | 11/11/87     | 8710053          | 10-30-87     | FED EX P1   | CREATIVE AUTOMATION       |            |        |
| DESCRIPTION                                    |              |                  |              |             | QUANTITY                  | COST PER M | AMOUNT |
| HARRY AND DAVID LAST 12 MONTH BUYERS           |              |                  |              |             | 5000                      | 75.00      | 375.   |
| SCF SELECT                                     |              |                  |              |             | 5000                      | 5.00       | 25.    |
| NON-RETURN MAG TAPE                            |              |                  |              |             |                           |            | 20.    |
| SHIPPING                                       |              |                  |              |             |                           |            | 25.    |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |             |                           |            | 0.     |
| *** THANK YOU FOR YOUR ORDER ***               |              |                  |              |             | TOTAL AMOUNT DUE *****445 |            |        |

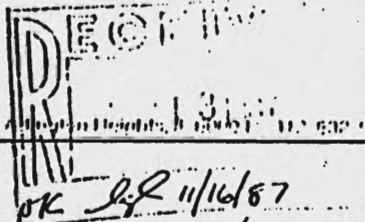
If at some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed m. is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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00040781

# The LISTBANK INC.

2220 Charles Street, Dayton, Ohio 45424



INVOICE

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT P.O. # 1391

CLIENT KEY #

MAIL DATE: 11/25/87

OFFER: CHILDREN'S HOME &amp; AID

TERMS: NET 30 DAYS FROM MAIL DATE

| INVOICE #                                                                                                                               | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA | SHIPPED TO:               |            |        |
|-----------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------|--------------|-------------|---------------------------|------------|--------|
| 710012                                                                                                                                  | 11/11/87     | 0710026          | 10-22-87     | AIRBORNE    | CREATIVE AUTOMATION       |            |        |
| DESCRIPTION                                                                                                                             |              |                  |              |             | QUANTITY                  | COST PER M | AMOUNT |
| PARENTS MAGAZINE ACTIVE SUBSCRIBERS<br>SCF SELECT<br>NON-RETURN MAG. TAPE<br>SHIPPING<br>MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |             | 9984                      | 50.00      | 499.2  |
|                                                                                                                                         |              |                  |              |             | 9984                      | 3.50       | 34.9   |
|                                                                                                                                         |              |                  |              |             |                           |            | 20.0   |
|                                                                                                                                         |              |                  |              |             |                           |            | 26.0   |
|                                                                                                                                         |              |                  |              |             |                           |            | 0.0    |
| *** THANK YOU FOR YOUR ORDER ***                                                                                                        |              |                  |              |             | TOTAL AMOUNT DUE \$580.00 |            |        |

If at some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc. is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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# The LISTBANK INC.

2220 Charles Street Drive Arlington Heights, IL 60004 312 632 0900

## INVOICE

OK *ag* 11/16/87 #87-114

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT P.O. # 1391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

|                                                |              |                  |              |             |                               |            |        |
|------------------------------------------------|--------------|------------------|--------------|-------------|-------------------------------|------------|--------|
| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA | SHIPPED TO:                   |            |        |
| 710013                                         | 11/11/87     | 8710020          | 10-20-87     | DHL         | CREATIVE AUTOMATION           |            |        |
| DESCRIPTION                                    |              |                  |              |             | QUANTITY                      | COST PER M | AMOUNT |
| NORTH SHORE ANIMAL LEAGUE 1987 \$5.00+ DONORS  |              |                  |              |             | 15000                         | 55.00      | 825.00 |
| PCF SELECT                                     |              |                  |              |             | 15000                         | 2.50       | 37.50  |
| MONETARY SELECT                                |              |                  |              |             | 15000                         | 10.00      | 150.00 |
| RETURN MAG TAPE                                |              |                  |              |             |                               |            | 0.00   |
| SHIPPING                                       |              |                  |              |             |                               |            | 20.00  |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |             |                               |            | 0.00   |
| 8004078                                        |              |                  |              |             |                               |            |        |
| *** THANK YOU FOR YOUR ORDER ***               |              |                  |              |             | TOTAL AMOUNT DUE \$***1040.50 |            |        |

If at some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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0004078



# The LISTBANK INC.

2220 Chester Road, Dayton, Ohio 45424-3122

## INVOICE

## CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2000  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT P.O. # 1391

CLIENT KEY #

MAIL DATE: 11/25/87

OFFER: CHILDREN'S HOME &amp; AID

TERMS: NET 30 DAYS FROM MAIL DATE

| INVOICE #<br>710015                            | INVOICE DATE<br>11/11/87 | LISTBANK ORDER #<br>8710020 | DATE SHIPPED | SHIPPED VIA<br>AIR FREIGHT | SHIPPED TO:<br>CREATIVE AUTOMATION |        |
|------------------------------------------------|--------------------------|-----------------------------|--------------|----------------------------|------------------------------------|--------|
| DESCRIPTION                                    |                          |                             |              | QUANTITY                   | COST PER M                         | AMOUNT |
| FORBES MAGAZINE ACTIVE SUBSCRIBERS             |                          |                             |              | 10000                      | 85.00                              | 850.00 |
| SCF SELECT                                     |                          |                             |              | 10000                      | 5.00                               | 50.00  |
| NON-RETURN MAG TAPE                            |                          |                             |              |                            |                                    | 20.00  |
| SHIPPING                                       |                          |                             |              |                            |                                    | 13.00  |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |                          |                             |              |                            |                                    | 0.00   |
| *** THANK YOU FOR YOUR ORDER ***               |                          |                             |              |                            |                                    | 933.00 |
|                                                |                          |                             |              |                            | TOTAL AMOUNT DUE                   |        |

At some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., delivered to a mailer or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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# The LISTBANK INC.

2220 Charles De Gaulle Drive, Arlington Heights, IL 60004 312 632 0000

INVOICE

## CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2000  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT PO. #1391

CLIENT KEY #

MAIL DATE: 11/25/87

OFFER: CHILDREN'S HOME &amp; AID

TERMS: NET 30 DAYS FROM MAIL DATE

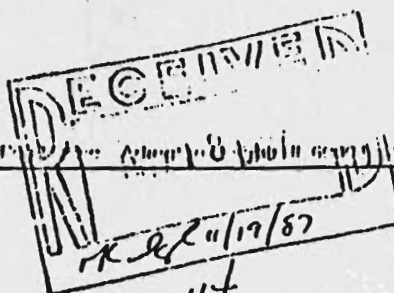
| INVOICE #<br>710016                            | INVOICE DATE<br>11/11/87 | LISTBANK ORDER #<br>8710031 | DATE SHIPPED | SHIPPED VIA<br>AIRBORNE        | SHIPPED TO:<br>CREATIVE AUTOMATION |        |
|------------------------------------------------|--------------------------|-----------------------------|--------------|--------------------------------|------------------------------------|--------|
| DESCRIPTION                                    |                          |                             |              | QUANTITY                       | COST PER M                         | AMOUNT |
| CONT. TO A NATIONAL YOUTH ORGANIZATION DONORS  |                          |                             |              | 8382                           | 45.00                              | 377.19 |
| SCF SELECT                                     |                          |                             |              | 8382                           | 2.50                               | 20.96  |
| ORDER EXPEDITED VIA FEDERAL EXPRESS            |                          |                             |              |                                |                                    | 14.00  |
| NON-RETURN MAG TAPE                            |                          |                             |              |                                |                                    | 15.00  |
| SHIPPING                                       |                          |                             |              |                                |                                    | 29.00  |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |                          |                             |              |                                |                                    | 0.00   |
| *** THANK YOU FOR YOUR ORDER ***               |                          |                             |              | TOTAL AMOUNT DUE - *****456.15 |                                    |        |

If at some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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**The LISTBANK INC.**

2220 Charles Parkway, Suite 800, Chicago, IL 60601



**INVOICE**

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT P.O. #1391

CLIENT KEY #

MAIL DATE: 11/25/87

OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

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| INVOICE #<br>710017                                                                                                                                               | INVOICE DATE<br>11/17/87 | LISTBANK ORDER #<br>8710022 | DATE SHIPPED | SHIPPED VIA<br>AIR FREIGHT | SHIPPED TO:<br>CREATIVE AUTOMATION |         |
| DESCRIPTION                                                                                                                                                       |                          |                             |              | QUANTITY                   | COST PER M                         | AMOUNT  |
| PIEGEL LAST 12 MONTH BUYERS<br>OF SELECT<br>ORDER EXPEDITED VIA FEDERAL EXPRESS<br>RETURN MAG TAPE<br>SHIPPING<br>CARRIER AGREES TO PAY FOR GROSS NAMES RECEIVED. |                          |                             |              | 15000                      | 95.00                              | 1425.00 |
|                                                                                                                                                                   |                          |                             |              | 15000                      |                                    | 0.00    |
|                                                                                                                                                                   |                          |                             |              |                            |                                    | 14.00   |
|                                                                                                                                                                   |                          |                             |              |                            |                                    | 0.00    |
|                                                                                                                                                                   |                          |                             |              |                            |                                    | 27.75   |
|                                                                                                                                                                   |                          |                             |              |                            |                                    | 0.00    |
| *** THANK YOU FOR YOUR ORDER ***                                                                                                                                  |                          |                             |              | ***1466.75                 |                                    |         |
|                                                                                                                                                                   |                          |                             |              | TOTAL AMOUNT DUE -         |                                    |         |

\*\*\* THANK YOU FOR YOUR ORDER \*\*\*

Some future date, liability for sales taxes or use taxes is assumed upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc. delivered to a mailer or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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00040781

# The LISTBANK INC.

2220 Chandler Point Road / Arlington Heights, IL 60004 312 632 0900

## INVOICE

## CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT PO. #391

CLIENT KEY #

MAIL DATE: 11/25/87

OFFER: CHILDREN'S HOME &amp; AID

TERMS: NET 30 DAYS FROM MAIL DATE

| VOICE #                                                                                                                                                                       | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA      | SHIPPED TO          |
|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|------------------|--------------|------------------|---------------------|
| 10018                                                                                                                                                                         | 11/17/87     | B710018          |              | AIR FREIGHT      | CREATIVE AUTOMATION |
| DESCRIPTION                                                                                                                                                                   |              |                  |              |                  |                     |
| CONVENTION MAGAZINE ACTIVE SUBSCRIBERS<br>OF SELECT<br>ORDER EXPEDITED VIA FEDERAL EXPRESS<br>ON-RETURN MAG TAPE<br>SHIPPING<br>BUYER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              | QUANTITY         | COST PER M          |
|                                                                                                                                                                               |              |                  |              | 10037            | 55.00               |
|                                                                                                                                                                               |              |                  |              | 10037            | 2.50                |
|                                                                                                                                                                               |              |                  |              |                  |                     |
|                                                                                                                                                                               |              |                  |              |                  |                     |
|                                                                                                                                                                               |              |                  |              | AMOUNT           |                     |
|                                                                                                                                                                               |              |                  |              | 552.04           |                     |
|                                                                                                                                                                               |              |                  |              | 25.09            |                     |
|                                                                                                                                                                               |              |                  |              | 14.00            |                     |
|                                                                                                                                                                               |              |                  |              | 15.00            |                     |
|                                                                                                                                                                               |              |                  |              | 25.00            |                     |
|                                                                                                                                                                               |              |                  |              | 0.00             |                     |
|                                                                                                                                                                               |              |                  |              | *****641.13      |                     |
|                                                                                                                                                                               |              |                  |              | TOTAL AMOUNT DUE |                     |

\*\*\* THANK YOU FOR YOUR ORDER \*\*\*

Some jurisdictions: Liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., delivered to a reader or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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# The LISTBANK INC.

22201 Hunter Point Drive Arlington Heights, IL 60004 312 412 0000

## INVOICE

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT P.O. #391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

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| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA | SHIPPED TO          |        |
| 710019                                         | 11/17/87     | 8710048          |              | AIR FREIGHT | CREATIVE AUTOMATION |        |
| DESCRIPTION                                    |              |                  |              | QUANTITY    | COST PER M          | AMOUNT |
| GENCON LAST 12 MONTH DONORS                    |              |                  |              | 10100       | 50.00               | 505.00 |
| SCF SELECT                                     |              |                  |              | 10100       | 5.00                | 50.50  |
| NON-RETURN MAG TAPE                            |              |                  |              |             |                     | 20.00  |
| SHIPPING                                       |              |                  |              |             |                     | 12.50  |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |             |                     | 0.00   |
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If at some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

WHITE COPY - ORIGINAL YELLOW COPY - REMITTANCE COPY GREEN - FILE COPY

# The LISTBANK INC.

2220 Clinton Point Drive Arlington Heights, IL 60004 (312) 612-0900

## INVOICE

## CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT NO. #1391

CLIENT KEY #

MAIL DATE: 11/25/87

OFFER: CHILDREN'S HOME &amp; AID

TERMS: NET 30 DAYS FROM MAIL DATE

| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA                   | SHIPPED TO:         |
|------------------------------------------------|--------------|------------------|--------------|-------------------------------|---------------------|
| 10020                                          | 11/17/87     | 8710011          | 10-20-87     | FED EX P1                     | CREATIVE AUTOMATION |
| DESCRIPTION                                    |              | QUANTITY         | COST PER M   | AMOUNT                        |                     |
| MULTI-RESPONSE CHARITABLE DONORS LAST 12 MONTH |              | 10010            | 55.00        | 550.55                        |                     |
| OF SELECT                                      |              | 10010            | 5.00         | 50.05                         |                     |
| E-W SELECT                                     |              | 10010            | 5.00         | 50.05                         |                     |
| ORDER EXPEDITED VIA FEDERAL EXPRESS            |              |                  |              | 14.00                         |                     |
| FOR RETURN MAG TAPE                            |              |                  |              | 25.00                         |                     |
| HELPING                                        |              |                  |              | 35.00                         |                     |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              | 0.00                          |                     |
|                                                |              |                  |              | TOTAL AMOUNT DUE ***** 724.65 |                     |

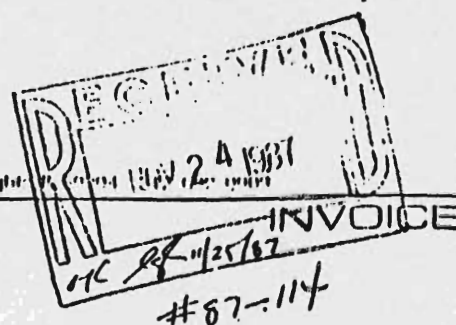
\*\*\* THANK YOU FOR YOUR ORDER \*\*\*

At some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., delivered to a mailer or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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# The LISTBANK INC.

2220 Charles Road Drive Arlington Heights, IL 60004



## CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2000  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT P.O. #391

CLIENT KEY #

MAIL DATE: 11/25/87

OFFER CHILDREN'S HOME &amp; AID

TERMS: NET 30 DAYS FROM MAIL DATE

|                                               |              |                  |              |             |                     |                           |
|-----------------------------------------------|--------------|------------------|--------------|-------------|---------------------|---------------------------|
| INVOICE #                                     | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA | SHIPPED TO:         |                           |
| 710027                                        | 11/23/87     | 8710016          | 10-18-87     | FEDERAL EX  | CREATIVE AUTOMATION |                           |
| DESCRIPTION                                   |              |                  |              | QUANTITY    | COST PER M          | AMOUNT                    |
| LOVERS OF ANIMALS                             |              |                  |              | 10000       | 55.00               | 550.00                    |
| SON SELECT                                    |              |                  |              | 10000       | 3.00                | 30.00                     |
| ORDER EXPEDITED VIA FEDERAL EXPRESS           |              |                  |              |             |                     | 14.00                     |
| NON-RETURN MAG TAPE                           |              |                  |              |             |                     | 15.00                     |
| SHIPPING                                      |              |                  |              |             |                     | 24.00                     |
| MAILER AGREES TO PAY FOR GROSS NETS RECEIVED. |              |                  |              |             |                     | 0.00                      |
| 0004078132                                    |              |                  |              |             |                     |                           |
| DO NOT PAY                                    |              |                  |              |             |                     |                           |
| per M. Kortie                                 |              |                  |              |             |                     |                           |
| *** THANK YOU FOR YOUR ORDER ***              |              |                  |              |             |                     |                           |
|                                               |              |                  |              |             |                     | TOTAL AMOUNT DUE \$633.00 |

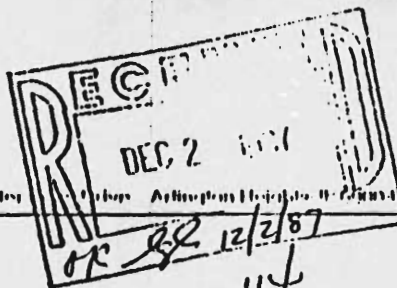
At some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., is delivered to a mailer or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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**The LISTBANK INC.**

2220 Charles



DEC 2 1987

OK 12/2/87  
#87-114

312 632 0000

INVOICE

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT P.O. #391

CLIENT KEY #

MAIL DATE: 12/07/87

OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

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| INVOICE #                                                                                                                                                   | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA      | SHIPPED TO:         |            |
| 10033                                                                                                                                                       | 11/30/87     | 0710010          |              | AIRBORNE         | CREATIVE AUTOMATION |            |
| DESCRIPTION                                                                                                                                                 |              |                  |              | QUANTITY         | COST PER M          | AMOUNT     |
| AT 2 DONORS TO HANDICAPPED CAUSE LAST 12 MO.<br>OF SELECT<br>EAR SELECT<br>ON RETURN MAG TAPE<br>SHIPPING<br>MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              | 25050            | 55.00               | 1377.75    |
|                                                                                                                                                             |              |                  |              | 25050            | 2.50                | 62.63      |
|                                                                                                                                                             |              |                  |              | 25050            | 5.00                | 125.25     |
|                                                                                                                                                             |              |                  |              |                  |                     | 15.00      |
|                                                                                                                                                             |              |                  |              |                  |                     | 34.00      |
|                                                                                                                                                             |              |                  |              |                  |                     | 0.00       |
|                                                                                                                                                             |              |                  |              | TOTAL AMOUNT DUE |                     | ***1614.63 |

0004078

\*\*\* THANK YOU FOR YOUR ORDER \*\*\*

\*\*\* THANK YOU FOR YOUR ORDER \*\*\*

At some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., delivered to a mailer or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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**The LISTBANK INC.**

2220 Chicago Ave. Chicago, Ill. 60604

OK 12/2/87  
#57-114

**INVOICE**

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT PO. #1391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

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| INVOICE #                                                                                                                                                                  | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA                   | SHIPPED TO:         |        |
| 210034                                                                                                                                                                     | 11/30/87     | 8710051          | 10-23-87     | FEDERAL EX.                   | CREATIVE AUTOMATION |        |
| DESCRIPTION                                                                                                                                                                |              |                  |              | QUANTITY                      | COST PER M          | AMOUNT |
| DEDICATED PROGRESSIVES ACTIVE DONORS<br>EAF SELECT<br>ORDER EXPEDITED VIA FEDERAL EXPRESS<br>RETURN MAG TAPE<br>SHIPPING<br>MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              | 5000                          | 60.00               | 300.00 |
|                                                                                                                                                                            |              |                  |              | 5000                          | 3.00                | 15.00  |
|                                                                                                                                                                            |              |                  |              |                               |                     | 14.00  |
|                                                                                                                                                                            |              |                  |              |                               |                     | 0.00   |
|                                                                                                                                                                            |              |                  |              |                               |                     | 24.00  |
|                                                                                                                                                                            |              |                  |              |                               |                     | 0.00   |
| *** THANK YOU FOR YOUR ORDER ***                                                                                                                                           |              |                  |              | TOTAL AMOUNT DUE *** \$353.00 |                     |        |

If at some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc. is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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# The LISTBANK INC.

2220 Charles Street, Burlington, Ontario, Canada L7R 4G1

## INVOICE

## CLIENT:

HAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT P.O. #391

CLIENT KEY #

MAIL DATE: 11/25/87

OFFER CHILDREN'S HOME &amp; AID

TERMS NET 30 DAYS FROM MAIL DATE

|                                                |              |                  |              |             |                     |        |
|------------------------------------------------|--------------|------------------|--------------|-------------|---------------------|--------|
| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA | SHIPPED TO:         |        |
| 10036                                          | 12/03/87     | 0710027          | 10-20-87     | BURLINGTON  | CREATIVE AUTOMATION |        |
| DESCRIPTION                                    |              |                  |              | QUANTITY    | COST PER M          | AMOUNT |
| HILDCRAFT EDUCATION CORP. LAST 12 MONTH BUYER  |              |                  |              | 5000        | 75.00               | 375.00 |
| OF SELECT                                      |              |                  |              | 5000        | 5.00                | 25.00  |
| EAR SELECT                                     |              |                  |              | 5000        | 5.00                | 25.00  |
| ION RETURN MAG TAPE                            |              |                  |              |             |                     | 15.00  |
| SHIPPING                                       |              |                  |              |             |                     | 9.90   |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |             |                     | 0.00   |
| IF 30 DAY PAYMENT GUARANTEE IN FORCE.          |              |                  |              |             |                     | 0.00   |
| TOTAL AMOUNT DUE *** \$449.90                  |              |                  |              |             |                     |        |

At some future date, liability for sales taxes or use taxes is assumed upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., delivered to a mailer or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

\*\*\* THANK YOU FOR YOUR BUSINESS \*\*\*  
WHITE COPY - ORIGINAL YELLOW COPY - REMITTANCE COPY GREEN - FILE COPY

CHILDREN'S HOME & AID SOCIETY  
OF ILLINOIS  
1727 NORTH DEARBORN STREET  
CHICAGO, ILLINOIS 60610  
F.E.I.N. 36-2167743

CHECK NO. 047923

MAILWORKS INC

VOUCHER ACCOUNT DESCRIPTION

8809-0263 9601-2451 0652,0611,0650

TOTAL

6,942.31

NET AMOUNT

\$6,942.31

WHEN MAKING INQUIRY ABOUT THIS REMITTANCE, PLEASE REFER TO OUR VOUCHER NUMBER.

CHILDREN'S HOME & AID SOCIETY  
OF ILLINOIS

G 047923

PAY TO THE ORDER OF

MAILWORKS INC  
230 N MICHIGAN AVENUE  
CHICAGO IL 60601

DATE  
3/24/88

CHECK NO.

047923

PAY THIS AMOUNT

\$6,942.31

NON NEGOTIABLE

CONTINENTAL BANK  
CHICAGO, ILLINOIS

⑈047923⑈ ⑈07⑈000039⑈ 7⑈7⑈1056⑈

A-1 11-81

Instructions on Back

ACCOUNTING

CHILDREN'S HOME & AID SOCIETY OF ILLINOIS  
REQUISITION

(For internal use only — not an Authorization for Purchase)

21894

MAR 21

|                                                                   |                                                                                                                                                                                                                                                                                     |             |                                                                        |
|-------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-------------|------------------------------------------------------------------------|
| 1. Department                                                     |                                                                                                                                                                                                                                                                                     | DEVELOPMENT | 9807                                                                   |
| 2. Quantity                                                       | 3. Description                                                                                                                                                                                                                                                                      |             | 4. Estimated Cost                                                      |
|                                                                   | <p><u>FUND RAISING FEES</u></p> <p><i>Acquisitions</i></p> <p>LIST RENTALS (remaining)<br/>FROM CHRISTMAS <del>XXXXXXXXXXXXXXXXXXXX</del><br/>MAIL APPEAL</p> <p>Invoice #0652</p> <p>Invoice #0611</p> <p>Invoice #0650 (includes handling fee and shipping)</p> <p>TOTAL DUE:</p> |             | <p>595.00</p> <p>1,414.49</p> <p><u>4,932.82</u></p> <p>\$6,942.31</p> |
| 5. Suggested Vendor (if any)                                      |                                                                                                                                                                                                                                                                                     |             | 6. Account                                                             |
| MAILWORKS, INC.<br>230 North Michigan Avenue<br>Chicago, IL 60601 |                                                                                                                                                                                                                                                                                     |             | 9601 2451                                                              |
|                                                                   |                                                                                                                                                                                                                                                                                     |             | 7. Date Needed:<br>3/31/88                                             |
| 8. Deliver To:                                                    |                                                                                                                                                                                                                                                                                     |             |                                                                        |
| Payment to Mailworks                                              |                                                                                                                                                                                                                                                                                     |             |                                                                        |
| Signatures:                                                       |                                                                                                                                                                                                                                                                                     |             |                                                                        |
| 9. Originator                                                     |                                                                                                                                                                                                                                                                                     | Date        |                                                                        |
| Director                                                          |                                                                                                                                                                                                                                                                                     | Date        |                                                                        |
| Administrator                                                     |                                                                                                                                                                                                                                                                                     | Date        |                                                                        |

A-1 11-81

Instructions on Back

ACCOUNTING

0040781397

# INVOICE

TO: Ms. Margaret Lortie  
Director of Development  
Children's Home & Aid Society  
of Illinois  
1122 North Dearborn  
Chicago, Illinois 60610

DATE: March 14, 1988

INVOICE NO. 0652

JOB NO. 88-114

DESCRIPTION OF SERVICES: Job #87-114 - 1987 Holiday Appeal

Reimbursement due to Mailworks, Inc. on the following  
List Rental invoice:

710027.....\$ 595.00

THANK YOU!

Amount billed represents unpaid balance  
(less shipping) on our invoice #0583  
dated December 22, 1987.

EMPLOYEE I.D. #36-3144736

TOTAL AMOUNT DUE: \$ 595.00

**Mailworks, inc.**

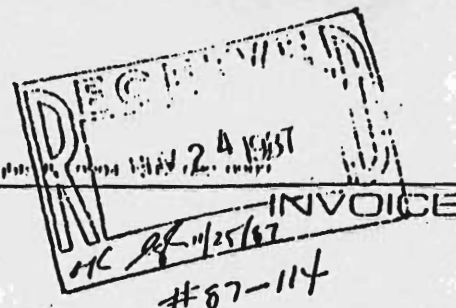
230 North Michigan Avenue, Chicago, IL 60601 • Telephone (312) 263-0665

Past due accounts subject to 1.5% per month,  
18% per annum service charge.



# The LISTBANK INC.

22201 Cleverly Court Drive Arlington Heights, IL 60004



**CLIENT:**

MAILWORKS, INC.  
230 N. MICHIGAN  
CHICAGO  
JOAN FIELDS

BTE. 2800  
IL 60601

312-263-0665

CLIENT P.O. #391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA | SHIPPED TO:         |        |
|------------------------------------------------|--------------|------------------|--------------|-------------|---------------------|--------|
| 710027                                         | 11/23/87     | 0710016          | 10-18-87     | FEDERAL EX  | CREATIVE AUTOMATION |        |
| DESCRIPTION                                    |              |                  |              | QUANTITY    | COST PER M          | AMOUNT |
| COVERS OF ANIMALS                              |              |                  |              | 10000       | 55.00               | 550.00 |
| SCF SELECT                                     |              |                  |              | 10000       | 3.00                | 30.00  |
| ORDER EXPEDITED VIA FEDERAL EXPRESS            |              |                  |              |             |                     | 14.00  |
| NON-RETURN MAG TAPE                            |              |                  |              |             |                     | 15.00  |
| SHIPPING                                       |              |                  |              |             |                     | 24.00  |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |             |                     | 0.00   |
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If at some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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# Mailworks, Inc.

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March 11, 1988

Dear Ms. Baron-Reed:

In reference to your request: I am enclosing  
a copy of our invoice #0611.

Yours truly,

*Patricia Almandar*  
Patricia Almandar  
Bookkeeper

---

230 North Michigan Avenue, Chicago, IL 60601 • Telephone (312) 263-0665

# INVOICE

TO: Ms. Margaret Lortie  
Director of Development  
Childrens Home & Aid Society  
of Illinois  
1122 North Dearborn  
Chicago, Illinois 60610

DATE: January 29, 1988

INVOICE NO. 0611

JOB NO. 87-114

DESCRIPTION OF SERVICES: Job #87-114 - 1987 Holiday Appeal

Reimbursement due Mailworks, Inc. on the following List  
Rental invoices:

List Rental  
Invoice No.

Amount

|             |           |
|-------------|-----------|
| 710041..... | \$ 212.50 |
| 710043..... | \$ 550.00 |
| 710044..... | \$ 355.00 |

Total List Rental (less shipping)....\$ 1,117.50

Handling fee for the above  
(less shipping).....\$ 197.24

Total Shipping Charges on the above.\$ 99.75

Reimbursement due Mailworks, Inc....\$ 1,414.49

These three invoices represent three of the  
last five list rental bills. Two additional  
list invoices are still to be received by  
Mailworks, Inc. and will be billed upon  
receipt.

THANK YOU!

EMPLOYEE I.D. #36-3144736

TOTAL AMOUNT DUE: \$ 1,414.49

**Mailworks, inc.**

Past due accounts subject to 1.5% per month,  
10% per annum service charge.

230 North Michigan Avenue, Chicago, IL 60601 • Telephone (312) 263-0665

• • • • •

11 1024, 120 1 101545: 110 111411 1011 1011

\*\*\* THANK YOU FOR YOUR ORDER \*\*\*

15111A/1K discloses any and all liability or responsibility for payment, collection or satisfaction of any such line.

WHITE COPY - ORIGINAL      YELLOW COPY - REMITTANCE COPY      GREEN - FILE COPY

# LISTBANK

INVOICE

CLIENT:

NAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JUAN FIELDS

312-263-0665

CLIENT NO. #1391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

|                                                |                          |                             |              |                            |                                   |                  |
|------------------------------------------------|--------------------------|-----------------------------|--------------|----------------------------|-----------------------------------|------------------|
| INVOICE #<br>710043                            | INVOICE DATE<br>01/19/88 | LISTBANK ORDER #<br>8710049 | DATE SHIPPED | SHIPPED VIA<br>AIR FREIGHT | SHIPPED TO<br>CREATIVE AUTOMATION |                  |
| DESCRIPTION                                    |                          |                             |              | QUANTITY                   | COST PER M                        | AMOUNT           |
| JUAN COOK LAST 12 MONTH BUYERS                 |                          |                             |              | 10000                      | 50.00                             | 500.00           |
| SCF SELECT                                     |                          |                             |              | 10000                      | 5.00                              | 50.00            |
| ORDER EXPEDITED VIA FEDERAL EXPRESS            |                          |                             |              |                            |                                   | 14.00            |
| RETURN MAG TAPE                                |                          |                             |              |                            |                                   | 02.00            |
| SHIPPING                                       |                          |                             |              |                            |                                   | 21.50            |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |                          |                             |              |                            |                                   | 0.00             |
| 40787403                                       |                          |                             |              |                            |                                   |                  |
| *** THANK YOU FOR YOUR ORDER ***               |                          |                             |              |                            |                                   | *****585.50      |
|                                                |                          |                             |              |                            |                                   | TOTAL AMOUNT DUE |

\*\*\* THANK YOU FOR YOUR ORDER \*\*\*

TOTAL AMOUNT DUE

\*\*\*\*\*585.50

Not a return date. Liability for sales taxes or use taxes is assumed upon the initial value of information services furnished, or upon the value of property furnished (and assumed in the jurisdiction where printed matter, etc., is delivered to a mailer or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or satisfaction of any such tax.

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22001 to order through Listbank - Address as indicated on invoice - no cash orders

# INVOICE

## CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

ok *ag* 1/18/88  
#87-114

CLIENT NO. # 1391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

312-263-0665

TERMS: 14 DAYS FROM MAIL DATE

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|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------------------|-----------------------------|--------------|----------------------------|-----------------------------------|--------|
| INVOICE #<br>710041                                                                                                                                                            | INVOICE DATE<br>01/12/88 | LISTBANK ORDER #<br>8710013 | DATE SHIPPED | SHIPPED VIA<br>AIR FREIGHT | SHIPPED TO<br>CREATIVE AUTONATION |        |
| DESCRIPTION                                                                                                                                                                    |                          |                             |              | QUANTITY                   | COST PER M                        | AMOUNT |
| DONORS TO A HEALTH CHARITY FORMER DONORS<br>SCF SELECT<br>ORDER EXPEDITED VIA FEDERAL EXPRESS<br>RETURN MAG TAPE<br>SHIPPING<br>MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |                          |                             |              | 5000                       | 40.00                             | 200.00 |
|                                                                                                                                                                                |                          |                             |              | 5000                       | 2.50                              | 12.50  |
|                                                                                                                                                                                |                          |                             |              |                            |                                   | 14.00  |
|                                                                                                                                                                                |                          |                             |              |                            |                                   | 9.00   |
|                                                                                                                                                                                |                          |                             |              |                            |                                   | 25.75  |
|                                                                                                                                                                                |                          |                             |              |                            |                                   | 0.00   |
| *** THANK YOU FOR YOUR ORDER ***                                                                                                                                               |                          |                             |              | TOTAL AMOUNT DUE           |                                   | 252.25 |

If at some future date, liability for sales taxes or use taxes is assessed upon the printed value of the material or service rendered, or upon the value of property rendered (and assessed in the jurisdiction where printed matter, etc., is delivered to a mailer or the user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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# INVOICE

TO: Ms. Margaret Lortie  
Director of Development  
Children's Home & Aid Society  
of Illinois  
1122 North Dearborn Street  
Chicago, Illinois 60610

DATE: March 12, 1988

INVOICE NO. 0650

JOB NO. 87-114

DESCRIPTION OF SERVICES: Job #87-114 - 1987 Holiday Appeal

Reimbursement due Mailworks, Inc. on the following  
List Rental invoices:

Invoice No.

710048.....\$ 4,301.33

710049.....\$ 327.31

Total List Rental (less \$ 4,628.64  
shipping)

Handling Fee for Above...\$ 231.43

Total Shipping Charges...\$ 72.75

\$ 4,932.82

These two invoices represent  
the last of the five list  
rental bills for this project.

THANK YOU!

EMPLOYEE I.D. #36-3144736

TOTAL AMOUNT DUE: \$ 4,932.82

**Mailworks, inc.**

Past due accounts subject to 1.5% per month,  
18% per annum service charge.

230 North Michigan Avenue, Chicago, IL 60601 • Telephone (312) 263-0665



# The LISTBANK INC.

22700 Douglas Road Chicago, Illinois 60647

OK-97-3/9/88  
87-114

## INVOICE

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS

312-263-0665

CLIENT NO. # 1391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA      | SHIPPED TO:         |             |
|------------------------------------------------|--------------|------------------|--------------|------------------|---------------------|-------------|
| 710049                                         | 03/01/88     | 8710050          |              | AIRBORNE         | CREATIVE AUTOMATION |             |
| DESCRIPTION                                    |              |                  |              | QUANTITY         | COST PER M          | AMOUNT      |
| CHILDREN'S READING INSTITUTE ACTIVE SUBS.      |              |                  |              | 5124             | 55.00               | 281.62      |
| TITLE ADDRESS                                  |              |                  |              | 5124             | 1.00                | 5.12        |
| SCF SELECT                                     |              |                  |              | 5124             | 3.00                | 15.37       |
| NON-RETURN MAG TAPE                            |              |                  |              |                  |                     | 25.00       |
| SHIPPING                                       |              |                  |              |                  |                     | 25.75       |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |                  |                     | 0.00        |
| *** THANK YOU FOR YOUR ORDER ***               |              |                  |              | TOTAL AMOUNT DUE |                     | *****353.00 |

At some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., delivered to a mailer or list user) LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

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# LISTBANK INC.

INVOICE

97-3/9/88  
57-114

CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS 312-263-0665

CLIENT PO. # 1391  
CLIENT KEY 12/07/87  
MAIL DATE: CHILDREN'S HOME & AID  
OFFER:

TERMS: NET 30 DAYS FROM MAIL DATE

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|------------------------------------------------|--------------|------------------|--------------|----------|-------------------------|---------|
| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIP TO  | SHIP FROM               |         |
| 710048                                         | 03/01/88     | 8710009          |              | WYBORNE  | PERFORMATIVE AUTOMATION |         |
| DESCRIPTION                                    |              |                  |              | QUANTITY | COST PER M              | AMOUNT  |
| DONORS TO A NATIONWIDE APPEAL LAST 12 MONTHS   |              |                  |              | 74284    | 45.00                   | 3342.78 |
| REGENCY SELECT                                 |              |                  |              | 74284    | 10.00                   | 742.84  |
| SCF SELECT                                     |              |                  |              | 74284    | 2.50                    | 185.71  |
| NON-RETURN MAG TAPE                            |              |                  |              |          |                         | 30.00   |
| SHIPPING                                       |              |                  |              |          |                         | 47.00   |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |          |                         | 0.00    |
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At some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., delivered to a mailer or list user). LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

WHITE COPY - ORIGINAL YELLOW COPY - REMITTANCE COPY GREEN - FILE COPY

4078407



**Republican  
National  
Committee**

**E. Mark Braden**  
Chief Counsel

**Michael A. Hess**  
**Randall Davis**  
Deputy Chief Counsels

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FEDERAL ELECTION COMMISSION  
MAIL ROOM

88 JUN 15 AM 10:55

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FEDERAL ELECTION COMMISSION  
88 JUN 15 AM 11:52

June 10, 1988

Charles Snyder, Esquire  
Office of the General Counsel  
Federal Election Commission  
999 E Street, N.W.  
Washington, D.C. 20463

RE: MURs 2565 and 2566

Dear Mr. Snyder:

We have been informed by Lois Lerner of your office that the Commission's Reports and Analysis Division does not have a copy of the Republican National Committee's pseudonym list. This request arose because of our filing complaint in the above referenced actions.

I am enclosing a copy of our most recent list of pseudonyms, which includes the names mailed in the above complaints.

Please let me know if I can be of any further assistance.

Sincerely,

*Michael A. Hess*  
Michael A. Hess

Enclosure

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of  
Person(s) Unknown

)  
)  
)

MUR 2565

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On April 5, 1988, the Commission found reason to believe that person(s) unknown violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. The basis for this finding was a complaint filed by the Republican National Committee ("RNC") alleging that pseudonymous names that appeared on reports it had filed with the Commission had been solicited for contributions by the Children's Home and Aid Society of Illinois ("Children's Home"). At the direction of the Commission, this Office propounded interrogatories to Children's Home in order to discover the sources from which Children's Home obtained the use of mailing lists that allegedly contained a name copied from reports the RNC had filed with the Commission.<sup>\*/</sup>

On May 9, 1988, Children's Home responded to those interrogatories (See Attachment 1.) The witness identified Advance Management Systems of Los Angeles as the owner of the lists. The list broker employed was Listbank, Inc. of Arlington Heights, Ill. Mailworks, Inc. was the list consultant used by

<sup>\*/</sup> Although the RNC failed to file a list of pseudonyms at the time it filed the report on which such names appeared, it did provide such a list in response to an inquiry from this Office in regard to a separate MUR. That list included the name \_\_\_\_\_, which appeared on the solicitation letter disseminated by Children's Home.

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Children's Home. In addition, Phoenix Data Processing performed merge/purge services, and Precise Data Services prepared, addressed, and mailed the letters.

## II. ANALYSIS

Under the Federal Election Campaign Act,

any information copied from ... reports or statements [filed with the Commission] may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

2 U.S.C. § 438(a)(4). In view of the allegation that the list used by Children's Home contained pseudonymous names copied from reports filed by the RNC with the Commission, it appears in the view of this Office that there is reason to believe that Advance Management Systems, the owner of the list, and Listbank, Inc., the list broker, were responsible for the tainted names being on the list; and that, therefore, there is reason to believe that Advance Management Systems and Listbank, Inc. violated 2 U.S.C. § 438(a)(4). It is further recommended that interrogatories should be propounded to these respondents. In addition, although this Office makes no recommendation at this time concerning whether Mailworks, Inc., Phoenix Data Processing, and Precise Data Services violated 2 U.S.C. § 438(a)(4), it is recommended that questions be propounded to these organizations as witnesses only.

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**III. RECOMMENDATIONS**

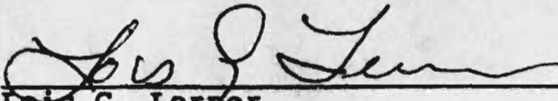
1. Find reason to believe that Advance Management Systems violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.
2. Find reason to believe that Listbank, Inc. violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.
3. Approve the attached orders and questions.
4. Approve the attached letters.

Lawrence M. Noble  
General Counsel

Date

8/14/88

By:

  
Lois G. Lerner  
Associate General Counsel

**Attachments**

1. Response to Complaint
2. Proposed Letters (5) and Factual and Legal Analyses (2)
3. Interrogatories (2) and Orders (3)

Staff Person: Janice Lacy

00040781411



OQC

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
 )  
Person(s) Unknown ) MUR 2565

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on August 19, 1988, the Commission decided by a vote of 5-0 to take the following actions in MUR 2565:

1. Find reason to believe that Advance Management Systems violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.
2. Find reason to believe that Listbank, Inc. violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.
3. Approve the orders and questions attached to the General Counsel's report dated August 16, 1988.
4. Approve the letters attached to the General Counsel's report dated August 16, 1988.

Commissioners Elliott, Josefiak, McDonald, McGarry, and Thomas voted affirmatively for the decision; Commissioner Aikens did not cast a vote.

Attest:

8/19/88  
Date

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

Received in Secretariat at 10:46 a.m. on August 17, 1988  
Circulated to the Commission at 4:00 p.m. on August 17, 1988  
Deadline for vote: 4:00 p.m. on August 19, 1988

00040781412



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 31, 1988

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Dana McClenahn  
Listbank, Inc.  
2220 Charter Point Drive  
Arlington Heights, Illinois 60004

RE: MUR 2565  
List Bank, Inc.

Dear Ms. McClenahn:

On August 19, 1988, the Federal Election Commission found that there is reason to believe Listbank, Inc. violated 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and 11 C.F.R. § 104.15 of Commission Regulations. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Listbank, Inc. 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, along with answers to the enclosed questions, within 15 days of your 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 Listbank, Inc., 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.

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Letter to Dana McClenahn  
Page 2

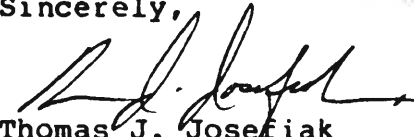
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Janice Lacy, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Interrogatories

00040781414

FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS

RESPONDENT: Listbank, Inc.

MUR 2565

On April 5, 1988, the Commission found reason to believe that person(s) unknown violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. The basis for this finding was a complaint filed by the Republican National Committee ("RNC") alleging that pseudonymous names that appeared on reports it had filed with the Commission had been solicited for contributions by the Children's Home and Aid Society of Illinois ("Children's Home"). At the direction of the Commission, this Office propounded interrogatories to Children's Home in order to discover the sources from which Children's Home obtained the use of mailing lists that allegedly contained a name copied from reports the RNC had filed with the Commission.

On May 9, 1988, Children's Home responded to those interrogatories. The witness identified Listbank, Inc. of Arlington Heights, Ill. as the broker who provided the list.

Under the Federal Election Campaign Act,

any information copied from ... reports or statements [filed with the Commission] may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

2 U.S.C. § 438(a)(4). In view of the allegation that the list used by Children's Home contained pseudonymous names copied from

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reports filed by the RNC with the Commission, it appears that there is reason to believe that Listbank, Inc., the list broker, was responsible for the tainted names being on the list; and that, therefore, there is reason to believe that Listbank, Inc., violated 2 U.S.C. § 438(a)(4).

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INTERROGATORIES TO:

Listbank, Inc.

1. State the name, address, and telephone number of the person or entity from whom you obtained the mailing list described as "Contributors to International Children's Causes" used by the Children's Home and Aid Society of Illinois to issue the attached mailing (Exhibit A) (hereinafter "the List"). If the List was rented or purchased from an entity, state the name of the entity's principal officer or employee.
2. State the name and address of the owner of the List.
3. State the name of the List, if different than the name provided in Question 1 above, and state the number of persons whose names are contained on the List.
4. State whether at the time of the rental of the List an inquiry was made as to the source of the names on the List. If the answer is yes, state the name of the person making the inquiry, the name of the person to whom the inquiry was made, and the answer received to the inquiry.
5. Provide originals or true copies of all documents concerning the creation, compilation, advertisement, rental, sale, or use of the List.
6. Describe in detail the services you provided with respect to the List. State whether you added any names or addresses to the List.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 31, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Phoenix Data Processing  
4648 Western Avenue  
Lisle, Illinois

RE: MUR 2565

Dear Sir/Madam:

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 order, which requires you to provide certain information, 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 assist you in the preparation of your responses to this order. However, you are required to submit the information under oath within 15 days of your receipt of this order.

If you have any questions, please direct them to Janice Lacy, the attorney handling this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

By:   
Lois G. Lerner  
Associate General Counsel

Enclosures  
Order  
Questions

00040781418

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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MUR 2565

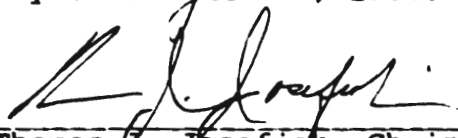
SUBPOENA TO PRODUCE DOCUMENTS  
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Phoenix Data Processing  
4648 Western Avenue  
Lisle, Illinois

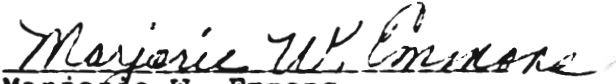
Pursuant to 2 U.S.C. § 437d(a) (1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Order. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Commission along with the requested documents within 15 days of your receipt of this Order and Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on this *29th* day of *August*, 1988.

  
Thomas G. Josefiak, Chairman  
Federal Election Commission

ATTEST:

  
Marjorie W. Emmons  
Secretary to the Commission

Attachments  
Questions and  
Document Request (1 page)

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Questions and Request for Documents to:

Phoenix Data Processing

1. State the name, address, and telephone number of the person or entity from whom you obtained the mailing list described as "Contributors to International Children's Causes" used by the Children's Home and Aid Society of Illinois to issue the attached mailing (Exhibit A) (hereinafter "the List"). If the List was rented or purchased from an entity, state the name of the entity's principal officer or employee.
2. State the name and address of the owner of the List.
3. State the name of the List, if different than that provided in Question 1 above, and state the number of persons whose names are contained on the List.
4. State whether at the time of the rental of the List an inquiry was made as to the source of the names on the List. If the answer is yes, state the name of the person making the inquiry, the name of the person to whom the inquiry was made, and the answer received to the inquiry.
5. Provide originals or true copies of all documents concerning the creation, compilation, preparation, advertisement, rental, sale, or use of the List.
6. Describe in detail the services you provided with respect to the List. State whether you added any names or addresses to the List.

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 31, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Wendy Fisher, President  
Mailworks, Inc.  
230 North Michigan Avenue, Suite 2800  
Chicago, Ill. 60601

RE: MUR 2565

Dear Ms. Fisher:

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 order which requires you to provide certain information, 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 assist you in the preparation of your responses to this order. However, you are required to submit the information under oath within 15 days of your receipt of this order.

If you have any questions, please direct them to Janice Lacy, the attorney handling this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

By:   
Lois G. Lerner  
Associate General Counsel

Enclosures  
Order  
Questions

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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) MUR 2565  
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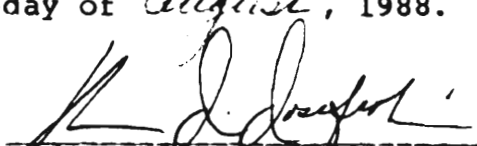
**SUBPOENA TO PRODUCE DOCUMENTS**  
**ORDER TO SUBMIT WRITTEN ANSWERS**

TO: Wendy Fisher, President  
Mailworks, Inc.  
230 North Michigan Avenue  
Suite 2800  
Chicago, Ill. 60601

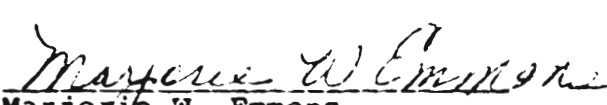
Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Order. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Commission along with the requested documents within 15 days of your receipt of this Order and Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on this 31<sup>st</sup> day of August, 1988.

  
Thomas J. Josefiak, Chairman  
Federal Election Commission

ATTEST:

  
Marjorie W. Emmons  
Secretary to the Commission

Attachments  
Questions and  
Document Request (1 page)

00040781422

Questions and Request for Documents to:

**Mailworks, Inc.**  
**Wendy Fisher, President**

1. State the name, address, and telephone number of the person or entity from whom you obtained the mailing list described as "Contributors to International Children's Causes" used by the Children's Home and Aid Society of Illinois to issue the attached mailing (Exhibit A) (hereinafter "the List"). If the List was rented or purchased from an entity, state the name of the entity's principal officer or employee.
2. State the name and address of the owner of the List.
3. State the name of the List, if different than the name provided in Question 1 above, and state the number of persons whose names are contained on the List.
4. State whether at the time of the rental of the List an inquiry was made as to the source of the names on the List. If the answer is yes, state the name of the person making the inquiry, the name of the person to whom the inquiry was made, and the answer received to the inquiry.
5. Provide originals or true copies of all documents concerning the creation, compilation, preparation, advertisement, rental, sale, or use of the List.
6. Describe in detail the services you provided with respect to the List. State whether you added any names or addresses to the List.

00040781423



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

August 31, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

William Sloyan, Sr., President  
Precise Data Services  
7550 Plaza Court  
Willowbrook, Illinois

RE: MUR 2565

Dear Mr. Sloyan:

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 order which requires you to provide certain information, in connection with an investigation it is conducting. The Commission does not consider you a respondent in this matter, but rather a witness only.

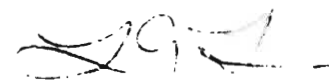
Because this information is being sought as part of an investigation being conducted by the Commission, the confidentiality provision of 2 U.S.C. § 437g(a)(12)(A) applies. That section prohibits making public any investigation conducted by the Commission without the express written consent of the person 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 assist you in the preparation of your responses to this order. However, you are required to submit the information under oath within 15 days of your receipt of this order.

If you have any questions, please direct them to Janice Lacy, the attorney handling this matter, at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

  
By: Lois G. Lerner  
Associate General Counsel

Enclosures  
Order  
Questions

00040781424

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)  
)  
)  
)  
MUR 2565

**SUBPOENA TO PRODUCE DOCUMENTS**  
**ORDER TO SUBMIT WRITTEN ANSWERS**

TO: William Sloyan, Sr., President  
Precise Data Services  
7550 Plaza Court  
Willowbrook, Illinois

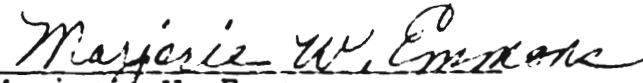
Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Order. Legible copies which, where applicable, show both sides of the documents, may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Commission along with the requested documents within 15 days of your receipt of this Order and Subpoena.

WHEREFORE, the Chairman of the Federal Election Commission has hereunto set his hand on this *24th* day of *August*, 1988.

  
Thomas J. Josefiak, Chairman  
Federal Election Commission

ATTEST:

  
Marjorie W. Emmons  
Secretary to the Commission

Attachments  
Questions and  
Document Request (1 page)

00040781425



Questions and Request for Documents to:

**William Sloyan, Sr., President**  
**Precise Data Services**

1. State the name, address, and telephone number of the person or entity from whom you obtained the mailing list described as "Contributors to International Children's Causes" used by the Children's Home and Aid Society of Illinois to issue the attached mailing (Exhibit A) (hereinafter "the List"). If the List was rented or purchased from an entity, state the name of the entity's principal officer or employee.
2. State the name and address of the owner of the List.
3. State the name of the List, if different than the name provided in Question 1 above, and state the number of persons whose names are contained on the List.
4. State whether at the time of the rental of the List an inquiry was made as to the source of the names on the List. If the answer is yes, state the name of the person making the inquiry, the name of the person to whom the inquiry was made, and the answer received to the inquiry.
5. Provide originals or true copies of all documents concerning the creation, compilation, preparation, rental, sale, or use of the List.
6. Describe in detail the services you provided with respect to the List. State whether you added any names or addresses to the List.

00040781426



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

August 31, 1988

CERTIFIED MAIL - RETURN RECEIPT REQUESTED

Advance Management Systems  
9255 Sunset Boulevard  
Penthouse  
Los Angeles, California 90069

RE: MUR 2565  
Advance Management Systems

Dear Sir/Madam:

On August 19, 1988, the Federal Election Commission found that there is reason to believe Advance Management Systems violated 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and 11 C.F.R. § 104.15 of Commission Regulations. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Advance Management Systems. 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, along with answers to the enclosed questions, within 15 days of your 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 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.

90040781427

Letter to Advance Management Systems  
Page 2

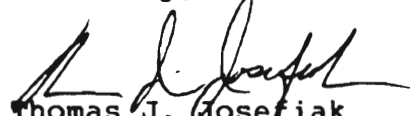
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Janice Lacy, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Interrogatories

00040781428

**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT: Advance Management Systems**

**MUR 2565**

On April 5, 1988, the Commission found reason to believe that person(s) unknown violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. The basis for this finding was a complaint filed by the Republican National Committee ("RNC") alleging that pseudonymous names that appeared on reports it had filed with the Commission had been solicited for contributions by the Children's Home and Aid Society of Illinois ("Children's Home"). At the direction of the Commission, this Office propounded interrogatories to Children's Home in order to discover the sources from which Children's Home obtained the use of mailing lists that allegedly contained a name copied from reports the RNC had filed with the Commission.

On May 9, 1988, Children's Home responded to those interrogatories. The witness identified Advance Management Systems of Los Angeles as the owner of the lists.

Under the Federal Election Campaign Act,

any information copied from ... reports or statements [filed with the Commission] may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

2 U.S.C. § 438(a)(4). In view of the allegation that the list used by Children's Home contained pseudonymous names copied from

00040781429

reports filed by the RNC with the Commission, it appears that there is reason to believe that Advance Management Systems, the owner of the list, was responsible for the tainted names being on the list; and that, therefore, there is reason to believe that Advance Management Systems violated 2 U.S.C. § 438(a)(4).

00040781430

INTERROGATORIES TO:

**Advance Management Systems**

1. Describe in detail the method whereby you and/or your employees obtained the names and addresses that appeared on a mailing list described as "Contributors to International Children's Causes" used by the Children's Home and Aid Society of Illinois to issue the attached mailing (Exhibit A) (hereinafter "the List").
2. State the name of the List, if different than the name provided in Question 1 above, and state the number of persons whose names are contained on the List.
3. Identify the individual who provided the names that appeared on the List.
4. State in detail how the List was compiled. Identify all persons who helped to compile the List.
5. If a source of the List was the Federal Election Commission, the Secretary of State's Office or other offices where election finance reports are filed, list the states and/or localities involved and specify the offices involved (e.g., state board of election).
6. Describe all contributor information from FEC sources that you used in connection with fundraising efforts. Describe each instance that information from FEC sources was used. Identify the individuals who provided such information and/or documents.
7. If FEC contributor tapes, lists, or other information used in FEC disclosure reports were obtained in connection with compiling the List, state which you obtained, who made them available, and how this occurred.
8. If you did not compile or create the List, state whether you added any names or addresses to it.
9. State whether you inquired as to the source of names used for solicitation. State what, if any, representations were made to you as to the source of the names and addresses of persons that appeared on the List. Identify the person(s) who made each such representation.
10. Identify all brokers, list managers, or list users to whom you sold, rented, or otherwise made available the List.

00040781431



Interrogatories to:  
Advance Management Systems  
Page 2

11. State whether there were any inquiries to Advance Management Systems regarding the source of the names on the List. If the answer is yes, state the name of the person making the inquiry, the name of the person to whom the inquiry was made, and the answer provided to the inquiry.
12. Provide originals or true copies of all documents concerning the creation, compilation, preparation, advertisement, rental, sale, or use of the List.
13. Describe in detail your role in marketing the List.

00040781432

# Mailworks, inc.

Strategic marketing, direct mail and creative services for nonprofit organizations

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

08 SEP 21 AM 10:06

September 19, 1988

08 SEP 21 PM 12:13

FEDERAL ELECTION COMMISSION

Ms. Janice Lacy  
Office of General Counsel  
Federal Election Commission  
Washington, D.C. 20463

Dear Ms. Lacy:

I am in receipt of your certified letter dated August 31, 1988 pertaining to RE: MUR 2565.

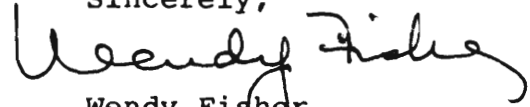
As I mentioned to you on the phone this morning, I just received this material as I have been away on vacation until today. The material was, however, received in my office on September 12th while I was in Europe.

My lawyer is on vacation until approximately September 27th -- the date originally requested by you for us to respond. With the above in mind, I respectfully request an extension for responding until Friday, October 7th. I am confident that we can properly respond by that time.

We do not have much information to assist you with your request but will forward what material we have in our possession.

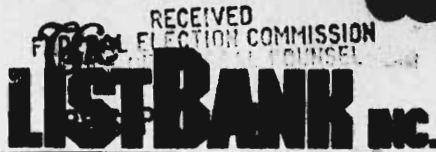
Thank you for your consideration of this request for an extension until October 7th.

Sincerely,

  
Wendy Fisher  
President

WF/mab

00040781433



2220 Charter Point Drive Arlington Heights, Illinois 60004 88 SEP 26 PM 9:47 (312) 632-0800 Fax: (312) 632-0111

September 17, 1988

Mr. Thomas J. Josefiak  
Chairman  
Federal Election Commission  
Washington, DC 20463

Re: Letter to Dana McLenahan, Listbank Inc. dated 8/31/88  
MUR 2565  
ListBank, Inc.

Dear Sir:

This is in response to your letter, dated August 31, 1988 which informed us that a question has arisen regarding our actions in the rental of a mailing list described as "Contributors to International Children's Causes" used by the Children's Home and Aid Society of Illinois and ordered through our company.

Your letter was addressed to Mr. Dana McLenahan who is a vice president in our company. However, since I am the president and sole owner I have chosen to respond to you.

The following statements are responses to your interrogatories. I think they will answer your questions and I hope clear up The ListBank's connection with this matter.

1. The list, "Contributors to International Children's Causes" was obtained through:

Advanced Management Systems, Inc.  
9255 Sunset Blvd., Penthouse  
Los Angeles, California 90069  
Telephone: 213-858-1520

This is a mailing list management firm. Our contact was Ms. Diana Peron or Marrisa Muskat.

2. The name and address of the list owner is unknown to us. Advanced Management Systems manages the list for the owner and should be able to furnish this information.
3. To our knowledge the name of the list is as shown in the interrogatory. Our records show that the total list contains 319,476 names. However, our order required only names from the state of Illinois. The order was for 15,000 names, but they were only able to supply 13,812 in the Illinois sectional centers we requested.

000040781434

4. At the time of the order we checked the listing for this list in Direct Mail Standard Rate and Data, which is published bi-monthly and accepted as a reliable research tool for the direct mail industry. The listing for "Contributors to International Children's Causes" showed that the mailing list came from "direct mail and space ads." (See the enclosed sample of the listing.) This information was researched by Dana McLenahan.

5. The following exhibits are enclosed with this letter:

**Exhibit A** - Original printed listing from Direct Mail Standard Rate and Data.

**Exhibit B** - Xerox copy of ListBank Order #8710012, dated October 8, 1987 to Advanced Management Systems, Inc. for 15,000 Illinois names from the mailing list called "Contributors to International Children's Causes."

NOTE: The order is placed in behalf of Mailworks, Inc., 230 N. Michigan Avenue, Chicago, IL 60601 which is the advertising agency for Children's Home and Aid Society. Their phone number is 312-263-0665 and our contact is Ms. Joan Fields.

**Exhibit C** - Confirmation of our order from Advanced Management Systems, Inc. Their order date was October 17, 1987 and their order number was 400880.

6. The services provided by The ListBank, Inc. were as follows:

1. We recommended this list to our client, Mailworks, Inc., who is the advertising agency for Children's Home and Aid Society. They in turn recommended it to their client. Our recommendation was made after researching many lists of this type shown in Direct Mail Standard Rates and Data. This was only one of many lists which were recommended, and only one of several lists ordered by our client.
2. After approval of our recommendation we prepared our order #870012 and faxed it to Advanced Management Systems, Inc. The original was then mailed to them.
3. We then followed up to see that the list would be shipped on time, determined the actual number of names and other information pertinent to the order.

4. After the list was delivered, we sent an invoice to our client, Mailworks.

5. When Mailworks paid us, we paid Advanced Management Systems after deducting our commission.

NOTE: At no time did The ListBank, Inc have physical possession of the list. We added no names and addresses to the list.

I hope that the above information will answer your inquiries. If you have any further questions, please notify us and we will be glad to comply.

Yours truly,

*Norton S. Goodman*

Norton S. Goodman  
President

NSG:ot  
Encl

P.S. The materials which we received from your office were dated August 31, 1988. However, we did not receive them until September 13, 1988. Although you sent them by certified mail, they were merely placed in the mail box. Therefore, we did not have an opportunity to sign for them.

cc: Janice Lacy

Exhibit A

## Contributors To International Children's Causes

Write Circle 8 for 4000 7-00 and 40000-000  
Contributors To International Children's Causes.

### 1. PERSONNEL

Let Mowbray

Advertising Management Systems, Inc. 2025 Street  
Box 10000 Los Angeles, CA 90001. Phone  
213-690-1000.

### 2. DESCRIPTION

Contributors to International children's causes. 25%  
commission.

Average unit of sale 12.00.

### 3. LIST SERVICE

Direct mail and space ads.

### 4. QUANTITY AND SPECIAL RATES

Revised Nov. 20, 1967.

Total Price

Total list (1000-40)

Selected: 4000, 2.00/1000; 2000, 2.00/1000; Zip Code, 6.00/1000

Order: 1.00/1000 order.

Minimum order 5.000.

### 5. METHOD OF ADVERTISING

4-up Chequerboard. Magnetic tape (ST 1000), 25.00

non-refundable fee.

### 6. RESTRICTIONS

Sample mailing piece required for approval.

00040781437



# LISTBANK INC.

407 Fern Drive Wheeling, Illinois 60090 (312) 459-4148

EXHIBIT B

LISTBANK#: 8710012  
ORDER DATE: 10/08/87

SHIPPED: \_\_\_\_\_ VIA: \_\_\_\_\_ QTY: \_\_\_\_\_  
CLIENT CONTACT: DANA L. McLEHANE

CLIENT:

MAILWORKS, INC.

230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS  
312-263-0665

LIST OWNER: AMS

ADVANCED MANAGEMENT SYS.  
9255 SUNSET BLVD, PENTHSE  
LOS ANGELES CA 90069  
LIST MANAGER  
213-858-1520

OFFER: CHILDREN'S HOME & AID  
SOCIETY FUNDRAISING

LIST: CONTRIBUTORS TO INTER'L CHILDRENS  
CAUSES - DONORS

CLIENT FOR: 1391  
KEY:

QUANTITY: 13,900  
BASE RATE: \$55.00/M

MATERIALS DUE: 10-30-87  
MAIL DATE: 11-25-87

SELECTIONS:  
NON-RETURN MAG TAPE \$25.00/EA  
SCF SELECT \$2.50/M

MATERIAL TO  
BE ADDRESSED: 9T/1600 BFI MAG TAPE  
SUPPLY LAYOUT & DUMP

SHIP VIA: AIR FREIGHT  
SHIP TO: CREATIVE AUTOMATION  
220 FENCL LANE  
HILLSIDE IL 60162  
VIRGINIA FULLERTON

ANY SHIPPING CHARGES WILL BE BILLED  
AT TIME OF INVOICING.

☒ SAMPLE MAILING PIECE ENCLOSED

#### RETURNING INSTRUCTIONS:

- \*THIS IS A TEST. PLEASE SUPPLY NAMES ON AN NTH BASIS. SUPPLY STATE COUNTS WITH SHIPMENT. NOTIFY LISTBANK IF QUANTITY VARIES BY MORE THAN 10%.
- \*PLEASE SUPPLY NAMES FROM WITHIN THE FOLLOWING SCF'S ONLY:  
600, 601, 602, 603, 604, 605, AND 606.
- \*PLEASE MARK PACKAGE AND TAPE REEL WITH JOB# 87-114 AND NAME OF LIST.
- \*PLEASE RUSH!

ORDER FAXED: 10-16  
DO NOT DUPLICATE!

\* Mailer agrees to pay for gross names received unless otherwise indicated above.

- PROTECTION. No other competitive mailing is to be made to these names two (2) weeks before or two (2) weeks after the mail date specified.
- Keep a record of names used to avoid duplication on future mailings.
- Address U.S.A. names only. Omit Military, Puerto Rico, Canada and Foreign, unless specified above.
- ALL NAMES MUST BE IN ZIP CODE NUMERICAL SEQUENCE.

OFFICE COPY

The ListBank, Inc. acts only as agent for the list owner, and this document does not guarantee payment. Upon receipt of payment from the mailer, who is solely responsible for payment of this order, the ListBank, Inc. will remit to the list owner, less commission.

The mailer guarantees that the material supplied under this order is for a one time use only.

EXHIBIT C

LIST RENTAL INSTRUCTIONS:

ORDER DATE: 10-17-87

AMS ORDER #: 400880

MAILER: THE MAIL WORKS

MAILER OFFER: FUNDRAISING  
MAILER KEY:

BROKER: THE LISTBANK INC.  
ATTN: DANA MCLENAHAN  
407 FERNE DR.  
WHEELING, IL 60090  
(312)-459-4148

BROKER ORDER #: 8710012

OWNER: HD

WANTED BY: 10-30-87

MAIL DATE: 11-28-87

Q1ST: CONTRIB. TO INTNL. CHLDS CAUSES

BASE PRICE: \$55.00/M

SELECTB: SCF SELECT

PRICE: \$2.50/M

QUANTITY: 15,000 \*\*\*\* MAXIMUM \*\*\*\*

TEST/CONT: TEST  
Keep Record of Names Used

MATERIAL: 9TRK/1600 BRI TAPE  
Supply Dump & Layout

PRICE: \$25.00

SHIP-TO: CREATIVE AUTOMATION  
ATTN: VIRGINIA FULLERTON  
220 FENCL LANE  
HILLSIDE, IL 60162

VIA: AIR FREIGHT

Contact: Diana Person  
Marrisa Muskat

Special Instructions

Please mark package and reel w/list name, quantity & JOB#: 87-114.  
SELECT SCF'S: 600, 601, 602, 603, 604, 605, 606.  
SUPPLY STATE COUNTS.

Note Any Change

Any cancellation  
after the mail date  
will result in full  
charges, as that mail  
date was reserved for  
the specified matter.

1. Payment due 30 days after mail date.
2. A.M.S. must have 15 day notice in case of change in mail date, otherwise original mail date will stand for payment purposes.
3. Upon receipt of A.M.S. Blue Confirmation Copy, broker agrees to terms.

LIST OWNERS:

- Select names on an "Only" name basis unless otherwise instructed.
- Do not select names with key and for name.
- Only A.M.S. 2nd military. Please show any Canadian names.
- Have a careful record of names addressed to avoid duplication on future orders.
- All names must be supplied with in 2nd sequence.

IMPORTANT:

- We believe the information concerning the list to be correct, but we cannot guarantee its accuracy or the outcome of the mailing.
- Payment due 30 days after mail date.
- All orders cancelled after mail date will be invoiced at full rate.

DISCLAIMER:

AMERICAN MANAGEMENT SYSTEMS, INC. and its subsidiaries are not liable for any mailing errors or for any other damages or losses resulting from the use of the list.

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

88 SEP 26 PM 3:13

# PHOENIX

DATA PROCESSING, INC.

OGC  
497  
RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

88 SEP 26 AM 11:29

September 21, 1988

Robert F. Grabe  
President

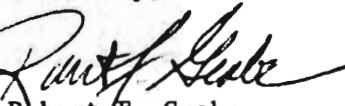
Ms. Janice Lacy  
Federal Election Commission  
Office of General Counsel  
Washington, DC 20463

Dear Ms. Lacy,

Pursuant to your request for information outlined in your letter of August 31 (MUR2565), I have made a thorough search of my files and have found no information on either the company "Children's Home and Aid Society of Illinois" or the mailing list "Contributors to International Children's Causes".

As we discussed, Phoenix Data Processing is a direct mail service bureau and as such, we handle thousands of magnetic tapes from clients, and without some further identification of the person(s) or company involved, I will be unable to provide any further information. Should further identification be forthcoming, I will be happy to resume the investigation.

Sincerely,

  
Robert F. Grabe  
President

le



TELEPHONE (312) 654-4400

645 Blackhawk Drive • Westmont, Illinois 60559-1198







FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

September 28, 1988

Wendy Fisher  
President  
Mailworks, Inc.  
230 North Michigan Avenue  
Chicago, Illinois 60601

RE: MUR 2565

Dear Ms. Fisher:

This is in response to your letter dated September 19, 1988, which we received on September 21, 1988, requesting an extension of 10 days to respond to the interrogatories posed to you. After considering the circumstances presented in your letter, I have granted the requested extension. Accordingly, your response is due by the close of business on October 7, 1988.

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

00040781441

88 OCT -4 AM 11:18

## BEFORE THE FEDERAL ELECTION COMMISSION

IN THE MATTER OF

MUR 2565

**RESPONSE TO SUBPOENA TO PRODUCE DOCUMENTS AND  
ORDER TO SUBMIT WRITTEN ANSWERS**

In response to the August 29, 1988 "Subpoena to Produce Documents and Order to Submit Written Answers" of the Federal Election Commission directed to him, William J. Sloyan, Sr. hereby deposes and states as follows:

Interrogatory No. 1:

- (a) Margaret Lortie  
Children's Home & Aid Society of Illinois  
1122 North Dearborn Street  
Chicago, Illinois 60610  
944-3313
- (b) The List was neither rented nor purchased by  
Precise Data Service, Inc.

Interrogatory No. 2:

On information and belief, the List is comprised of names and addresses secured by the Children's Home & Aid Society of Illinois from a commercial source, the identity of which is not known to the undersigned.

Interrogatory No. 3:

- (a) The List is sometimes referred to by its code number, "0070."
- (b) The List is comprised of 12,476 names and addresses.

88 OCT -4 PM 3:02  
FEDERAL ELECTION COMMISSION

c 0 0 4 0 7 8 1 4 4 2

Interrogatory No. 4:

No such inquiry was made by or on behalf of Precise Data Service, Inc.

Interrogatory No. 5:

Attached as Exhibits "A" through "C" hereto are true and correct copies of all documents requested currently in the possession, custody or control of the undersigned.

Interrogatory No. 6:

- 00040781443
- (a) Precise Data Service, Inc. ("PDS") was provided the List and names and addresses from the sources indicated on Exhibit "B" hereto on electromagnetic tapes by the Children's Home & Aid Society of Illinois (the "Aid Society"). By means of electronic data processing, PDS then combined the information from all of these sources with the List, eliminated duplicate names and addresses, and produced a "net name tape." The net name tape was used by PDS to print names and addresses on the Aid Society solicitation, which PDS then mailed. All name and address tapes submitted to PDS by the Aid Society were returned to it by PDS. All data compiled by PDS on magnetic tape was destroyed by PDS in the ordinary course of its business within 60 days of the Aid Society mailing.
  - (b) No names and addresses were added to the List by Precise Data Service, Inc.



The undersigned reserves the right to supplement this response.

Dated: September 29, 1988

  
William J. Sloyan, Sr.  
William J. Sloyan, Sr.

SUBSCRIBED and SWORN to  
before me this 29th day  
of September, 1988.

Sygnia H. Hitecki  
Notary Public

My Commission Expires May 7, 1989

90040781444

EXHIBIT A

00040781445

Bob -

Please be sure to have  
attached encoding placed on tape -  
that is my only means of  
tracking the success rate of  
any lists I ~~will~~ have sent.

The suppress tape will be delivered  
within the next 2 hours.

1st suppress all my existing donors  
then systematically remove dups.  
from files so that no one list  
loses a greater percent of "lost"  
names than any other.

I assume that reports on  
the process + the output are  
standard procedure. (I must know  
the # of names remaining on each  
list after merge/purge process for  
my calculations of the results of  
the mailing).

Any questions ...  
I'll be in the  
office until 4:30 p.m.

Margaret

00040781446

EXHIBIT B

00040781447

CHILDREN'S HOME & AID SOCIETY  
1987 Holiday Appeal  
Job #87-114

Precede each code  
with a 00

|             | <u>List</u>                                     | <u>Quantity</u>      |
|-------------|-------------------------------------------------|----------------------|
| 4542 ✓      | Bright's Creek                                  | 5,000 67 —           |
| 9365 ✓      | Chicago Magazine                                | 10,000 09 —          |
| 4501 ✓      | Childcraft Education Corp.                      | 5,000 63 —           |
| CHILDRAFT ✓ | Children's Reading Institute                    | 5,000 69 0 —         |
| 12476 ✓     | Contributors to International Children's Causes | 15,000 70 13,812     |
| 6661 ✓      | Contributors to a National Youth Organization   | 8,138 (all) 71 8,382 |
| 4133 ✓      | Dedicated Progressives                          | 5,000 72 —           |
| 4058 ✓      | Donors to a Health Charity                      | 4,954 (all) 73 4733  |
| 21689 ✓     | Donors to a Nationwide Appeal                   | 75,000 11 25,000     |
| 9225 ✓      | Forbes Magazine                                 | 10,000 74 —          |
| 9534 ✓      | Gencon                                          | 10,000 75 10,100     |
| 4586 ✓      | Harry & David                                   | 5,000 76 —           |
| 4531 ✓      | Health Magazine                                 | 5,000 56 —           |
| 8987 ✓      | Joan Cook                                       | 10,000 77 —          |
| 13991 ✓     | Lillian Vernon                                  | 15,000 78 —          |
|             | Lovers of Animals                               | 10,000 79 —          |
| 9374 ✓      | Metropolitan Home Magazine                      | 10,000 60 10,009     |
| 9961 ✓      | Multi-Response Charitable Donors                | 15,000 80 10,010     |
| 21465 ✓     | National Donors to Handicapped Cause            | 25,000 61 25,050     |
| 14025 ✓     | North Shore Animal League                       | 15,000 63 —          |

--more--

00040781448

CHILDREN'S HOME & AID SOCIETY  
1987 Holiday Appeal  
 Job #87-114  
 Page 2

|       | <u>List</u>               | <u>Quantity</u> |                |
|-------|---------------------------|-----------------|----------------|
| 9610  | ✓ Parents Magazine        | 10,000          | 81 9984        |
| 9457  | ✓ Prevention Magazine     | 10,000          | 82 10,037      |
| 14305 | ✓ Spiegel                 | 15,000          | 64 15,020      |
| 14249 | ✓ Walter Drake            | 15,000          | 65 15,162      |
| 4761  | ✓ Working Mother Magazine | 5,000           | 82 5,009       |
|       |                           | <u>318,092</u>  | <u>247,308</u> |

00040781449

11/2/87



EXHIBIT C

00040781450



**precise data service, inc.**

SYSTEMS, PROGRAMMING, DATA PROCESSING & LETTERSHOP  
7550 PLAZA COURT, WILLOWBROOK, ILL. 60521

(312) 986-8880

ITEMIZED LIST OF CHARGES

CHRISTMAS MAILING - PROSPECTS

|                                                                                           |             |
|-------------------------------------------------------------------------------------------|-------------|
| 1. DUPLICATE ELIMINATE 24 PROSPECT FILES @ 50.00 EACH--\$                                 | 1,200.00    |
| 2. CONVERT NAMES TO OUR FORMAT 215,788 @ 2.30 PER/M----                                   | \$ 496.31   |
| 3. QUALIFY NAMES FOR PRESORT 215,788 @ 2.30 PER/M-----                                    | \$ 496.31   |
| 4. PRODUCE LETTER COPY FOR LETTERS - 2 SIDES<br>@ 28.00 EACH-----                         | \$ 56.00    |
| 5. IMPACT PRINT LETTER 215,788 X 11 LINES - 2,373,670<br>2,373,670 @ .85 PER/M LINES----- | \$ 2,017.62 |
| 6. BURST & TRIM 215,788 @ 2.80 PER/M-----                                                 | \$ 604.21   |
| 7. TRIM TOP AND BOTTOM 215,788 @ 1.12 PER/M-----                                          | \$ 241.68   |
| 8. GATE FOLD AND SLIT RETURN 215,788 @ 11.30 PER/M-----                                   | \$ 2,438.40 |
| 9. INSERT, TIE & BAG 215,788 @ 12.35 PER/M-----                                           | \$ 2,664.98 |
| 10. DELIVERY TO CHICAGO POST OFFICE-----                                                  | \$ 60.00    |
| 11. MESSENGER TO CHILDRENS HOME & AID SOCIETY-----                                        | \$ 20.00    |
| 12. 2 DELIVERIES TO LISLE-----                                                            | \$ 40.00    |

TOTAL THIS INVOICE-----\$10,335.51

06C #586

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

P&amp;L direct marketing group

OCT - 4 AM 10

September 29, 1988

Thomas J. Josefiak  
Chairman  
Federal Election Commission  
Washington, D.C. 20463

Dear Mr. Josefiak,

RE: MUR 2565

This letter is in response to yours, dated August 31, 1988, Re: MUR 2565. Our previous company name was Advanced Management Systems and when we merged with P&L Direct Marketing Group, that name became the title of our company.

The list you make reference to, Contributors to International Children's Causes, is a file we manage for Dunhill Mailing Lists. Dunhill maintains the file and does all of the order processing. We in turn, promote the file to brokers and mailers in the direct mail industry.

Any questions that you have in regard to this mailing list, should be directed to:

Dunhill Mailing Lists  
630 Third Avenue  
New York, NY 10017

Yours truly,



Estelle M. Kandell  
List Manager

EMK:m

88 OCT - 4 PM 3:03  
FEDERAL ELECTION COMMISSION

00040781452

# Mailworks, inc.

Strategic marketing, direct mail and creative services for nonprofit organizations

06C585  
HAND DELIVERED  
RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

88 OCT -4 AM 10:20

Mr 2565

October 3, 1988

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

Dear Mr. Noble:

I am responding to your letter and request of August 31, 1988. As you are aware, you granted us an extension to October 7, 1988 in order to provide appropriate information pursuant to your request.

In response to your specific questions:

1. The mailing list described as "Contributors to International Children's Causes" was obtained by us for use by our client, Children's Home and Aid Society. It was requested through The List Bank, Inc., 2220 Charter Point Drive, Arlington Heights, IL 60004. Telephone # 312-632-0909.
2. The name of the list owner is unknown to us. We do know that Advanced Management Systems manages the list for the owner. They should be able to furnish you with this information.
3. The number of persons whose names are contained on the list, as published in Direct Mail List Standard Rates and Data, is 319,476.
4. The listing for this list, as published in Direct Mail List Standard Rates and Data, was used to research the source of names on this list. The Direct Mail List Standard Rates and Data is published bi-monthly and is accepted in the direct mail industry as a reliable research tool.
5. Enclosed are copies of all documents concerning the advertisement, rental and use of the list as they pertain to Mailworks, Inc.'s involvement. We have no further knowledge about the creation, compilation or preparation of this list.
6. Mailworks, Inc. recommended this list to our client, Children's Home and Aid Society of Illinois. The recommendation came from us after determining its availability through Direct Mail List Standard Rates

88 OCT -4 PM 3:03

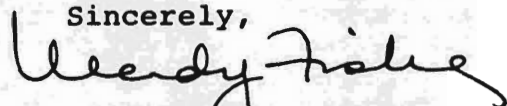
RECEIVED  
FEDERAL ELECTION COMMISSION

Page 2  
Mr. Lawrence M. Noble  
General Counsel  
Federal Election Commission

and Data. After approval of our list recommendation, Mailworks, Inc. issued instructions to The Listbank, Inc. in order to have them place an order for the list per the attached copy. The order was for 15,000 names from the list. At no time did Mailworks, Inc. have possession of the magnetic name on which the list names were delivered. We added no names and addresses to this list.

I believe that the above responses, and copies of our orders attached to this letter, will satisfy your inquiries. Please contact us if you have any additional questions.

Sincerely,



Wendy Fisher, CFRE  
President/  
Creative Director

WF/mab  
Encl:

Attachments include:

1. List recommendation confirmation for client, dated 10/14/87
2. List order to The Listbank, Inc., dated 10/6/87
3. List invoice from The Listbank, Inc., dated 11/23/87 with attached order confirmation dated 10/8/87.
4. Listing of list in Direct Mail List Standard Rates and Data, as of 9/14/88. Advertisement from September, 1986 publication was not retained by Mailworks, Inc.

00040781454

# Maitworks, inc.

October 14, 1987

Ms. Margaret Lortie  
Development Department  
Children's Home and Aid  
Society of Illinois  
1122 North Dearborn Street  
Chicago, Illinois 60610

Dear Margaret:

Enclosed is the list of lists for the  
acquisition mailing.

All tapes have been directed to Creative  
Automation so you need to take care of  
issuing them instructions for your  
merge/purge.

Any questions--please don't hesitate  
to call.

Sincerely,

Joan Fields

---

230 North Michigan Avenue, Chicago, IL 60601 • Telephone (312) 263-0665

90040781455



Mailworks, Inc.

October 14, 1987

CHILDREN'S HOME & AID SOCIETY  
OF ILLINOIS  
1987 Holiday Appeal  
Job #87-114

| <u>List</u>                                                                  | <u>Quantity</u> |
|------------------------------------------------------------------------------|-----------------|
| Chicago Magazine                                                             | 10,000          |
| Childcraft Education Corp.                                                   | 5,000           |
| Donors to a Health Charity                                                   | 15,000          |
| Contributors to a National Youth<br>Organization (all available)             | 8,138           |
| <del>Contributors to a National Youth<br/>Organization (all available)</del> |                 |
| Donors to a Nationwide Appeal                                                | 75,000          |
| Donors to Respiratory Health<br>Organization                                 | 25,000          |
| Donors to Young People's Appeals                                             | 15,000          |
| Forbes Magazine                                                              | 5,000           |
| Health Magazine                                                              | 5,000           |
| L. L. Bean                                                                   | 10,000          |
| Lillian Vernon                                                               | 15,000          |
| Lovers of Animals                                                            | 5,000           |
| Metropolitan Home Magazine                                                   | 10,000          |
| Multi-Response Charitable Donors                                             | 10,000          |
| National Donors to Handicapped<br>Cause                                      | 25,000          |
| North Shore Animal League                                                    | 15,000          |
| Parents Magazine                                                             | 10,000          |
| Prevention Magazine                                                          | 5,000           |

00040781456

Mailworks, Inc.

October 14, 1987

CHILDREN'S HOME & AID SOCIETY  
OF ILLINOIS  
1987 Holiday Appeal  
Job #87-114

| <u>List</u>              | <u>Quantity</u> |
|--------------------------|-----------------|
| Spiegel                  | 15,000          |
| Walter Drake             | 15,000          |
| Working Mothers Magazine | 5,000           |
|                          | <u>303,138</u>  |

00040781457

**MAILWORKS, INC.**

SUITE 2800  
230 NORTH MICHIGAN AVENUE  
CHICAGO, ILLINOIS 60601

(312) 289-6265

THIS ORDER MUST APPEAR ON ALL  
INVOICES, SHIPPING PAPERS, PACKAGES, ETC.  
**PURCHASE ORDER NO.**

**1391**

DATE  
**10/6/87**

DATE REC.  
**10/22/87**

SHIP VIA

FOB

TERMS

TO

The Listbank, Inc.  
3502 Riverfalls Drive  
Northbrook, IL 60062  
Attn: Dana

SHIP TO

Creative Automation  
220 Fencil Lane  
Hillside, IL 60162  
Attn: Virginia Fullerton

| QUANTITY | UNIT | DESCRIPTION | UNIT PRICE | TOTAL PRICE |
|----------|------|-------------|------------|-------------|
|----------|------|-------------|------------|-------------|

325,000

Job #87-114 Children's Home & Aid  
Society

Names to be ordered

Mail dates: Nov. 25 - Dec. 7, 1987

Please supply on 9T/1600 BPI magnetic  
tapes with layouts and dumps.

All lists to be ordered in SCF's  
600-606.

Lists and quantities are on attached  
sheets.

Sample enclosed.

Thanks.

Please bill Mailworks, Inc.

AUTHORIZED SIGNATURE

Joan Fields

CHILDREN'S HOME & AID SOCIETY  
1987 Holiday Appeal  
Job #87-114

| <u>List</u>                                          | <u>Quantity</u>  |
|------------------------------------------------------|------------------|
| Bright's Creek                                       | 5,000            |
| ✓ Chicago Magazine                                   | 10,000           |
| ✓ Childcraft Education Corp.                         | 5,000            |
| Children's Reading Institute                         | 5,000            |
| ✓ Contributors to International<br>Children's Causes | 15,000           |
| ✓ Contributors to a National<br>Youth Organization   | 8,138 (all)      |
| <del>Chicago Chicago Business</del>                  | <del>6,000</del> |
| ✓ Dedicated Progressives                             | 5,000            |
| Donors to a Health Charity                           | 4,954 (all)      |
| Donors to a Nationwide Appeal                        | 75,000           |
| ✓ Forbes Magazine                                    | 10,000           |
| ✓ Gencon                                             | 10,000           |
| ✓ Harry & David                                      | 5,000            |
| ✓ Health Magazine                                    | 5,000            |
| Joan Cook                                            | 10,000           |
| ✓ Lillian Vernon                                     | 15,000           |
| ✓ Lovers of Animals                                  | 10,000           |
| ✓ Metropolitan Home Magazine                         | 10,000           |
| ✓ Multi-Response Charitable<br>Donors                | 15,000           |
| ✓ National Donors to Handicapped<br>Cause            | 25,000           |
| ✓ North Shore Animal League                          | 15,000           |

--more--

00040781459

CHILDREN'S HOME & AID SOCIETY  
1987 Holiday Appeal  
Job #87-114  
Page 2

| <u>List</u>               | <u>Quantity</u> |
|---------------------------|-----------------|
| ✓ Parents Magazine        | 10,000          |
| ✓ Prevention Magazine     | 10,000          |
| ✓ Spiegel                 | 15,000          |
| ✓ Walter Drake            | 15,000          |
| ✓ Working Mother Magazine | <u>5,000</u>    |
|                           | <u>318,092</u>  |

00040781460

11/2/87

**The**  
**LISTBANK INC.**

2220 Charter Point Drive Arlington Heights, IL 60004 312 692 0900



## INVOICE

## CLIENT:

MAILWORKS, INC.  
230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS 312-263-0665

CLIENT P.O. #391  
CLIENT KEY #  
MAIL DATE: 11/25/87  
OFFER: CHILDREN'S HOME & AID

TERMS: NET 30 DAYS FROM MAIL DATE

|                                                |              |                  |              |             |                     |        |
|------------------------------------------------|--------------|------------------|--------------|-------------|---------------------|--------|
| INVOICE #                                      | INVOICE DATE | LISTBANK ORDER # | DATE SHIPPED | SHIPPED VIA | SHIPPED TO:         |        |
| 710029                                         | 11/23/87     | 8710012          | 11-03-87     | FEDERAL EX. | CREATIVE AUTOMATION |        |
| DESCRIPTION                                    |              |                  |              | QUANTITY    | COST PER M          | AMOUNT |
| CONTRIBUTORS TO INTER'L CHILDRENS CAUSES       |              |                  |              | 13812       | 55.00               | 759.66 |
| SCF SELECT                                     |              |                  |              | 13812       | 2.50                | 34.53  |
| NON-RETURN MAG TAPE                            |              |                  |              |             |                     | 25.00  |
| SHIPPING                                       |              |                  |              |             |                     | 25.00  |
| MAILER AGREES TO PAY FOR GROSS NAMES RECEIVED. |              |                  |              |             |                     | 0.00   |
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If at some future date, liability for sales taxes or use taxes is asserted upon the rental value of informational services furnished, or upon the value of property furnished (and asserted in the jurisdiction where printed matter, etc., is delivered to a mailer or list user), LISTBANK disclaims any and all liability or responsibility for payment, collection or remission of any such tax.

WHITE COPY - ORIGINAL YELLOW COPY - REMITTANCE COPY GREEN - FILE COPY

0004978



# LISTBANK INC.

407 Fern Drive Wheeling, Illinois 60090 (312) 459-4146



LISTBANK#: 8710012  
ORDER DATE: 10/08/87

ORDER CONFIRMATION  
CLIENT CONTACT: DANA M. McLEOD

CLIENT:

MAILWORKS, INC.

230 N. MICHIGAN STE. 2800  
CHICAGO IL 60601  
JOAN FIELDS  
312-263-0665



OFFER: CHILDREN'S HOME & AID  
SOCIETY FUNDRAISING

LIST: CONTRIBUTORS TO INTERL CHILDRENS  
CAUSES - DONORS

CLIENT PO.: 1391  
KEY:

QUANTITY: 15,000  
BASE RATE: \$55.00/PI

MATERIALS DUE: 10-22-87  
MAIL DATE: 11-25-87

SELECTIONS:  
NON RETURN MAG TAPE \$25.00/EA  
NET SELECT \$2.50/PI

MATERIAL TO  
BE ADDRESSED: 9T/1600 BFI MAG TAPE  
SUPPLY LAYOUT & DUMP

SHIP VIA: AIR FREIGHT  
SHIP TO: CREATIVE AUTOMATION  
220 FENCL LANE  
HILLSDALE IL 60162  
VIRGINIA FULLERTON

AN SHIPPING CHARGES WILL BE BILLED  
AT THE OF INVOICING.

☐ SAMPLE MAILING PIECE ENCLOSED

RUNNING INSTRUCTIONS:

- \*THIS IS A TEST. PLEASE SUPPLY NAMES ON AN MTH BASIS. SUPPLY STATE COUNTS WITH SHIPMENT. NOTIFY LISTBANK IF QUANTITY VARIES BY MORE THAN 10%.
- \*PLEASE SUPPLY NAMES FROM WITHIN THE FOLLOWING SET'S ONLY:  
600, 601, 602, 603, 604, 605, AND 606.
- \*PLEASE MARK PACKAGE AND TAPE REEL WITH 2004 07-11" AND NAME OF LIST.
- \*PLEASE RUSH!

ORDER FAXED: 10-16  
DO NOT DUPLICATE!

\* Mailer agrees to pay for gross names received unless otherwise indicated above.

- PROTECTION No other competitive mailing is to be made to these names two (2) weeks before or two (2) weeks after the mail date specified
- Keep a record of names used to avoid duplication on future mailings
- Address U S A. names only. Omit Military, Puerto Rico, Canada and Foreign unless specified above.
- ALL NAMES MUST BE IN ZIP CODE NUMERICAL SEQUENCE

The ListBank, Inc. acts only as agent for the list owner, and this document does not guarantee payment. Upon receipt of payment from the mailer, who is solely responsible for payment of this order, the ListBank, Inc. will remit to the list owner, less commission.

The mailer guarantees that the material supplied under this order is for a one time use only.

MAILER COPY

## 522 Contributors (Philanthropic)

### CONTRIBUTORS TO INTERNATIONAL CHILDREN'S CAUSES—cont

#### 1. PERSONNEL

List Manager  
P & L Direct Marketing Group, 3598 Calhoun Blvd.,  
West, Los Angeles, CA 90058. Phone 213-850-0400.  
FAX 213-876-8600.  
All recognized brokers.

#### 2. DESCRIPTION

Contributors to international children's causes; 50% women.  
Average unit of sale 12.00.

#### 3. LIST SOURCE

Direct mail and space ads.

#### 4. QUANTITY AND RENTAL RATES

Rec'd Apr. 12, 1988.

| Total list                                                                              | Number per/M | Price |
|-----------------------------------------------------------------------------------------|--------------|-------|
| 1988-87                                                                                 | 319,476      | 55.00 |
| Selections: state, SCF, 2.50/M extra; ZIP Code, 5.00/M extra; key coding, 1.50/M extra. |              |       |
| Minimum order 5,000.                                                                    |              |       |

#### 5. METHOD OF ADDRESSING

4-up Cheshire labels. Magnetic tape (9T 1600), 25.00 nonreturnable fee.

#### 6. RESTRICTIONS

Sample mailing piece required for approval.

### CONTRIBUTORS TO NATIONAL AMATEUR SPORTS

Media Code 3 522 4402 4.00 Mid 018447-000  
HVB List Promotions, Inc.  
P.O. Box 6724, Annapolis, MD 21401. Phone 301-261-8652, FAX, 301-266-7349.

#### 1. PERSONNEL

President—Helga Bonney.  
List Manager—Rory Brennan.

#### 2. DESCRIPTION

Donors to fund raising appeals by local universities and colleges and 1980 Winter Olympics in support of amateur and college sports programs and scholarships, in addition to national appeals furthering training facilities for young people interested in sports and olympic training.  
Average contribution 20.00.  
ZIP Code in numerical sequence 100%.  
List is computerized.  
Selections available: key coding.

#### 3. LIST SOURCE

Direct mail.

#### 4. QUANTITY AND RENTAL RATES

Rec'd Feb. 1, 1988.

| Total list                                             | Number per/M | Price |
|--------------------------------------------------------|--------------|-------|
| Selections available: title, geographic, 3.00/M extra. | 101,300      | 60.00 |
| Minimum order 5,000.                                   |              |       |

#### 5. COMMISSION, CREDIT POLICY

20% commission to all recognized brokers and ad agencies.

#### 6. METHOD OF ADDRESSING

4-up Cheshire labels. Pressure sensitive labels, 8.00/M extra. Magnetic tape (9T 1600/6250 BPI).

#### 7. DELIVERY SCHEDULE

Ten working days.

#### 8. RESTRICTIONS

Sample mailing piece required for approval.

### CONTRIBUTORS TO NEIGHBORHOOD CAUSES

Media Code 3 522 4415 6.00 Mid 041626-000

#### 1. PERSONNEL

List Manager  
Omni List Marketing, Inc., 473 President St., Brooklyn, NY 11215. Phone 718-522-3000.

#### 2. DESCRIPTION

Donors to healthcare and shelter causes and have provided food for the homeless.

#### 4. QUANTITY AND RENTAL RATES

Rec'd July 25, 1988.

| Total list                                                                | Number per/M | Price |
|---------------------------------------------------------------------------|--------------|-------|
| Selections: state, SCF, ZIP Code, 3.50/M extra; key coding, 1.00/M extra. | 58,930       | 50.00 |
| Minimum order 5,000.                                                      |              |       |

#### 5. COMMISSION, CREDIT POLICY

20% commission to all recognized brokers.

#### 6. METHOD OF ADDRESSING

4-up Cheshire labels. Pressure sensitive labels, 7.00/M extra. Magnetic tape (9T 1600 BPI), 20.00 nonreturnable fee.

#### 8. RESTRICTIONS

Sample mailing piece required for approval.

### CONTRIBUTORS TO PRIVATE COLLEGES

Media Code 3 522 4418 0.00 Mid 045830-003  
The Specialists, Compilation Div.  
120 East 16th St., New York, NY 10003. Phone 212-677-6760.

NOTE: For basic information on the following numbered listing segments 1, 3, 5, 6, 7, 10, 11, see The Specialists listing in Mailing List Compilers section under Mailing List Compilers.

#### 2. DESCRIPTION

Contributors to private colleges; 81% men.

### 4. QUANTITY AND RENTAL RATES Rec'd May 10, 1988.

| Total list                                                                               | Number per/M | Price |
|------------------------------------------------------------------------------------------|--------------|-------|
| Selections: Cross sect., 5.00/M extra; state, 3.00/M extra; title address, 2.50/M extra. | 455,769      | 45.00 |
| Minimum order 175.00.                                                                    |              |       |

### CONTRIBUTORS TO THE ARTS

Media Code 3 522 4421 4.00 Mid 046830-071  
Member: D.M.A.  
The Specialists, Compilation Div.  
120 E. 16th St., New York, NY 10003. Phone 212-677-6760.

NOTE: For basic information on the following numbered listing segments 1, 3, 5, 6, 7, 10, 11, see The Specialists listing in Mailing List Compilers section under Mailing List Compilers.

#### 2. DESCRIPTION

Contributors to the arts; 65% men.

#### 4. QUANTITY AND RENTAL RATES

Rec'd Mar. 29, 1988.

| Total list                                                                                                                                                               | Number per/M | Price |
|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------|--------------|-------|
| Selections: phone numbers, 10.00/M extra; SCF, ZIP Code, 5.00/M extra; state, 3.00/M extra; title address, 2.50/M extra; key coding, 1.00/M extra; set-up charge, 25.00. | 307,705      | 45.00 |
| Minimum order 175.00.                                                                                                                                                    |              |       |

### CONTRIBUTORS WHO CARE

Media Code 3 522 4428 5.00 Mid 026719-000  
AAA-American Public Issues List.  
P.O. Box 645, Oakland, CA 94612. Phone 703-261-0333.

#### 1. PERSONNEL

President—Helen Hwa.  
Broker and/or Authorized Agent  
All recognized brokers.

#### 2. DESCRIPTION

Contributors to charitable and humanitarian appeals for health, religious, educational and social programs and overseas projects.

#### 3. LIST SOURCE

Direct mail.

#### 4. QUANTITY AND RENTAL RATES

Rec'd May 13, 1988.

| Total list                                                                                                                 | Number per/M | Price |
|----------------------------------------------------------------------------------------------------------------------------|--------------|-------|
| Selections: SCF, ZIP Code, state, sex, 5.00/M extra first select, 2.50/M each additional select; key coding, 2.50/M extra. | 491,360      | 50.00 |
| Minimum order 150.00.                                                                                                      |              |       |

#### 5. COMMISSION, CREDIT POLICY

20% commission to all recognized brokers. 30-day guarantee of payment must accompany order. Full payment required if cancellation after mail date. Processing charge applied to orders cancelled prior to mail date. New customers must pay in advance.

#### 6. METHOD OF ADDRESSING

4-up Cheshire labels. Pressure sensitive labels, 6.50/M extra. Magnetic tape (9T 1600 BPI), 25.00 nonreturnable fee.

#### 7. DELIVERY SCHEDULE

Ten days after receipt of order.

#### 8. RESTRICTIONS

Sample mailing piece required for approval. Mailing date must be cleared in advance.

#### 9. TEST ARRANGEMENT

Minimum 5,000 labels; 10,000 magnetic tape.

#### 11. MAINTENANCE

Cleaned and updated semiannually.

### CORONARY HEART DISEASE

Media Code 3 522 4431 3.00 Mid 043479-000  
American Health Assistance Foundation.

#### 1. PERSONNEL

List Manager  
All American List Corp., 3837 Plaza Dr., P.O. Box 1110,  
Fairfax, VA 22030. Phone 703-691-1310. FAX 703-691-1316.

#### 2. DESCRIPTION

Donors to an organization funding scientific and medical research into the causes and means of prevention of heart disease.  
Average unit of sale 13.00.  
ZIP Code in numerical sequence 100%.  
List is computerized.

#### 3. LIST SOURCE

Direct mail.

#### 4. QUANTITY AND RENTAL RATES

Rec'd Dec. 9, 1987.

| Total list                                                                                                      | Number per/M | Price |
|-----------------------------------------------------------------------------------------------------------------|--------------|-------|
| Selections: state, SCF, 3.00/M extra; ZIP Code, dollar amount, recency, 5.00/M extra; key coding, 2.50/M extra. | 232,638      | 75.00 |
| Minimum order 5,000.                                                                                            |              |       |

#### 5. COMMISSION, CREDIT POLICY

20% commission to recognized brokers. Payment due 30 days from mail date.

#### 6. METHOD OF ADDRESSING

4-up Cheshire labels. Pressure sensitive labels, 8.00/M extra. Magnetic tape, 20.00 nonreturnable fee.

#### 7. DELIVERY SCHEDULE

Ten working days from receipt of order.

#### 8. RESTRICTIONS

All mail dates must be cleared prior to sending order. Sample mailing piece required.

#### 9. TEST ARRANGEMENT

Minimum 5,000.

#### 10. LETTER SHOP SERVICES

Available.

#### 11. MAINTENANCE

Updated quarterly.

### COUNTRY NOTEBOOK

Mid 000230-000

List Manager  
Games Enterprises, 222 W. Las Colinas Blvd., Suite  
1450, Irving, TX 75039. Phone 214-558-2345.  
See listing under classification No. 558.

### CREAM OF THE CROP JEWISH CONTRIBUTORS

Media Code 3 522 4438 4.00 Mid 040813-000  
Leslie Mendel Enterprises, Inc.  
4 S. 81st St., Penthouse, New York, NY 10028. Phone  
212-737-8017, FAX, 212-861-5384.

#### 1. PERSONNEL

List Manager  
Prescott List Management, 17 E. 26th St., New York, NY  
10010. Phone 212-684-7000. FAX 212-686-4882.  
All recognized brokers.

#### 2. DESCRIPTION

Jewish donors to Jewish and Non-Jewish appeals.  
Average unit of sale 20.00.  
ZIP Code in numerical sequence 100%.

#### 3. LIST SOURCE

Direct mail.

#### 4. QUANTITY AND RENTAL RATES

Rec'd Aug. 2, 1988.

| Total list                                                                | Number per/M | Price |
|---------------------------------------------------------------------------|--------------|-------|
| Selections: state, SCF, ZIP Code, 3.00/M extra; key coding, 1.50/M extra. | 80,863       | 60.00 |
| Minimum order 5,000.                                                      |              |       |

#### 5. COMMISSION, CREDIT POLICY

Orders cancelled after mail date require full price.

#### 6. METHOD OF ADDRESSING

4-up Cheshire labels. Pressure sensitive labels, 7.50/M extra. Magnetic tape, 25.00 flat nonreturnable fee.

#### 8. RESTRICTIONS

Sample mailing piece required for approval.

### CREAM TOP DOLLAR DONORS

(This is a paid listing)

Media Code 3 522 2543 0.00 Mid 040300-000  
HVB List Promotions, Inc.  
P.O. Box 6724, Annapolis, MD 21401. Phone 301-261-8652, FAX, 301-266-7349.

#### 1. PERSONNEL

General Manager—Rory Brennan.

#### 2. DESCRIPTION

Mailing donors to political candidates, social, health and humanitarian causes, and fundraising appeals.  
Average unit of sale 100.00.  
ZIP Code in numerical sequence 100%.  
Selections available: key coding.

#### 3. LIST SOURCE

80% direct mail; 20% fundraisers.

#### 4. QUANTITY AND RENTAL RATES

Rec'd Feb. 1, 1988.

| Total list                            | Number per/M | Price |
|---------------------------------------|--------------|-------|
| Selections: geographic, 3.00/M extra. | 179,261      | 70.00 |
| Minimum order 5,000.                  |              |       |

#### 5. COMMISSION, CREDIT POLICY

20% commission to all recognized brokers and agencies.

#### 6. METHOD OF ADDRESSING

4-up Cheshire labels. Pressure sensitive labels, 8.00/M extra. Magnetic tape (9T 1600/6250 BPI).

#### 7. DELIVERY SCHEDULE

Ten working days from receipt of order.

#### 8. RESTRICTIONS

Sample mailing piece required for approval.

### DAKOTA INDIAN FOUNDATION FORMER DONORS

Media Code 3 522 4482 6.00 Mid 034565-000

Dakota Indian Foundation.

#### 1. PERSONNEL

List Manager  
Mary Elizabeth Granger & Associates, Inc., The Ridgeley,  
205 E. Joppa Rd., Suite 104, Baltimore, MD 21204.  
Phone 301-296-5151.  
All recognized brokers.

#### 2. DESCRIPTION

Former donors to an organization which provides funds to individuals, groups and other organizations in the former Great Sioux Nation.  
Average donation 8.00.  
ZIP Code in numerical sequence 100%.  
List is computerized.

#### 3. LIST SOURCE

Direct mail.

#### 4. QUANTITY AND RENTAL RATES

Rec'd Apr. 7, 1988.

| Total list                                                                                                    | Number per/M | Price |
|---------------------------------------------------------------------------------------------------------------|--------------|-------|
| Selections: state, SCF, ZIP Code, 3.00/M extra; recency, dollar, 5.00/M extra; key coding, sex, 2.00/M extra. | 118,313      | 45.00 |
| Minimum order 5,000.                                                                                          |              |       |

#### 5. COMMISSION, CREDIT POLICY

20% commission to all recognized brokers.  
Orders cancelled before mail date, 50.00 cancellation fee plus applicable running, selection and shipping charges.  
Orders cancelled after mail date, full rental charges.

#### 6. METHOD OF ADDRESSING

4-up Cheshire labels. Pressure sensitive labels, 8.00/M extra. Magnetic tape (9T 1600/6250 BPI).

#### 7. DELIVERY SCHEDULE

Ten working days from receipt of order.

#### 8. RESTRICTIONS

Sample mailing piece and mail date clearance required.  
One-time use only.

1. PERSONNEL  
List Manager  
Conservative Services, Inc., 144 West 27th St., New York, NY 10001. Phone 212-693-0204.

2. DESCRIPTION  
Consent to appear for the undersigned, and to be included in New York City office contact and legal action.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd July 28, 1987.

Total list (1984-88) 12,254 70.00  
New 1988 23,376 55.00  
Selections: state, SCF, ZIP Code, 3.00/M extra; key coding, 1.00/M extra; minimum order 5,000.

5. COMMISSION, CREDIT POLICY  
Orders cancelled after mail date charged full price.

6. METHOD OF ADDRESSING  
4-up Creative labels. Pressure sensitive labels, 5.00/M extra. Magnetic tape (BT 1800 BPI), 15.00 nonreturnable fee.

7. RESTRICTIONS  
Sample mailing piece required for approval. Exchanges not allowed.

#### CONCERN FOR KIDS

State Code 3 522 428 4.00 212-693-0143  
List Manager  
The Concern Group, Inc., 275 Madison Ave., New York, NY 10016. Phone 212-693-0143.

NOTE: For basic information on the following numbered listing categories 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, see The Concern Group, Inc. listing under classification No. 552.

1. PERSONNEL  
List Manager

Consent to appear for child welfare.

2. DESCRIPTION  
Consent to appear for child welfare.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd July 5, 1987.

Total list 26,391 55.00  
Selections: state, SCF, ZIP Code, 3.00/M extra; key coding, 1.00/M extra; minimum order 5,000.

#### CONNECTICUT DONORS TO A HANDICAPPED CAUSE

(This is a paid listing)  
State Code 3 522 428 4.00 212-693-0143

1. PERSONNEL  
List Manager  
Qualified List Corp., 135 Bedford Rd., Armonk, NY 10504. Phone 914-273-8808.

2. DESCRIPTION  
Consent to a total affiliate to a handicapped cause. Mailed return.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd July 28, 1988.

Total list (1984-88) 70,187 50.00  
New 1988 26,840 55.00  
Selections: ZIP Code, year, multi donors, 3.00/M extra; SCF, 2.50/M extra; key coding, 1.00/M extra; data coding up to 1,280, 2.00-4.00, 5.00-9.00, 10.00 and 15.00/M extra; minimum order 5,000.

5. COMMISSION, CREDIT POLICY  
Orders cancelled after mail date require full price.

6. METHOD OF ADDRESSING  
4-up Creative labels. Pressure sensitive labels, 5.00/M extra. Magnetic tape (BT 1800 BPI), 15.00 nonreturnable fee.

7. RESTRICTIONS  
Two sample mailing pieces required for approval.

#### CONSERVATIVE DONORS FOR AMERICA

(This is a paid duplicate of the listing under classification No. 552.)  
State Code 3 522 428 4.00 212-693-0143

1. PERSONNEL  
List Manager  
Atlantic List Company, Inc., 1615 L St., N.W., Suite 340, Washington, D.C. 20036. Phone 202-429-8522.

2. DESCRIPTION  
Consent to a variety of political and charitable organizations.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd July 28, 1988.

Total list (1) Charitable beneficiaries, 45,500/M  
Selections: ZIP Code, 5.00/M extra; geographic, SCF, key coding, 3.00/M extra; minimum order 5,000.

5. COMMISSION, CREDIT POLICY  
20% commission to all recognized brokers.

6. METHOD OF ADDRESSING  
4-up Creative labels. Pressure sensitive labels, 7.00/M extra. Magnetic tape (BT 1800/1520 BPI), 25.00 nonreturnable fee.

7. DELIVERY SCHEDULE  
Ten days.

8. RESTRICTIONS  
Mail dates must be returned in advance by phone. Sample mailing piece must accompany each order. All results subject to donor's approval.

#### CONSERVATIVE STUDENT SUPPORT FOUNDATION

State Code 3 522 428 4.00 212-693-0143  
List Manager  
275 Madison Ave., New York, NY 10016. Phone 212-693-0143.

NOTE: For basic information on the following numbered listing categories 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, see The Concern Group, Inc. listing under classification No. 552.

1. PERSONNEL  
List Manager  
Consent to The Conservative Student Support Foundation to appear for the Board of Directors of college campuses.

2. DESCRIPTION  
Consent to The Conservative Student Support Foundation to appear for the Board of Directors of college campuses.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd July 1, 1988.

Total list 4,785 125.00  
Selections: state, SCF, ZIP Code, 3.00/M extra; key coding, 1.00/M extra; minimum order 5,000.

#### CONSERVATIVE WEALTHY ARTS DONORS

State Code 3 522 428 4.00 212-693-0143  
List Manager  
4 E. 91st St., New York, NY 10028. Phone 212-737-6917. FAX, 212-691-6264.

1. PERSONNEL  
List Manager  
Consent to participating arts and other cultural appeals.

2. DESCRIPTION  
Consent to participating arts and other cultural appeals.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd June 8, 1988.

Total list 49,489 55.00  
Selections: state, SCF, ZIP Code, 3.00/M extra; key coding, 1.00/M extra; minimum order 5,000.

5. COMMISSION, CREDIT POLICY  
Orders cancelled after mail date require full price.

6. METHOD OF ADDRESSING  
4-up Creative labels. Pressure sensitive labels, 7.50/M extra. Magnetic tape, 25.00 nonreturnable fee.

7. RESTRICTIONS  
Sample mailing piece required for approval.

#### CONTRIBUTING HOUSEHOLDS

(This is a paid listing)  
State Code 3 522 428 4.00 212-693-0143  
List Manager  
Donnelly Direct, a division of Donnelly Marketing, P.O. Box 10250, 79 Shawnee Ave., Stamford, CT 06904. Phone 203-353-7388, 800-423-5478.

Branch Offices: 485 Madison Ave., New York, NY 10002. Phone 212-758-0253, 800-353-5478.

1901 S. Myrtle Rd., Oak Brook, IL 60148. Phone 312-498-1279, 800-353-5478.

NOTE: For basic information on the following numbered listing categories 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, see Donnelly Direct listing under classification No. 552.

1. PERSONNEL  
List Manager  
Qualified List Corp., 135 Bedford Rd., Armonk, NY 10504. Phone 914-273-8808.

2. DESCRIPTION  
Consent to a national youth service organization. 50% min.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd June 8, 1988.

Total list 800,000 50.00  
Selections: ZIP Code, 5.00/M extra; geographic, SCF, key coding, 3.00/M extra; minimum order 5,000.

5. COMMISSION, CREDIT POLICY  
20% commission to all recognized brokers.

6. METHOD OF ADDRESSING  
4-up Creative labels. Pressure sensitive labels, 7.00/M extra. Magnetic tape (BT 1800/1520 BPI), 25.00 nonreturnable fee.

7. DELIVERY SCHEDULE  
Ten days.

8. RESTRICTIONS  
Sample mailing piece required for approval. Exchanges not allowed.

#### CONTRIBUTORS-MAIL ORDER BUYERS W/CREDIT CARDS

State Code 3 522 428 4.00 212-693-0143  
List Manager  
U. Treatment, Inc., 3077 Leeman Ferry Rd., Marietta, AL 36001. Phone 205-882-1025.

1. PERSONNEL  
List Manager  
Consent to mail order buyers with credit cards.

2. DESCRIPTION  
Consent to mail order buyers with credit cards.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd June 2, 1988.

Total list 2,899,810 75.00  
Selections: state, SCF, ZIP Code, 3.00/M extra; key coding, 1.00/M extra; minimum order 5,000.

#### CONTRIBUTORS TO A NATIONAL YOUTH ORGANIZATION

State Code 3 522 428 4.00 212-693-0143  
List Manager  
Qualified List Corp., 135 Bedford Rd., Armonk, NY 10504. Phone 914-273-8808.

1. PERSONNEL  
List Manager  
Consent to a national youth service organization. 50% min.

2. DESCRIPTION  
Consent to a national youth service organization. 50% min.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd June 2, 1988.

Total list 2,899,810 75.00  
Selections: state, SCF, ZIP Code, 3.00/M extra; key coding, 1.00/M extra; minimum order 5,000.

5. COMMISSION, CREDIT POLICY  
Orders cancelled after mail date require full price.

6. METHOD OF ADDRESSING  
4-up Creative labels. Pressure sensitive labels, 7.50/M extra. Magnetic tape, 25.00 nonreturnable fee.

7. RESTRICTIONS  
Sample mailing piece required for approval.

#### FUNDRAISERS

How Do You Reach The Upper Crust Of America?  
EXPLORE THE CULTURAL LISTS AT ENERTEC!

• You Reach Upscale, Well-Educated, DIRECT MAIL RESPONSIVE Individuals

• Over 60 CONTINUATIONS By FUNDRAISERS

• HIGH UNIT OF SALE: Average \$125+

• Proven Contributors to HEALTH, WELFARE, EDUCATION, etc.

CALL 212-473-1433

215 Park Avenue South, New York, NY 10003

ENERTEC MARKETING

Direct Mail - Consumer Lists

1986 book showed same information; 1986 book not retained by Mailworks, Inc.

1077

#### QUANTITY AND RENTAL RATES

Rec'd July 28, 1988.

Total list (last 36 months) 267,786 48.00  
Last 12 months 150,000 55.00  
Last 24 months 150,000 55.00

Selections: state, SCF, ZIP Code, 3.00/M extra; key coding, 1.00/M extra; minimum order 5,000.

5. METHOD OF ADDRESSING  
4-up Creative labels. Pressure sensitive labels, 5.00/M extra. Magnetic tape (BT 1800/1520 BPI), 15.00 nonreturnable fee.

6. RESTRICTIONS  
Two sample mailing pieces required for approval.

#### CONTRIBUTORS TO ANIMAL SHELTERS

State Code 3 522 428 4.00 212-693-0143  
List Manager  
The Humane Society, 125 W. 28th St., New York, NY 10001. Phone 212-677-5750.

NOTE: For basic information on the following numbered listing categories 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, see The Humane Society listing under classification No. 552.

1. PERSONNEL  
List Manager  
Consent to local and national animal sheltering appeals.

2. DESCRIPTION  
Consent to local and national animal sheltering appeals.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd Mar. 28, 1988.

Total list 34,791 45.00  
Selections: SCF, ZIP Code, 5.00/M extra; key coding, 1.00/M extra; set-up charge, 55.00; minimum order 150.00.

#### CONTRIBUTORS TO CHARITIES

State Code 3 522 428 4.00 212-693-0143  
List Manager  
Qualified List Corp., 135 Bedford Rd., Armonk, NY 10504. Phone 914-273-8808.

1. PERSONNEL  
List Manager  
Consent to various fund raising appeals. Average age 40.

2. DESCRIPTION  
Consent to various fund raising appeals. Average age 40.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd Jan. 11, 1988.

Total list (No. C-244) 23,391 45.00  
Selections: state, SCF, ZIP Code, 3.00/M extra; key coding, 1.00/M extra; minimum order 5,000.

5. COMMISSION, CREDIT POLICY  
20% commission to all recognized brokers.

6. METHOD OF ADDRESSING  
4-up Creative labels. Pressure sensitive labels, 5.00/M extra. Magnetic tape, 25.00 nonreturnable fee.

7. DELIVERY SCHEDULE  
Ten working days.

8. RESTRICTIONS  
Sample mailing piece required for approval.

9. TEST ADDRESS  
Minimum 5,000.

10. LETTER SHOP SERVICES  
Available.

#### CONTRIBUTORS TO CHRISTIAN MISSIONS

(This is a paid duplicate of the listing under classification No. 552.)  
State Code 3 522 428 4.00 212-693-0143

1. PERSONNEL  
List Manager  
Qualified List Corp., 135 Bedford Rd., Armonk, NY 10504. Phone 914-273-8808.

2. DESCRIPTION  
Consent to Christian, other than Catholic, donors to seven Christian ministries and Bible societies.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd Feb. 5, 1988.

Total list 626,000 45.00  
Selections: ZIP Code, 5.00/M extra; state, SCF, 2.50/M extra; key coding, 2.00/M extra; minimum order 5,000.

5. METHOD OF ADDRESSING  
4-up Creative labels. Pressure sensitive labels, 4.00/M extra. Magnetic tape (BT 1800 BPI), 15.00 nonreturnable fee.

6. RESTRICTIONS  
Sample mailing piece required for approval.

#### CONTRIBUTORS TO INTERNATIONAL CHILDREN'S CAUSES

State Code 3 522 428 4.00 212-693-0143  
List Manager  
Contributors to International Children's Causes.

1. PERSONNEL  
List Manager  
Consent to International Children's Causes.

2. DESCRIPTION  
Consent to International Children's Causes.

3. LIST SOURCE  
Direct mail.

4. QUANTITY AND RENTAL RATES  
Rec'd Feb. 5, 1988.

Total list 626,000 45.00  
Selections: ZIP Code, 5.00/M extra; state, SCF, 2.50/M extra; key coding, 2.00/M extra; minimum order 5,000.

5. METHOD OF ADDRESSING  
4-up Creative labels. Pressure sensitive labels, 4.00/M extra. Magnetic tape (BT 1800 BPI), 15.00 nonreturnable fee.

6. RESTRICTIONS  
Sample mailing piece required for approval.



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: *mls* MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*

DATE: OCTOBER 26, 1988

SUBJECT: MUR 2565  
COMPREHENSIVE INVESTIGATIVE REPORT #1  
SIGNED OCTOBER 24, 1988

The above-captioned report was received in the Secretariat at 3:00 p.m. on Tuesday, October 25, 1988 and circulated to the Commission on a 24-hour no-objection basis at 4:00 p.m. on Tuesday, October 25, 1988.

There were no objections to the report.

90040781465

RECEIVED  
FEDERAL ELECTION COMMISSION  
SECRETARIAT

BEFORE THE FEDERAL ELECTION COMMISSION

88 OCT 25 PM 4:28

In the Matter of )

List Bank, Inc.; )

Advance Management Systems )

MUR 2565

SENSITIVE

COMPREHENSIVE INVESTIGATIVE REPORT #1

On August 19, 1988, the Commission found reason to believe that Advance Management Systems and List Bank, Inc. violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15 in connection with the use of mailing lists containing pseudonymous names that appeared on reports filed with the Commission. Also on August 19, 1988, the Commission approved letters and interrogatories to these respondents, as well as subpoenas to produce documents and orders to submit written answers to three witnesses, Mailworks, Inc., Phoenix Data Processing, and Precise Data Services. These letters and requests were mailed to the respondents and witnesses on August 31, 1988.

By a letter received by this Office on September 21, 1988, Mailworks requested a 10-day extension of time due to vacation schedules. This Office granted the time extension on September 28, 1988, so that the extended due date became October 7, 1988.

On September 26, 1988, we received responses from Advance Management Systems and Phoenix Data Processing. On October 4, 1988, this Office received responses from Mailworks, Precise Data, and P&L Direct Marketing Group.\*/-

\*/- In its response, P&L Direct Marketing Group reports that its previous company name was Advance Management Systems (the name of the respondent), but that it merged with P&L Direct Marketing Group and that name became the title of the new company.

00040781466



This Office is analyzing the answers provided by the respondents and witnesses, and will prepare a report with appropriate recommendations.

Lawrence M. Noble  
General Counsel

10/24/88  
Date

BY:   
Lois G. Lerner  
Associate General Counsel

Staff Member: Janice Lacy

90040781467



BEFORE THE FEDERAL ELECTION COMMISSION

88 NOV -9 AM 11:44

In the Matter of )  
 )  
Advance Management Systems; ) MUR 2565  
Listbank, Inc. )

**SENSITIVE**

GENERAL COUNSEL'S REPORT

I. BACKGROUND

On April 5, 1988, the Commission found reason to believe that person(s) unknown violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. The basis for this finding was a complaint filed by the Republican National Committee ("RNC") alleging that the Children's Home and Aid Society of Illinois ("Children's Home") had solicited contributions from pseudonymous names that appeared on reports the RNC had filed with the Commission. On May 9, 1988, Children's Home responded to interrogatories posed to it by the Commission, identifying Advance Management Systems of Los Angeles as the owner of the list; Listbank, Inc. of Arlington Heights, Ill. as the list broker; Mailworks, Inc. as the list consultant; Phoenix Data Processing as the company performing merge/purge services; and Precise Data Services as the company assembling the mailing.

On August 19, 1988, the Commission found reason to believe that Advance Management Systems, and Listbank, Inc. violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. Also on August 19, 1988, the Commission approved letters and interrogatories to these respondents, as well as to three witnesses, Mailworks, Inc., Phoenix Data Processing, and Precise Data Services. These letters and requests were mailed to the the respondents and witnesses on August 31, 1988.

00040781468

On September 21, 1988, Mailworks, Inc. requested a 10-day extension of time due to vacation schedules. This Office granted the time extension on September 28, 1988, so that the extended due date for the response became October 7, 1988. On September 26, 1988, this Office received responses from Phoenix Data Processing and Listbank, Inc. On October 4, 1988, we received responses from P&L Direct Marketing Group ("P&L"),<sup>1/</sup> Precise Data Services, and Mailworks, Inc.

P&L Direct Marketing Group, the company originally identified as the owner, claims that the list in question is a file it manages for Dunhill Mailing Lists ("Dunhill").<sup>2/</sup> P&L further claims that Dunhill maintains the file and does all of the order processing, and that P&L then promotes the file to brokers and mailers in the direct mail industry. Thus, P&L has identified Dunhill Mailing Lists of New York, New York as the owner of the list.

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<sup>1/</sup> P&L provided in its response that its previous company name was Advance Management Systems (the name of the respondent), but that Advance Management Systems merged with P&L Direct Marketing Group and the latter name is the title of the new company.

<sup>2/</sup> P&L provided this information by a letter dated September 29, 1988. However, it failed to submit a complete response to the extensive interrogatories posed to it by the Commission. We are requesting P&L to submit a complete response.

90040781469

## II. ANALYSIS

The Federal Election Campaign Act provides that:

any information copied from ... reports or statements [filed with the Commission] may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

2 U.S.C. § 438(a)(4). Given the allegation that the list used by Children's Home contained pseudonymous names copied from reports filed by the RNC with the Commission, it appears that Dunhill Mailing Lists, the alleged owner of the list, is responsible for the pseudonymous names being on the list. Therefore, this Office recommends that the Commission find reason to believe that Dunhill Mailing Lists violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. It is further recommended that interrogatories be posed to this respondent.

## III. RECOMMENDATIONS

1. Find reason to believe that Dunhill Mailing Lists violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. 104.15.
2. Approve the attached letter and Factual and Legal Analysis.
3. Approve the attached order and subpoena.

Lawrence M. Noble  
General Counsel

Date

11/8/88

By:

Lois G. Lerner  
Associate General Counsel

## Attachments

1. Responses to Interrogatories and Questions
2. Proposed Letter and Factual and Legal Analysis
3. Proposed Order and Subpoena

Staff Person: Janice Lacy

00040781470

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Advance Management Systems;  
Listbank, Inc.

MUR 2565

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on November 14, 1988, the Commission decided by a vote of 6-0 to take the following actions in MUR 2565:

1. Find reason to believe that Dunhill Mailing Lists violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. 104.15.
2. Approve the letter and Factual and Legal Analysis, as recommended in the General Counsel's report signed November 8, 1988.
3. Approve the order and subpoena, as recommended in the General Counsel's report signed November 8, 1988.

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

Attest:

*November 14, 1988*

Date

*Hilda Arnold*  
for Marjorie W. Emmons  
Secretary of the Commission

|                                                 |                 |       |
|-------------------------------------------------|-----------------|-------|
| Received in the Office of Commission Secretary: | Wed., 11-9-88,  | 11:44 |
| Circulated on 48 hour tally basis:              | Wed., 11-9-88,  | 4:00  |
| Deadline for vote:                              | Mon., 11-14-88, | 4:00  |



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

November 21, 1988

Dunhill Mailing Lists  
630 Third Avenue  
New York, New York 10017

RE: MUR 2565  
Dunhill Mailing Lists

Dear Sir or Madam:

On November 14, 1988, the Federal Election Commission found that there is reason to believe Dunhill Mailing Lists violated 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended ("the Act"), and 11 C.F.R. § 104.15 of Commission Regulations. The Factual and Legal Analysis, which formed a basis for the Commission's finding, is attached for your information.

Under the Act, you have an opportunity to demonstrate that no action should be taken against Dunhill Mailing Lists. 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, along with answers to the enclosed questions, within 15 days of your 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 Dunhill Mailing Lists, 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.

00040781472

Letter to Dunhill Mailing Lists  
Page 2

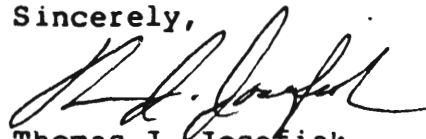
Requests for extensions of time will not be routinely granted. Requests must be made in writing at least five days prior to the due date of the response and specific good cause must be demonstrated. In addition, the Office of the General Counsel ordinarily will not give extensions beyond 20 days.

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.

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.

For your information, we have attached a brief description of the Commission's procedures for handling possible violations of the Act. If you have any questions, please contact Janice Lacy, the attorney assigned to this matter, at (202) 376-5690.

Sincerely,

  
Thomas J. Josefiak  
Chairman

Enclosures

Factual and Legal Analysis  
Procedures  
Designation of Counsel Form  
Interrogatories

00040781473



**FEDERAL ELECTION COMMISSION  
FACTUAL AND LEGAL ANALYSIS**

**RESPONDENT: Dunhill Mailing Lists**

**MUR 2565**

During the course of its investigation of MUR 2565, the Commission determined that Dunhill Mailing Lists ("Dunhill") is the owner of a list described as "Contributors to International Children's Causes" used by the Children's Home and Aid Society of Illinois ("Children's Home") to issue the attached mailing (Exhibit A). It was determined that this list contained a pseudonymous name taken from a report filed with the Commission.

The Federal Election Campaign Act provides that:

any information copied from ... reports or statements [filed with the Commission] may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

2 U.S.C. § 438(a)(4). Given the allegation that the list used by Children's Home contained a pseudonymous name copied from reports filed with the Commission, it appears that Dunhill, the alleged owner of the list, is responsible for the pseudonymous names being on the list. Therefore, this Office recommends that the Commission find reason to believe that Dunhill Mailing Lists violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.

00040781474

**INTERROGATORIES TO:**

**Dunhill Mailing Lists**

1. Describe in detail the method whereby you and/or your employees obtained the names and addresses that appeared on a mailing list described as "Contributors to International Children's Causes" used by the Children's Home and Aid Society of Illinois to issue the attached mailing (Exhibit A) (hereinafter "the List").
2. State the name of the List, if different that the name provided in Question 1 above, and state the number of persons whose names are contained on the List.
3. Identify any person who provided the names that appeared on the List.
4. State in detail how the List was compiled. Identify all persons who helped to compile the List.
5. If a source of the List was the Federal Election Commission, the Secretary of State's Office or other offices where election finance reports are filed, list the states and/or localities involved and specify the offices involved (e.g., state board of election).
6. Describe all contributor information from FEC sources that you used in connection with fundraising efforts. Describe each instance that information from FEC sources was used. Identify the individuals who provided such information and/or documents.
7. If FEC contributor tapes, lists, or other information used in FEC disclosure reports were obtained in connection with compiling the List, state which you obtained, who made them available, and how this occurred.
8. If you did not compile or create the List, state whether you added any names and addresses to it.
9. State whether you inquired as to the source of names used for solicitation. State what, if any, representations were made to you as to the source of the names and addresses of persons that appeared on the List. Identify the person(s) who made each such representation.
10. Identify all brokers, list managers, or list users to whom you sold, rented, or otherwise made available the List.

00040781475

Interrogatories to:  
Dunhill Mailing Lists  
Page 2

11. State whether there were any inquiries to Dunhill Mailing Lists regarding the source of the names on the List. If the answer is yes, state the name of the person making the inquiry, the name of the person to whom the inquiry was made, and the answer provided to the inquiry.
12. Describe in detail your role in marketing the List.

00040781470

**DOCUMENT REQUEST TO:**

**Dunhill Mailing Lists**

1. Provide originals or true copies of all documents concerning the creation, compilation, preparation, advertisement, rental, sale, or use of a mailing list described as "Contributors to International Children's Causes" used by the Children's Home and Aid Society of Illinois to issue the attached mailing (Exhibit A).

00040781477

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

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)  
)  
)

MUR 2565

SUBPOENA TO PRODUCE DOCUMENTS  
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Dunhill Mailing Lists  
630 Third Avenue  
New York, New York 10017

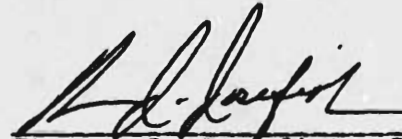
Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of your receipt of this Order and Subpoena.

00040781478

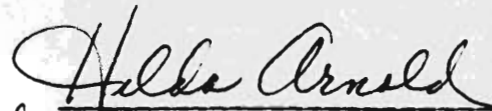
Dunhill Mailing Lists  
Page 2

WHEREFORE, the Chairman of the Federal Election Commission has  
hereunto set his hand in Washington, D.C. on this 18<sup>th</sup>, day of  
November, 1988.



Thomas J. Josefiak, Chairman  
Federal Election Commission

ATTEST:

  
for Marjorie W. Emmons  
Secretary to the Commission

Attachments

Document Request (1 page)

Questions (2 pages)

00040781479





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 7, 1988

**CERTIFIED MAIL - RETURN RECEIPT REQUESTED**

Ms. Estelle M. Kandell  
List Manager  
P & L Direct Marketing Group  
3599 Cahuenga Blvd. West  
Los Angeles, CA 90068

RE: MUR 2565  
Advance Management Systems

Dear Ms. Kandell:

This letter confirms a telephone conversation of November 17, 1988 between you and Janice Lacy, the attorney assigned to this matter, wherein you were requested to submit to this Office responses to each question which was posed to Advance Management Systems in a letter dated August 31, 1988. This letter, which contains the questions, is attached per your request. Please submit answers to the Office of General Counsel within 10 working days of your receipt of this letter.

Should you have any questions, please contact Janice Lacy at (202) 376-5690.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure

00040781480

06C 1383

# HUGO DUNHILL MAILING LISTS, INC.

630 Third Avenue, New York, New York 10017 • 212-682-8030 • FAX 212-983-1878

December 12, 1988

General Counsel  
Federal Election Comm.  
999 E. Street, N.W.  
Washington, D.C. 20463

Re: Subpoena #MUR 2565

We cannot find in our records any mailing list order from the Children's Home & Aid Society of IL, 1122 North Dearborn Street, Chicago, IL, 60610. However, many of our mailing list orders are placed through other mailing lists companies or advertising agencies.

If you can let us know if this was the case, we will then be able to check further.

Sincerely,

Hugo Dunhill

HUGO DUNHILL MAILING LISTS, INC.

encl:

88 DEC 15 PM 1:56

88 DEC 14 AM 10:12

RECEIVED  
FEDERAL ELECTION COMMISSION

00040781481

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

)  
)  
)  
)  
)

MUR 2565

SUBPOENA TO PRODUCE DOCUMENTS  
ORDER TO SUBMIT WRITTEN ANSWERS

TO: Dunhill Mailing Lists  
630 Third Avenue  
New York, New York 10017

Pursuant to 2 U.S.C. § 437d(a)(1) and (3), and in furtherance of its investigation in the above-captioned matter, the Federal Election Commission hereby orders you to submit written answers to the questions attached to this Order and subpoenas you to produce the documents requested on the attachment to this Subpoena. Legible copies which, where applicable, show both sides of the documents may be substituted for originals.

Such answers must be submitted under oath and must be forwarded to the Office of the General Counsel, Federal Election Commission, 999 E Street, N.W., Washington, D.C. 20463, along with the requested documents within 15 days of your receipt of this Order and Subpoena.

00040781492

EXHIBIT A



CHILDREN'S HOME & AID SOCIETY OF ILLINOIS  
1122 North Dearborn Street  
Chicago, IL 60610



Nonprofit Organization  
U.S. Mailage Paid  
Children's Home & Aid  
Society of Illinois

DEAR SANTA —

12-1-87 WILL YOU BRING  
ME A MOM  
OR DAD  
THIS YEAR?  
KATHY

00040781483



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

December 29, 1988

Hugo Dunhill  
Hugo Dunhill Mailing Lists, Inc.  
630 Third Avenue  
New York, New York 10017

Re: MUR 2565  
Hugo Dunhill Mailing  
Lists, Inc.

Dear Mr. Dunhill:

This is in response to your letter dated December 12, 1988, wherein you requested that we advise you whether a mailing list order from Children's Home and Aid Society of Illinois was placed through other mailing list companies or advertising agencies. Our investigation of this matter shows that this is the case.

As stated in the Factual and Legal Analysis that accompanied the Subpoena, your company has been identified as the owner of the list in question. This Office reminds you that the instructions attached to the Subpoena direct you to answer all questions posed to you by the Commission. You should submit answers to the questions, as well as any documents requested, to this Office within ten (10) business days of your receipt of this letter. Your failure to do so could lead to a recommendation to the Commission by this Office of action to enforce the subpoena.

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

*Lois G. Lerner*  
*by [signature]*

00040781484



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

89 JAN -6 AM 8:56

December 29, 1988

Hugo Dunhill  
Hugo Dunhill Mailing Lists, Inc.  
630 Third Avenue  
New York, New York 10017

Re: MUR 2565  
Hugo Dunhill Mailing  
Lists, Inc.

89 JAN -6 PM 2:10

Dear Mr. Dunhill:

This is in response to your letter dated December 12, 1988, wherein you requested that we advise you whether a mailing list order from Children's Home and Aid Society of Illinois was placed through other mailing list companies or advertising agencies. Our investigation of this matter shows that this is the case.

As stated in the Factual and Legal Analysis that accompanied the Subpoena, your company has been identified as the owner of the list in question. This Office reminds you that the instructions attached to the Subpoena direct you to answer all questions posed to you by the Commission. You should submit answers to the questions, as well as any documents requested, to this Office within ten (10) business days of your receipt of this letter. Your failure to do so could lead to a recommendation to the Commission by this Office of action to enforce the subpoena.

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Please  
to find the  
order you want  
need to connect  
a customer  
of client  
what is NAME  
order for which the  
was done  
Who

Thanks

Hugo Dunhill

Mr. Enclosed

Who??





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 17, 1989

Hugo Dunhill  
Hugo Dunhill Mailing Lists, Inc.  
630 Third Avenue  
New York, New York 10017

Re: MUR 2565  
Hugo Dunhill Mailing  
Lists, Inc.

Dear Mr. Dunhill,

This is in response to your note dated January 4, 1989, wherein you requested that we advise you of the identity of the client or customer who placed a mailing list order with you for Children's Home and Aid Society of Illinois. This party is P & L Direct Marketing Group, previously known as Advance Management Systems.

Because this information arose during the course of an investigation of this matter, it is subject to the confidentiality requirements of the Act. These requirements are described in the letter you received from the Commission dated November 21, 1988.

You should submit answers to the questions posed to you by the Commission, as well as any documents requested, to this Office within ten (10) business days of your receipt of this letter. Your failure to do so could lead to a recommendation to the Commission by this Office of action to enforce the subpoena issued by the Commission in this matter.

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

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

00040781486



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

MEMORANDUM

TO: LAWRENCE M. NOBLE  
GENERAL COUNSEL

FROM: *mwe* MARJORIE W. EMMONS/JOSHUA MCFADDEN *JM*

DATE: JANUARY 23, 1989

SUBJECT: MUR 2565  
COMPREHENSIVE INVESTIGATIVE REPORT #2  
SIGNED JANUARY 18, 1989

The above-captioned report was received in the Secretariat at 5:11 p.m. on Wednesday, January 18, 1989 and circulated to the Commission on a 24-hour no-objection basis at 12:00 p.m. on Thursday, January 19, 1989.

There were no objections to the report.

00040781487

BEFORE THE FEDERAL ELECTION COMMISSION

RECEIVED  
FEDERAL ELECTION COMMISSION

89 JAN 18 PM 5:11

In the Matter of  
Dunhill Mailing Lists

MUR 2565

COMPREHENSIVE INVESTIGATIVE REPORT #2

**SENSITIVE**

On November 14, 1988, the Commission found reason to believe that Dunhill Mailing Lists violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15 in connection with the use of mailing lists containing pseudonymous names that appeared on reports filed with the Commission. Also on November 14, 1988, the Commission approved a letter, a subpoena to produce documents, and an order to submit written answers to this Respondent. The letter and requests were mailed to the Respondent on November 21, 1988.

On December 15, 1988, this Office received a letter from the Respondent which contained a request for more information to aid the Respondent in sufficiently answering the questions posed to it by the Commission. This Office provided such information to the Respondent in a letter dated December 29, 1988. On January 4, 1989, this Office received a request from the Respondent for additional information. This Office is in the course of providing the Respondent with this information. Upon receiving a response to the subpoena and order from the Respondent, this Office will prepare a report with appropriate recommendations.

Lawrence M. Noble  
General Counsel

Date

1-18-89

BY:

  
Lois G. Lerner  
Associate General Counsel

Staff Member: Janice Lacy

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RECEIVED  
FEDERAL ELECTION COMMISSION  
ADMINISTRATIVE DIVISION

## HUGO DUNHILL MAILING LISTS, INC.

89 APR 10 AM 9:10

630 Third Avenue, New York, New York 10017

212-682-8030

April 4, 1989

Janice Lacy  
Federal Election Commission  
Washington, D.C. 20463  
(202) 376-5690

*Copy of  
Letter sent  
previously.*

89 APR 10 PM 12:10

Dear Ms. Lacy,

Regarding your MUR 2565 dated november 21, 1988 our firm provided a list to Advanced Management Systems for their client "Children's Home and Aid Society of Illinois. This was done in November 1987.

The list was called "Contributors to International Children's Causes". The list provided at the time contained about 38,000 names and we provided 13,000 names. The names were compiled from the following sources:

The National Social Register Directory, N.Y.  
The National Directory of Corporate Public Affairs, N.Y.  
Standard and Poors Register of Corporate Directors, N.Y.  
The N.Y. Import/Export directory published by Journal of Commerce, N.Y.  
The Who's Who of Americans, Chicago  
The Regional Who's WHO in America, Chicago  
National DataBank, The Foundation Center, N.Y.

also names provided on magnetic tape by.

Roy Pakansky  
Roy Pakansky Mailing Lists  
1371 Union St.  
Brooklyn, N.Y. 11213  
Phone 718-953-0126

Regarding the above. Mr. Pakansky owed our firm \$1500 dating back to 1983'-84'. This was a loan and since his health was not good and the loan had not been repaid, he gave us a mailing list to eliminate the debt. The list was turned over to us early in 1987, he died late in 1987. The names came to us on magnetic tape and was identified as donors to "International Children's Causes". I estimate the tape contained about 13,000 to 15,000 names.

All the above lists were merged together and tested several times by fund raising mailers.

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I have no knowledge of the source of this list or how it was compiled. When Roy Pakansky left the list he made no reference to how it was compiled or its source... nor do I think he knew.

The only description was that they were contributors to "International Children's Causes". Since the quantity of names was small we combined it with names from other sources, the directories previously mentioned.

In most instances our firm acts as a list broker or compiler we broker many lists from other list owners or sometimes compile our own. When we compile our own list we would promote the list to mailing list brokers... as in the case of this list.

Since we did not receive any continuations on this list it was discontinued (erased) in early 1988. It is possible that the list was used one or two other times before being erased.

If additional information is required please contact me.

Sincerely,



Hugo Dunhill

00040761490

06C4056

# HUGO DUNHILL MAILING LISTS, INC.

630 Third Avenue, New York, New York 10017 • 212-682-8030 • FAX 212-983-1676

September 18, 1989

Karen Powell  
FEDERAL ELECTION COMMISSION  
Washington, D.C. 20463

Dear Ms. Powell:

Regarding our phone conversation and the F.E.C.'s Muir 2565 dated November 21, 1988, we would like to request to enter into the F.E.C.'s conciliation process.

I hope this is the proper way to make this request.

Sincerely,

  
Hugo Dunhill  
President

HUGO DUNHILL MAILING LISTS, INC.

HD:nt

RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL  
89 SEP 20 PM 12:06

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM  
89 SEP 20 AM 10:58

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89 OCT 17 PM 4:09

BEFORE THE FEDERAL ELECTION COMMISSION

**SENSITIVE**

In the Matter of

Hugo Dunhill Mailing Lists, Inc., et al.

)  
)  
)

MUR 2565

GENERAL COUNSEL'S REPORT

I. BACKGROUND

This matter was generated by a complaint filed by the Republican National Committee ("RNC") alleging that the Children's Home and Aid Society of Illinois (the "Society"), had solicited a contribution from a fictitious person, whose pseudonym appeared on a report filed by the RNC with the Commission.

On April 5, 1988, the Commission found reason to believe that person(s) unknown violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. After receiving responses to its interrogatories from the Society, the Commission, on August 19, 1988, found reason to believe that Advance Management Systems, and Listbank, Inc. violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. In response to the Commission's interrogatories, these Respondents stated that the owner of the list used in the Society mailing was Hugo Dunhill Mailing Lists, Inc.

On November 14, 1988, the Commission found reason to believe that Hugo Dunhill Mailing Lists, Inc. ("Dunhill"), violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.

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II. ANALYSIS

A. Hugo Dunhill Mailing Lists, Inc.

Information copied from reports or statements available at the Commission for public inspection may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee. 2 U.S.C. § 438(a)(4); see also 11 C.F.R. § 104.15. The Commission has consistently interpreted and applied 2 U.S.C. § 438(a)(4) to prohibit any person from using or selling illegally copied names through the generation or marketing of contributor or donor lists. See Federal Election Commission v. American International Demographic Services, Inc. 629 F.Supp. 317 (E.D. Va. 1986); Advisory Opinion 1986-25.

According to its response, Dunhill provided the Society in 1987 with a list containing approximately 38,000 names for use in the Society's solicitation of contributions (the "List"). Dunhill asserts that the List was drawn primarily from a variety of national and regional directories. In compiling the List, Dunhill also utilized a smaller list containing approximately 15,000 names provided to it by Mr. Roy Pakansky. Dunhill had obtained the Pakansky list in settlement of a \$1500 debt from Mr. Pakansky. Mr. Pakansky died in 1987. (See Attachment I).

The List marketed by Dunhill contained a name copied from Commission records. Dunhill is unable to explain how the name came to be included in the List. Dunhill stated in its response to the Commission's interrogatories that the List was

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discontinued and erased in early 1988, after it had been used by several other fund raisers.

On September 18, 1989, Dunhill requested pre-probable cause conciliation in this matter. (Attachment II).

B. The ListBank Inc. and Advanced Marketing Systems

This Office notes that in previous MURs involving 2 U.S.C. § 438(a)(4) Commission practice has been to find reason to believe that a violation occurred and to ask respondents to provide information identifying the list manager/owner. Once they have done so, the Commission has taken no further action against such parties in the absence of information indicating complicity between the list owner and the respondent. See MURs 1541/1542, 1549, . No such complicity has been found in the present matter. Consequently, this Office is recommending that the Commission take no further action against Advance Management Systems, and Listbank, Inc. and close the file with respect to these respondents.

III. DISCUSSION OF CONCILIATION PROVISIONS AND CIVIL PENALTY

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IV. RECOMMENDATIONS

1. Take no further action against Advance Management Systems, and Listbank, Inc.
2. Close the file as it pertains to Advance Management Systems, and Listbank, Inc.
3. Enter into conciliation with Hugo Dunhill Mailing Lists, Inc. prior to a finding of probable cause to believe.
4. Approve the attached proposed conciliation agreement and letters.

Lawrence M. Noble  
General Counsel

Date

10-16-89

BY:

  
Lois G. Lerner  
Associate General Counsel

Attachments

1. Response to interrogatories
2. Request for pre-probable cause conciliation
3. Conciliation Agreement
4. Letters to Respondents (3)

Staff Person: Karen Powell

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Hugo Dunhill Mailing Lists, Inc.,  
et al.

)  
) MUR 2565  
)  
)

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on October 20, 1989, the Commission decided by a vote of 5-0 to take the following actions in MUR 2565:

1. Take no further action against Advance Management Systems, and Listbank, Inc.
2. Close the file as it pertains to Advance Management Systems, and Listbank, Inc.
3. Enter into conciliation with Hugo Dunhill Mailing Lists, Inc. prior to a finding of probable cause to believe.
4. Approve the proposed conciliation agreement and letters as recommended in the General Counsel's Report dated October 16, 1989.

Commissioners Aikens, Elliott, Josefiak, McDonald and Thomas voted affirmatively for the decision. Commissioner McGarry did not cast a vote.

Attest:

10-23-89  
Date

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

Received in the Secretariat: Tuesday, October 17, 1989 4:09  
Circulated to the Commission: Wednesday, October 18, 1989 11:00  
Deadline for vote: Friday, October 20, 1989 11:00

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FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 25, 1989

Ms. Estelle M. Kandell  
P&L Direct Mail Marketing Group  
3599 Cahuenga Blvd. West  
Los Angeles, California 90068

RE: MUR 2565  
Advance Management Systems

Dear Ms. Kandell:

On August 19, 1989, you were notified that the Federal Election Commission found reason to believe that your firm violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.

After considering the circumstances of the matter, the Commission determined on October 20, 1989 to take no further action against Advance Management Systems, and closed the file as it pertains to Advance Management Systems. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

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

The Commission reminds you that your marketing of a mailing list containing a name copied from FEC records appears to be a violation of 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. You should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please contact Karen Powell, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

00040761497





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

October 25, 1989

Norton S. Goodman  
The ListBank Inc.  
2220 Charter Point Drive  
Arlington Heights, Illinois 60004

RE: MUR 2565  
The ListBank, Inc.

Dear Mr. Goodman:

On August 19, 1989, you were notified that the Federal Election Commission found reason to believe that your firm violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.

After considering the circumstances of the matter, the Commission determined on October 20, 1989 to take no further action against The ListBank Inc., and closed the file as it pertains to The ListBank Inc. The file will be made part of the public record within 30 days after this matter has been closed with respect to all other respondents involved. Should you wish to submit any factual or legal materials to appear on the public record, please do so within ten days of your receipt of this letter. Such materials should be sent to the Office of the General Counsel.

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

The Commission reminds you that your marketing of a mailing list containing a name copied from FEC records appears to be a violation of 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. You should take immediate steps to insure that this activity does not occur in the future.

If you have any questions, please contact Karen Powell, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

00040781498



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20461

October 25, 1989

Hugo Dunhill  
Hugo Dunhill Mailing Lists, Inc.  
630 Third Avenue  
New York, New York 10017

RE: MUR 2565

Dear Mr. Dunhill:

On November 14, 1988, the Federal Election Commission (the "Commission") found reason to believe that you violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. At your request, on October 20, 1989, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Karen Powell, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosures  
Conciliation Agreement

00040781499



RECEIVED  
FEDERAL ELECTION COMMISSION  
OFFICE OF GENERAL COUNSEL

89 DEC 12 PM 3:37

RECEIVED  
FEDERAL ELECTION COMMISSION  
MAIL ROOM

89 DEC 11 AM 10:37

FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

October 25, 1989

*CGC 4847*  
*To Karen Powell*

Hugo Dunhill  
Hugo Dunhill Mailing Lists, Inc.  
630 Third Avenue  
New York, New York 10017

RE: MUR 2565

Dear Mr. Dunhill:

On November 14, 1988, the Federal Election Commission (the "Commission") found reason to believe that you violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15. At your request, on October 20, 1989, the Commission determined to enter into negotiations directed towards reaching a conciliation agreement in settlement of this matter prior to a finding of probable cause to believe.

Enclosed is a conciliation agreement that the Commission has approved in settlement of this matter. If you agree with the provisions of the enclosed agreement, please sign and return it, along with the civil penalty, to the Commission. In light of the fact that conciliation negotiations prior to a finding of probable cause to believe, are limited to a maximum of 30 days, you should respond to this notification as soon as possible.

If you have any questions or suggestions for changes in the agreement, or if you wish to arrange a meeting in connection with a mutually satisfactory conciliation agreement, please contact Karen Powell, the staff member assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

*[Signature]*  
BY: Lois G. Lerner  
Associate General Counsel

Enclosures  
Conciliation Agreement

00040781500

90 JAN -8 AM 9:16

BEFORE THE FEDERAL ELECTION COMMISSION

**SENSITIVE**

In the Matter of

Hugo Dunhill Mailing Lists, Inc., et al.

MUR 2565

GENERAL COUNSEL'S REPORT

I. BACKGROUND

Attached is a conciliation agreement which has been signed by Hugo Dunhill of Hugo Dunhill Mailing Lists, Inc.

The attached agreement contains no changes from the agreement approved by the Commission on October 20, 1989. A check in the amount of \$1000.00 has been received.

II. RECOMMENDATIONS

1. Accept the attached conciliation agreement with Hugo Dunhill Mailing Lists, Inc.
2. Close the file.
3. Approve the attached letters.

Lawrence M. Noble  
General Counsel

Date 1/5/90

BY:   
Lois G. Lerner  
Associate General Counsel

Attachments

1. Conciliation Agreement
2. Photocopy of civil penalty check
3. Letter to Respondents (3)
4. Letter to Complainant

Staff Person: Karen Powell

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BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of )  
Hugo Dunhill Mailing Lists, ) MUR 2565  
Inc., et al. )

CERTIFICATION

I, Marjorie W. Emmons, Secretary of the Federal Election Commission, do hereby certify that on January 12, 1990, the Commission decided by a vote of 6-0 to take the following actions in MUR 2565:

1. Accept the conciliation agreement with Hugo Dunhill Mailing Lists, Inc., as recommended in the General Counsel's Report dated January 5, 1990.
2. Close the file.
3. Approve the letters, as recommended in the General Counsel's Report dated January 5, 1990.

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

Attest:

1-12-90  
Date

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

Received in the Secretariat: Mon., Jan. 8, 1990 9:16 a.m.  
Circulated to the Commission: Tues., Jan. 9, 1990 4:00 p.m.  
Deadline for vote: Thurs., Jan. 11, 1990 4:00 p.m.

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 23, 1990

Norton S. Goodman  
The ListBank Inc.  
2220 Charter Point Drive  
Arlington Heights, Illinois 60004

RE: MUR 2565  
The ListBank, Inc.

Dear Mr. Goodman:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Karen Powell, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

00040781503





FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1990

Ms. Estelle M. Kandell  
P&L Direct Mail Marketing Group  
3599 Cahuenga Blvd. West  
Los Angeles, California 90068

RE: MUR 2565  
Advance Management Systems

Dear Ms. Kandell:

This is to advise you that the entire file in this matter has now been closed and will become part of the public record within 30 days. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Karen Powell, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

A handwritten signature in cursive script, appearing to read "Lois G. Lerner".

BY: Lois G. Lerner  
Associate General Counsel

00040761504



FEDERAL ELECTION COMMISSION

WASHINGTON, D.C. 20463

January 23, 1990

E. Mark Braden  
Republican National Committee  
310 First Street, S.E.  
Washington, D.C. 20003

RE: MUR 2565

Dear Mr. Braden:

This is in reference to the complaint you filed with the Federal Election Commission on December 17, 1987, concerning The Children's Home and Aid Society of Illinois.

The Commission found that there was reason to believe Hugo Dunhill Mailing Lists, Inc. violated 2 U.S.C. § 438(a)(4) a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 104.15, a provision of the Commission's Regulations, and conducted an investigation in this matter. On January 12, 1990, a conciliation agreement signed by the respondent was accepted by the Commission. Accordingly, the Commission closed the file in this matter on January 12, 1990. A copy of this agreement is enclosed for your information.

If you have any questions, please contact Karen Powell, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel

Enclosures  
Conciliation Agreement

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FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

January 23, 1990

Hugo Dunhill  
Hugo Dunhill Mailing Lists, Inc.  
630 Third Avenue  
New York, New York 10017

RE: MUR 2565  
Hugo Dunhill Mailing  
Lists, Inc.

Dear Mr. Dunhill:

On January 12, 1990, the Federal Election Commission accepted the signed conciliation agreement and civil penalty submitted by you in settlement of a violation of 2 U.S.C. § 438(a)(4), a provision of the Federal Election Campaign Act of 1971, as amended and 11 C.F.R. § 104.15, a provision of the Commission's Regulations. Accordingly, the file has been closed in this matter. This matter will become a part of the public record within 30 days. If you wish to submit any factual or legal materials to appear on the public record, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Please be advised that information derived in connection with any conciliation attempt will not become public without the written consent of the respondent and the Commission. See 2 U.S.C. § 437g(a)(4)(B). The enclosed conciliation agreement, however, will become a part of the public record.

Enclosed you will find a copy of the fully executed conciliation agreement for your files. If you have any questions, please contact Karen Powell, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY: Lois G. Lerner  
Associate General Counsel

Enclosure  
Conciliation Agreement

00040781506

BEFORE THE FEDERAL ELECTION COMMISSION

In the Matter of

Hugo Dunhill Mailing Lists, Inc.

)  
)  
)

MUR 2565

CONCILIATION AGREEMENT

This matter was initiated by a signed, sworn and notarized complaint by the Republican National Committee. The Federal Election Commission ("Commission") found reason to believe that Hugo Dunhill Mailing Lists, Inc. ("Respondent") violated 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15.

NOW, THEREFORE, the Commission and Respondent, having participated in informal methods of conciliation, prior to a finding of probable cause to believe, do hereby agree as follows:

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

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

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

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

1. Respondent is a company involved with the creation and marketing of mailing lists.

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2. Respondent compiled and rented a mailing list to the Children's Home & Aid Society of Illinois which contained a pseudonymous name and address copied from Commission records.

3. 2 U.S.C. § 438(a)(4) and 11 C.F.R. § 104.15 provide that information copied from reports or statements available at the Commission for public inspection may not be sold or used by any person for the purpose of soliciting contributions or for commercial purposes, other than using the name and address of any political committee to solicit contributions from such committee.

V. 1. Respondent used information copied from Commission records for commercial purposes in violation of 2 U.S.C. § 438(a)(4).

VI. Respondent will pay a civil penalty to the Federal Election Commission in the amount of one thousand dollars (\$1000.00), pursuant to 2 U.S.C. § 437g(a)(5)(A).

VII. The Commission, on request of anyone filing a complaint under 2 U.S.C. § 437g(a)(1) concerning the matters at issue herein or on its own motion, may review compliance with this agreement. If the Commission believes that this agreement or any requirement thereof has been violated, it may institute a civil action for relief in the United States District Court for the District of Columbia.

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

IX. Respondent shall have no more than 30 days from the

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date this agreement becomes effective to comply with and implement the requirements contained in this agreement and to so notify the Commission.

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

FOR THE COMMISSION:

Lawrence M. Noble  
General Counsel

BY:

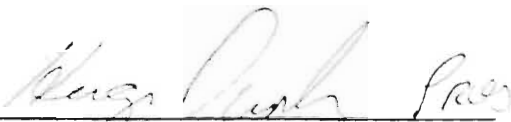


Lois G. Lerner  
Associate General Counsel

Date

1-22-90

FOR THE RESPONDENT:



(Name)  
(Position)

Date

12/1/89

00040781509





FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THIS IS THE END OF MUR # 2565

DATE FILMED 2/22/90 CAMERA NO. 4

CAMERAMAN AS

9004 078 1510



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

THE FOLLOWING DOCUMENTATION IS ADDED TO  
THE PUBLIC RECORD IN CLOSED MUR 2565.

90040703894

**CLOSED**



FEDERAL ELECTION COMMISSION  
WASHINGTON, D.C. 20463

March 14, 1990

Mary E. Evans, Esq.  
Gardner, Carton & Douglas  
1001 Pennsylvania Avenue, N.W.  
Suite 750  
Washington, D.C. 20004

RE: MUR 2565  
Childrens Home & Aid  
Society of Illinois

Dear Ms. Evans:

On December 24, 1987, your client was notified of a complaint alleging a violation of 2 U.S.C. § 438(a)(4), a section of the Federal Election Campaign Act of 1971, as amended.

This is to notify you that the Commission took no action against your client. Following an investigation, the Commission entered into a conciliation agreement with Hugo Dunhill Mailing Lists, Inc. On January 24, 1990, the file in this matter was closed and has become part of the public record. Should you wish to submit any legal or factual materials to be placed on the public record in connection with this matter, please do so within ten days. Such materials should be sent to the Office of the General Counsel.

Should you have any questions, contact Karen Powell, the attorney assigned to this matter, at (202) 376-8200.

Sincerely,

Lawrence M. Noble  
General Counsel

BY:   
Lois G. Lerner  
Associate General Counsel